

# Constitution and Schedules of Munster Technological University Cork Students' Union

Adopted 7<sup>th</sup> May 2020

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## **Preamble**

Herein are the articles and schedules of the constitution of Munster Technological University Cork Students' Union which incorporates MTU Cork School of Music, MTU Crawford College of Art and Design and the National Maritime College of Ireland. This constitution derives its authority from the student body of Munster Technological University, Cork (formally Cork Institute of Technology.) This constitution may only be amended by referendum in accordance with regulations laid out in Article 5. Where Munster Technological University Cork Students' Union is affiliated to any organisation(s), such affiliations will only bind Munster Technological University Cork Students' Union in so far as the provisions of this constitution are not contravened. All previous constitutions of the Cork Institute of Technology Students' Union and the Cork Regional Technical College Students' Union are hereby revoked, however, membership, elections, appointments and policies adopted under previous constitutions are not invalidated or made inoperable as a result of this revocation. Munster Technological University Cork Students' Union is an apolitical organisation.

## **Freedom of Information**

Any member shall be entitled to request a copy of this constitution from any full-time officer or member of Union staff, during office hours. All minute books of Munster Technological University Cork Students' Union meetings shall be open to inspection by any member at The Students' Union Office, during office hours and subject to two working days' notice. Minute books of the previous year's Students' Union administration must be handed over in full to the incoming Sabbatical Officers.

## **Article 1 Establishment and Name**

1.1 The name of the Students' Union shall be "Munster Technological University Cork Students' Union" (hereafter called "The Union".)

## **Article 2 Aims, Objectives & Ethos**

2.1 The Union shall represent and defend its members on matters affecting their rights and interests as students

2.2 The Union shall act as a channel of communication between its members and Munster Technological University and other bodies.

2.3 The Union shall promote the collective and individual participation of students in their own education and welfare.

2.4 The Union shall operate and promote the principles of democracy, equality and anti-discrimination, and shall foster freedoms of expression, assembly and speech amongst its membership. Furthermore, the Union shall promote peaceful demonstration and fully oppose the use of violence.

2.5 The Union shall be accountable to the students it represents.

2.6 The Union recognises the importance of the Irish language and will strive to promote it as far as is practical.

2.7 The Union shall keep abreast of developments and issues in the field of education with a view to the ongoing formulation of policy.

2.8 The Union will enter into and, as far as possible, promote communication with other student bodies at home and abroad.

2.9 The Union shall provide and develop quality and viable social, recreational and commercial services to meet its members' needs while remaining cognisant of its aims, objectives and ethos.

2.10 The Union shall communicate with the Institute of Technology Tralee (ITT) Students' Union regarding the application for designation of Technological University status. In the event that Technological University designation is awarded jointly to CIT and ITT the Union will communicate and collaborate with the newly formed Union in Tralee with the aim of benefitting its members.

## Article 3 Membership

3.1 Registered, undergraduate students of the Munster Technological University (Cork) who are obliged to pay the full Student Contribution Charge for the academic year will be full and equal members of the Union upon payment of the full amount of the charge\*. Full time registered Post Graduate students and full time International students will be full and equal members of the Union subject to payment of their full fees as determined by the Institute. Current Union Sabbatical Officers will be full and equal members of the Union.

### 3.1.1 Rights

To speak and vote at Union General Meetings

To vote in Students' Union elections and referenda

To seek election at any level (subject to eligibility under Schedule B)

To avail of Union services and facilities subject to third party restrictions

3.2 Registered students of the Munster Technological University (Cork) who are obliged to part pay the Student Contribution Charge for the academic year will be full members of the Students' Union upon payment of the designated portion of the charge\*, but cannot seek election for any Union Executive positions.

### 3.2.1 Rights

To speak and vote at Union General Meetings

To vote in Students' Union elections and referenda

To avail of Union services and facilities subject to third party restrictions

*\*Student Contribution Charges covered by SUSI or any other grant or scholarship are deemed to have been paid.*

### 3.3 Honorary Membership

Any person proposed by Union Council and agreed by a General Meeting shall be asked to become an honorary member of the Union. Past members of the Union Executive, and current Union Staff, shall be, by right, honorary members of the Union.

