

GMB

UNION

GMB CONGRESS 2023

**CENTRAL EXECUTIVE
COUNCIL SPECIAL REPORT**

**OUR RULEBOOK –
A PROCESS OF CHANGE**

Together, we
**MAKE
WORK
BETTER**

GMB Congress

Brighton 2023

CEC Special Report to Congress 2023

Our Rulebook - A Process of Change

Why are we doing this?