### 3.3.2 Rights

To speak at Union General Meetings

To avail of Union services and facilities subject to third party restrictions

## Article 4 Structure

4.1 The management of the Union's affairs shall be conducted on four levels:

4.1.1 Referendum

4.1.2 Union General Meeting

4.1.3 Union Council

4.1.4 Union Executive

## **Article 5 Referendum**

5.1 A referendum may be called on issues relating to education, student experience or Union matters by:

5.1.1 General Meeting

5.1.2 Union Council

5.1.3 A Petition signed by 500 Union Members

5.2 All referenda are to be decided by simple majority.

5.3 A quorum of 10% of the Union membership is required to validate a referendum.

5.4 Referenda shall be binding on all Union bodies.

5.5 Referenda shall be held not less than two academic term weeks and not more than four academic term weeks after it has been called.

5.6 All motions must be communicated to the student body at least five working days before the referendum. For constitutional amendments, the original text and the proposed amendment must be communicated to the student body at least five working days before the referendum.

## **Article 6 Union General Meetings**

6.1 The Union General Meeting shall be the supreme governing body of the Union subject to the decision of a Referendum.

6.2 Union General Meetings may be called by:

6.2.1 The President

6.2.2 Union Executive

6.2.3 Union Council

6.2.4 A Petition signed by 200 Union Members

6.3 The quorum for General Meetings shall be the lesser of 5% of Union Membership or 300 Union members. Meetings shall be quorate. In the event of a successful challenge, proving the meeting is inquorate; all remaining business shall be deemed lost.

6.4 U.G.M.s shall be held at least twice per semester during the academic year.

6.5 At least five working days notice must be given for the holding of a General Meeting.

6.6 All General Meetings shall be conducted in accordance with the standing orders in Schedule A; such standing orders may be suspended by a two-thirds majority of those present and eligible to vote.

6.7 A group of members of the Union may put a motion forward seeking support from the Union to enable them to highlight social, economic, environmental or political issues. The support may be in the format of the provision of resources subject to the approval of the General Meeting. However, support of this nature will not be a sign of endorsement on behalf of the entire Union membership, but an enabler of freedom of speech and freedom of choice.

### **6.8 Emergency General Meetings**

6.8.1 Emergency General Meetings may be called in the same manner as General Meetings save that only one working day is required for notice in the case of an Emergency General Meeting.

6.8.2 Such a meeting shall discuss only the business for which it was called, which must be specified in the written request.

## **Article 7 Union Council**

7.1 There shall be a representative body that shall determine the policy of the Union and mandate

the Union Executive subject to the decision of Union General Meeting and Referenda. This body shall be known as Union Council and shall meet at least three times per semester during the academic year.

7.2 Union Council shall consist of the Union Executive and elected Class Representatives of member classes.

7.3 A Union Council meeting may be called by any of the following:

7.3.1 The President

7.3.2 The Executive

7.3.3 One third of Union Council Members

7.4 At least five working days' notice must be given for all Union Council meetings.

7.5 Motions for discussion at Union Council meetings must be submitted in writing to the President two working days prior to the holding of the meetings.

7.6 All major Union policy initiated or altered by the Union Executive must be approved by Union Council.

7.7 Any Union Council Members excepting those members who are also members of the Union Executive may be removed from office by a quorate meeting of their class. Written notice of such a class meeting must be given to the Union Council Member concerned at least three working days prior to the holding of the meeting. A Sabbatical Officer of the Union shall be in the chair for such a meeting.

7.7.1 The quorum for a class meeting shall be 60% of the registered students of that class.

7.8 Union Council shall elect from within its membership a Chairperson in accordance with the election schedule of this constitution. The election shall take place at the second Union Council Meeting of the year. The President will act as Chairperson for the first meeting and give up the chair once the Chairperson has been elected. Members of the Union Executive are ineligible for election to this position.

7.9 Union Council meetings are subject to the same standing orders as General Meetings and the same procedures apply in relation to suspension of standing orders.

7.10 A Class Representatives shall be required to:

7.10.1 Undergo training if organised by the Union.

7.10.2 Represent the views of their classmates.

7.10.3 Be a member of the class in which they represent.

7.10.4 Serve as a liaison between the Union and their class.

7.10.5 Once elected, register their details with the Students' Union

7.10.6 Convene a class meeting at least once a month during term time.

7.10.7 Inform Union Council or a member of the Union Executive about issues affecting their class, which cannot be resolved by the Class Representative.

7.10.8 Keep their class informed of all the proceedings of Union Council including any special requests that have been issued by Union Council or the Union Executive.

7.10.9 Be a member of Programme/Course Boards for their course.

## **Article 8 The Union Executive**

8.1 There shall be a Union Executive elected by the members of the Union by general franchise according to the election schedule of this constitution.

8.2 The Union Executive shall be responsible for the initiation of policy of the Union subject to Union Council, General Meeting and Referendum.

8.3 The Executive shall consist of the following posts:

8.3.1 President (Sabbatical)

- 8.3.2 Vice President Education (Sabbatical)
- 8.3.3 Vice President Welfare (Sabbatical)
- 8.3.4 Communications (Non-Sabbatical)
- 8.3.5 Entertainments (Non-Sabbatical)
- 8.3.6 Projects (Non-Sabbatical)

8.4 No member of the Executive may hold any other elected position in the Union.

8.5 All Executive Officers shall be required to present a written officer report to all General Meetings. This report is to be made available to any member of the Union who requests it subject to two working days notice.

8.6 The Executive shall meet at least once a month during the academic year.

8.7 The quorum for all Executive Meetings shall be 50%+1.

8.8 All motions passed by the Executive must specify the person(s) who is to be responsible for their implementation.

8.9 The positions of President, Vice President Education and Vice President Welfare shall be full-time sabbatical positions and shall be salaried. This salary will match the Republic of Ireland's Annual Living Wage as determined by the Living Wage Technical Group.

8.10 Sabbatical Officers shall take up office on 1st June and their terms of office shall be terminated the following 31st May.

8.11 The offices are held for one year and any one position can only be held for two years in total by the same person.

8.12 The Sabbatical Officers shall represent the views of the Union Members as expressed by Executive, Union Council, Union General Meeting and Referenda.

8.13 The Sabbatical Officers shall take collective responsibility for the day-to-day functions of the Union.

8.14 Areas of competence for the Sabbatical Officers shall be allocated by the President at the beginning of each year, following consultation with the Vice-Presidents.

8.15 The President shall have full membership and shall be the principal spokesperson and chief executive officer of the Union and co-ordinator of all activities of the Union.

8.15.1 They shall be the chief representative of the students and shall have five main areas of responsibility: representation, finance, organisation, supervision and guidance of policy.

8.15.2 They shall automatically take up office on the Governing Body of the Institute at the beginning of their term of office and the outgoing President shall be deemed to have resigned from the Governing Body of the Institute.

8.15.3 They shall have specific responsibility for liaison and integration with the relevant constituent colleges.

8.16 The Vice President Education shall have full membership of the Union.

8.16.1 They shall from time to time act for and on behalf of the President in the President's absence at their request.

8.16.2 They are responsible for the implementation and development of the Unions' educational policies subject to the general direction of Union Council, General Meetings and Referendum.

8.16.3 They will undertake such research, surveys etc. as shall contribute to the development of educational policy locally and nationally.

8.16.4 They shall be responsible for the provision of information on academic matters and meeting with and representing individual students where practicable.

8.16.5 They shall be responsible for the co-ordination of Union General Meetings, Union Council Meetings and the for the co-ordination of Class Representatives including recruitment and training

8.17 The Vice President Welfare shall have full membership of the Union. They shall from time to time act for and on behalf of the President in the President's absence at their request.

8.17.1 They shall be familiar with the welfare matters that concern all members and shall represent their interests in matters relating to their welfare.

8.17.2 They shall be the chief co-ordinator of a programme of welfare campaigns throughout their term of office.

8.18 The Communications Officer shall aid in the development of the Union's information and communication policy. They shall be familiar with all Union communication policies. They shall be familiar with all the communication mediums available to the Union and ensure these mediums are utilised to their full potential.

8.18.1 They shall keep the membership of the Union informed through the provision of a regular Union publication.

They shall ensure that Union publications are not offensive or degrading to any section of Union membership or society as a whole.

8.19 The Entertainments Officer is responsible for the planning and promotion of entertainments and other forms of social and cultural activity for the members of the Union subject to the approval of the Sabbatical Officers and Union Staff.

8.19.2 They shall endeavour to cater for the entertainment preferences of all students.

8.20 The Projects Officer's role will be primarily as a support for the Sabbatical Officers in the areas of campaigning, Union development and projects.

#### 8.21 Removal of a Sabbatical Officer

Sabbatical Officers shall be liable to be removed from office on a proposal to that effect and approved by a Referendum held in accordance with schedule B of the Constitution. Where such a proposal is approved, it shall take effect upon the declaration of the Returning Officer.

8.21.1 A Sabbatical Officer who has been removed from office in line with article 8.21 cannot stand for election in any subsequent Union Executive elections.

8.22 In the event of the resignation or removal from office of the President, the Executive shall elect either the Vice President Education or the Vice President Welfare, to fill the vacancy.

8.23 In the event of the resignation or removal from office of the Vice President Education in the first six months of their term of office, there shall be an immediate by-election for the position of Vice President Education, in accordance with the election schedule. In the event that the Vice President Education resigns or is removed from office after the second six months of term of office or within the first six months and a candidate is not elected, the Executive will agree to share responsibilities and individual(s) may be employed on a temporary basis to assist with duties where appropriate.

8.24 In the event of the resignation or removal from office of the Vice President Welfare in the first six months of their term of office, there shall be an immediate by-election for the position of Vice President Welfare, in accordance with the election schedule. In the event that a Vice-President Welfare resigns or is removed from office after the second six months of term of office, or within the first six months and a candidate is not elected, the Executive will agree to share responsibilities and individual(s) may be employed on a temporary basis to assist with duties where appropriate.

8.25 In the event of the resignation or removal from office of all the Sabbatical Officers simultaneously there shall be an immediate by-election for all positions in accordance with the election schedule.

8.26 A Non-Sabbatical Officer may be removed from office by a two-thirds majority vote of Union Council. Where such a proposal is approved, they cannot stand for election in any subsequent Union Executive elections.

8.27 In the event of the resignation or removal from office of a Non-Sabbatical Officer a by-election will take place in accordance with the election schedule.

8.28 The resignation of an Executive Officer shall only take effect upon notification of same by letter to the Union Executive.

#### 8.29 Constituent College Representatives

8.29.1 There shall be College Representatives who are elected by the students in their constituency and who will have full membership of Union Council, however they will not form part

of the Union Executive but may be invited to attend Union Executive Meetings. The Constituent College Representative will be a student of the constituency college they represent.

8.29.2 Constituent College Representative shall be the primary means of communication between the students and Class Representatives in their constituency, and the Union Executive.

8.29.3 In particular, the Constituent College Representative shall be responsible for raising awareness of issues specific to their respective constituencies in all appropriate forums including Union Council and Union Executive Meetings.

8.29.4 The Constituent College Representative shall seek to pursue the interests of their constituents to, and in partnership with, the Sabbatical Officers.

8.29.5 Recognising the non-sabbatical nature of the Constituent College Representative positions, the Sabbatical Officers and the Union generally, shall endeavour to provide support to the Constituent College Representative in the discharge of their duties.

8.29.6 The Constituent College Representative shall be responsible for the distribution of information and support the campaigns of the Union within their constituencies.

8.29.7 The Constituent College Representative shall be responsible for the recruitment of Class Representatives within their own constituency.

8.29.8 The Constituent College Representative shall, where practicable, undergo training during the summer months as organised by the Sabbatical Officers.

8.29.9 Elections for Constituent College Representative shall be run in accordance with Schedule B of this Constitution.

8.29.10 A Constituent College Representative may be removed from office by a two-thirds majority vote of a meeting of the relevant constituency College Council.

### **8.29.1 Constituent College Councils**

8.29.1.2 Each Constituent College Representative shall arrange for a Constituent College Council meeting to occur in their respective constituency at least twice per semester.

8.29.1.3 Each Constituent College Council shall be comprised of the Constituent College Representative and Class Representatives from the relevant Constituent College.

8.29.1.4 The Constituent College Representative shall be the chairperson(s) of their respective College Council and shall have a deliberative and casting vote.

8.29.1.5 A deputy chairperson and secretary may be elected from the College Council at the first meeting of the academic year.

8.29.1.6 The College Council shall provide a forum for discussion on all issues of particular relevance to the constituency, including, but not limited to: academic programmes; all areas of teaching and learning; facilities; catering; and all matters relating to the education, welfare and student experience of students in the relevant constituency

8.30 Non-Sabbatical and Constituent College Representatives are voluntary roles but they may be gifted vouchers in recognition of volunteering above and beyond their roles. In this instance, the value of the voucher is subject to the decision of the Sabbatical Officers and General Manager and subject to any regulatory or compliance constraints.

## **Article 9 Interpretation**

9.1 In the event of a dispute as to the interpretation of any part of this constitution, excepting Schedule B, the ruling of the President shall be sought. In the event of a challenge to the President's ruling, the decision of the General Meeting shall be final.

## **Article 10 Indemnity**

10.1 Every officer, appointee or member of staff of the Union shall be entitled to be indemnified out of the assets of the Union against all losses or liability which they may sustain or incur in or about the execution of their office or otherwise in relation thereto. No officer, appointee or member of

staff shall be liable for any loss, damage or misfortune, which may happen to or be incurred by the Union in the execution of the duties of their office or in relation thereto. Provided that nothing in this clause shall affect their liability for the consequences of any negligent or fraudulent act on their part.

## **Article 11 External memberships and affiliations**

11.1 The Union shall affiliate annually to external organisations where it believes such membership will be beneficial to the membership of the Union and where that organisation's aims, objectives and ethos are not contradictory to the Union's own aims, objectives and ethos.

11.2 Such memberships must be confirmed by referendum if one is called by:

11.2.1 The Sabbatical Officers

11.2.2 Union Executive

11.2.3 Union Council

11.2.4 A Petition signed by 500 Union Members

11.2.5 Union General Meeting

## **Article 12 Policy**

12.1 All policies adopted by the Union shall lapse after a period of five years, unless that policy is re-affirmed.

## **Article 13 Autonomy:**

13.1 The Union is an autonomous organisation and shall not be affiliated to any organisation whose conditions of membership may affect the autonomy of the Union.

## **Article 14 Amendments**

14.1 The sole amending body of this constitution and schedules shall be by Referendum in accordance with article 5.

## **Article 15 Enactment**

15.1 This constitution comes into effect on (7<sup>th</sup> May 2020)

## **Article 16 Finance**

16.1 The Sabbatical Officers shall be responsible for the allocation and control of all Union funds in consultation with the Union General Manager (The Union General Manager being a salaried employee). They must be willing to collectively account for their decisions to the membership.

16.2 The Union General Manager shall be responsible to the Union for the keeping of accounts and shall exercise supervision over all Union finances.

16.3 The financial year shall run from the 1st June to 31st May annually.

- 16.4 The Union through the President and the Union General Manager shall incur contractual obligations on behalf of the Union in pursuance of the aims and objectives of Union policy.
- 16.5 The accounts of the Union shall be audited by a qualified external auditor, said auditor to be appointed annually at the A.G.M.
- 16.6 The Union shall hold bank accounts in the name of the Union. Payments shall be ordinarily authorised by the Union General Manager and one of the following officers:
- 16.6.1 The President
- 16.6.2 The Vice President Education
- 16.6.3 The Vice President Welfare
- 16.7 The Union General Manager shall be responsible for the operation of the Union's various accounts subject to the direction of the Union executive. The Union General Manager shall present financial reports to the Executive on a regular basis.
- 16.8 The Union accepts no responsibility for overdrafts or debts incurred by clubs, societies or individuals connected with or associated with the Union.
- 16.9 The Union's Auditor in conjunction with the Union General Manager shall be responsible for the preparation of annual accounts relating to the Students' Union activities including supporting notes to the accounts as well as comparative figures from the previous sessions accounts, to be presented at the A.G.M.
- 16.10 The Union General Manager in consultation with the Executive shall present to the AGM a schedule of Union procedures and controls to be adopted as policy in accordance with schedule 12.1, the purpose of which is to protect the assets of the Union and ensure accountability.
- 16.11 The Union in so far as practical shall make financial provisions to ensure continuity of service in future years.

## SCHEDULE A - Standing Orders for Union Meetings

1. Standing orders shall apply to all meetings of the Union.
2. Only full members of the Union may speak and vote at General Meetings. Honorary members have speaking rights. Only Union Council Members may speak and have voting rights at Union Council meetings. Non-Council Members may be invited to speak at a Union Council meeting by the Union Chairperson or the President.
3. The Vice President Education shall be responsible for the production of minutes of all meetings.
4. All Ordinary, Extraordinary and Annual General Meetings shall be convened by the President in accordance with the constitution. The Vice President Education will convene all Union Council Meetings.
5. The business of meetings shall be taken in the following order:
  - (i) Minutes of previous meeting.
  - (ii) Matters arising.
  - (iii) Reports, statements and motions.
  - (iv) Any other business.
6. The President of the Union shall take the chair at General Meetings. If the President is absent or relinquishes the chair, it shall be taken by one of the Vice Presidents. The Council Chairperson shall take the chair at Union Council meetings. If the Council Chairperson is absent, a temporary chair shall be appointed from the floor.
7. The Chairperson shall be responsible for keeping the meeting in order. They shall not otherwise participate in debate. When the Chairperson speaks all other members shall be silent.
8. Members wishing to speak shall rise and address the chair. The Chairperson shall decide the right of priority in speaking. They shall ensure whenever practicable that speakers for, and against the question under discussion address the meeting alternately.
9. No member may speak more than once on the same motion except with the express permission of the meeting or to answer a question on a report or as indicated in standing orders 13 and 24.
10. Each full member shall have one vote. The Chairperson shall have a single vote and shall use it only in the event of a tie.
11. No votes shall be recorded on behalf of any member not present.
12. Every motion shall have a proposer and a seconder. The proposer shall move the motion, it shall thereafter be open for discussion and may be withdrawn only with the consent of the meeting.
13. The proposer of any motion shall have the right to sum up on the debate immediately before the vote is taken.
14. There shall be no new information or points of information during the summing up speech.
15. Emergency motions may be moved if and only if they deal with matters which have arisen since the date for submission of motions, and if there is a two thirds majority vote for the discussion of this motion. Emergency motions may only be discussed if all properly submitted motions have been discussed.
16. In the absence of any discussion, the Chairperson, shall ask if there is to be any further speeches and if not shall put the motion to a vote.
17. There shall be only one motion or amendment before the meeting at any one time. The first amendment to a motion shall be proposed immediately after the motion has been proposed.
18. The proposer of the amendment shall have the right to sum up before a vote is taken on it.
19. In the event of any amendment being carried which was not accepted by the proposer of the original motion, the amended motion shall become the substantive motion, and the proposer of the amendment shall become the holder of that substantive motion.
20. When all amendments have been voted upon, the substantive motion shall be debated.
21. The following procedural motions may be put:
  - (i) A vote of no confidence in the Chairperson.

- (ii) A challenge to the Chairperson's ruling.
  - (iii) That the motion be now put.
  - (iv) That the motion not be put.
  - (v) That standing orders be temporarily suspended.
  - (vi) That the meeting be temporarily adjourned for a specific time.
  - (vii) That the matter be discussed but not voted upon.
  - (viii) That the motion be remitted to the appropriate Union Committee/Sub-Committee.
  - (ix) That the motion be referred back for investigation or re-examination.
  - (x) That the meeting be adjourned.
  - (xi) That the motion be voted on in parts.
22. Procedural motions shall have a proposer and seconder.
23. Procedural motions shall be debated in the order of priority as in Standing Order 21.
24. Procedural motions (i), (ii), (iii), (iv), (v), (vi) and (x) should be moved on a point of order. Other procedural motions may be moved by members called to speak by the Chairperson.
25. If procedural motion (i) or (ii) are put the Chairperson shall hand the Chair, to another member of the Executive. The proposer shall state his or her own case, the person who has just vacated the Chair shall reply and the matter will be put straight to a vote. In the event of procedural motion (i) being carried they shall not resume the Chair during the meeting.
26. If procedural motion (iv) or (xi) is put, the meeting shall vote immediately on the procedural motion. If it is carried, the mover of the motion under discussion shall sum up immediately.
27. Points of information may be raised by any full member provided that the speaker occupying the floor signifies their intention to give way.
28. Points of order, which take precedence over any other business and upon which there shall be no discussion may be raised by any full member.
29. Motions shall require a simple majority except where otherwise specified in this Constitution.
30. Any suspension of standing orders shall apply for the duration of the matter under discussion only.
31. In the event of any situation arising not being covered by standing orders then the Chairperson shall rule on the procedure being adapted. Such ruling shall be subject to challenge under procedural motion (i).

## **SCHEDULE B - Elections**

### **General:**

1. A Returning Officer, who shall not be a member of the student body, shall be appointed by the Union Executive. The Returning Officer shall be responsible for the good conduct of elections for one year.
2. The election of the Union Executive shall take place in the second term of the academic year.
3. The dates of all elections and a copy of the election regulations shall distributed to all members at least three working weeks before the election.
4. It will be the responsibility of all the outgoing Sabbatical Officers if requested, to make themselves available to all candidates for information purposes.

### **Nominations:**

6. Candidates for Executive posts must be nominated by 40 full Union members including at least two Union Council Members. As well as signing the nomination form the nominators must also print their names and ID numbers on the nomination form.
7. The official nomination papers must contain, as well as the required number of nominees, the candidates name as registered with the Institute, their Institute I.D. number, course and the name of the candidate's agent/campaign manager (if any).
8. The election for all positions shall take place four working days after the close of nominations.
9. Nomination forms signed by the candidates shall be returned to the Returning Officer no later

than 5.00 p.m. on the day of close of nominations.

10. Candidacy will be invalidated on the basis of tampering or defacement of the official nomination form.

11. For Sabbatical positions, a candidate must not be restricted from employment in Ireland.

12. The decision on valid candidacy is at the discretion of the Returning Officer and their decision is final.

### **Canvassing:**

13. All candidates are expected to treat all other candidates with dignity and respect and abide by basic rules of fair play.

14. Where an election is in progress under this constitution the Returning Officer may at their discretion make such regulations as may be appropriate to govern the canvassing or other activities of candidates, or their agents, in seeking election.

15. All canvassing must be confined to campus grounds. All canvassing must be carried out in keeping with the laws and regulations of both the Institute and the state.

### **Hustings:**

16. All official hustings or public debates with or between candidates or interested parties in an election shall be convened by independent chairpersons.

17. Candidates shall hust in alphabetical order and shall sum up in reverse alphabetical order.

18. Candidates shall have equal time for their main speeches and not less than a third of that time for summing up.

19. Points of information shall not be allowed. Points of order may only be made by the candidates and shall only be related to the running of hustings.

20. Questions from the floor shall be subject to inspection by the Returning Officer and/or the Chairperson.

21. Parliamentary language must be observed at all times during hustings.

### **Voting:**

22. The system of voting shall be proportional representation with the single transferable vote, as operated under the various Electoral Acts of Ireland.

23. Votes will be cast in sealed ballot boxes and/or using a secure online system.

24. Voting slips shall bear the name of each candidate alphabetically and the office being contested.

25. The Returning Officer shall publicise the arrangements for polling station(s) and/or online voting, and shall make arrangements whereby provision is made for all eligible members of the Union to vote in advance of Polling Day.

26. Polling stations and/or online voting facilities will offer the greatest convenience to the voters and their operational hours shall be determined by the Returning Officer with a view to catering for the highest possible voter turnout.

27. No other polling stations/online voting facilities can be operated other than those authorised by the Returning Officer.

28. No electioneering or pamphleting may take place within the area circumferencing the polling station(s) as designated by the Returning Officer.

29. Voters must be able to identify themselves before being allowed to vote.

30. Any vote on which a clear preference is shown will be considered valid.

31. If a candidate wishes to use on the ballot paper a name other than the one, which appears on their Institute registration, they must seek prior approval from the Returning Officer.

### **Counting:**

32. The counting of votes shall take place after the closing of the polling stations at a time and in an area designated by the Returning Officer.

33. The order of the count after ascertaining total poll shall be Communications Officer,

Entertainments Officer, Projects Officer, Vice President Education, Vice President Welfare, President, with the official results being declared by the Returning Officer after each count.

34. Campaign managers/candidates have the right to call a recount after the result of the count has been announced. If a campaign manager/candidate for any reason is absent from the count result announcement they may still request a recount within one hour of the announcement being made. The Returning Officer alone will make the decision as to when the recount will take place.

#### **Grievances:**

35. Any corrupt practice e.g. attempted double voting, will be disciplined using all the medium at the Union's disposal.

36. Any candidate/campaign manager/ member of the Union who has reason to believe that there was an irregularity of any kind regarding the conduct of the elections shall have the right to lodge an objection with the Returning Officer within one Institute day of the alleged irregularity taking place.

#### **By-Elections:**

37. The above rules shall also apply for by-elections, however, by-elections for Non-Sabbatical Executive positions may be held through the medium of the General Meeting, the decision as to whether to use this medium or not shall be made by the Executive of the day.

#### **Union Council Chairperson:**

38 The position of Union Council Chairperson shall be elected from the floor at the second Union Council meeting of the year; this position shall be filled by a show of hands unless a secret ballot is requested.

#### **Constituent College Representative**

39 Constituent College Representatives shall be elected from the floor at a Constituent College Council meeting held in the second semester of the previous academic year, with only members of the relevant Constituent College eligible to run for election and to vote. This position shall be filled by a show of hands unless a secret ballot is requested. In the event of resignation or removal from office of a Constituent College Representative, a by-election may be held at a subsequent Constituent College Council meeting.

## **SCHEDULE C - Code of Conduct for Sabbatical Officers**

### **1 General information**

#### **1.1 Term of office and salary**

Sabbatical Officers commence their paid full-time role at the Union on 1st June (excepting those who may commence their role following a by-election) and their terms shall run until 31st May. Sabbatical Officers are paid in line with the Republic of Ireland's Living Wage as per paragraph 8.9.

#### **1.2 Working hours and location**

The salary reflects a 39 hour working week (excluding lunch breaks). Working times will vary but Sabbatical Officers are normally expected to be in the office or at work between 9am – 5.30pm every weekday.

Sabbatical Officers may sometimes need to work later hours and at weekends in order to meet the needs of the role. Some flexibility regarding the 'working week' is therefore acceptable in order to meet the required hours of work, by prior agreement with the other Sabbatical Officers and the General Manager.

Sabbatical Officers are primarily based at the Union's offices in the Students Centre for the purpose of work.

### 1.3 Holidays

Sabbatical Officers are entitled to 22 days annual leave (pro rata) which must be agreed in advance with the Sabbatical Officers and the appropriate holiday booking procedure is completed. Sabbatical Officers must submit annual leave requests on the appropriate form to the General Manager. This allowance is in addition to 6 statutory holidays but is inclusive of any compulsory closure of the Union offices over the Christmas/Easter period.

## 2 Induction and Training

2.1 Sabbatical Officers are expected to participate fully in induction programmes and undertake such advance reading and preparation as is necessary for the role.

2.2 Various formal training courses will be arranged/booked as part of the induction and/or during the year, and Sabbatical Officers are expected to attend and fully participate in these.

2.3 Training courses may be generic or more specific skills-related courses specific to an individual's needs, to enable each Sabbatical Officer to be fully effective in their role.

2.4 Sabbatical Officers will also be expected to undertake on-going desktop research and reading as necessary for their roles (e.g. Sabbatical Officers will need to be fully conversant with the Institute's Policies and Regulations.)

2.5 Sabbatical Officers will also be expected to be fully conversant with the Union Constitution and the Schedules.

## 3 Working practices

3.1 Timekeeping and absence from work

3.1.1. If the Sabbatical Officers are not in a position to be in work by the agreed time, they should inform the Union Administration Assistants by 9am on that day.

3.1.2 Use shared calendars in an open and transparent manner- i.e. the purpose of the calendar item must be stated e.g. Academic Council, Safety Committee or student appointment.

3.1.3 Complete paperwork for annual leave and sick leave in a timely manner.

3.1.4 In the event of unauthorised absenteeism (i.e. outside of authorised annual leave or medically certified absenteeism), the equivalent pay will be deducted from the Sabbatical Officer's salary.

3.2 Performance

Sabbatical Officers must:

3.2.1 Ensure students queries are responded to in a timely fashion.

3.2.2 Ensure students are always given accurate information by consulting with other Sabbatical Officers, Union and Institute staff or outside agencies.

3.2.3 Ensure office space is maintained as a professional place, and kept in a tidy and orderly fashion.

3.2.4 Complete General Meeting Officer Reports detailing all activities carried out with reference to their monthly work-plan and their objectives, including a progress report.

3.2.5 Attend a formal performance review meetings with the Union Executive on request. These meetings will cover attendance and leave taken. An action plan for the next month will be agreed at this meeting. If under-performance is identified in any area, then additional actions may be required to correct this and/or ensure that that targets are met. For instance, further training may be necessary. The General Manger may be invited to attend.

3.3 Attendance at meetings:

3.3.1 Attend formal Institute meetings (e.g. Governing Body, Academic Council etc.) as required by the Institute and agreed during the induction period.

3.3.2 Attend Union meetings and other meetings as required.

3.3.3 Sabbatical Officers will read all relevant documentation in advance of Union or Institute meeting including but not limited to the minutes, and ensure that they are fully conversant with all agenda items with the exception of unknown 'Any Other Business' items.

3.3.4 Send timely apologies to the relevant member of Union or Institute staff if absence from a meeting is unavoidable.

3.3.5 Ensure that the Sabbatical team are kept aware of any contact with senior members of Institute staff, outside formal Institute meetings. This is to ensure that the Union presents a co-ordinated approach to the Institute and that the Union is seen to be working in a co-ordinated and professional manner.

3.3.6 Sabbatical Officers will attend formal and regular Sabbatical Officer Meetings as a team to ensure sharing of information and project plans going forward. A schedule of meetings to be proposed by the President and agreed by all Sabbatical Officers. The President will share this information with the Union staff when necessary.

#### **4 Conduct**

4.1 Sabbatical Officers must familiarise themselves with and adhere to the following:

- The Union Constitution and Schedules
- The Union Employee Handbook
- Union financial procedures
- Relevant Union policies and procedures, e.g. reporting sick leave, advance authorisation for annual leave etc. In these instances, the General Manager is the primary Line Manager for all Sabbatical Officers.
- ALL Sabbatical Officers are answerable to the Union Executive, Union Council and ultimately all Union members.

4.2 Sabbatical Officers must behave in a professional manner at all times when representing the Union or the Institute whether at a formal meeting, training session, formal ceremony or attending a social event. The reputation of the Union must be upheld and protected on all occasions. Failure to do so may lead to exclusion from attendance at subsequent events.

4.3 Sabbatical Officers must act at all times with integrity, honesty and fairness and always respect confidentiality.

4.4 Sabbatical Officers must treat students, Union Executive members, Union staff and Institute Staff with respect at all times.

4.5 Sabbatical Officers must not use their role title, the Union logo, Union premises and equipment, for any purpose other than legitimate Union business.

4.6 Sabbatical Officers must not do anything which damages the reputation of the Union or the Institute.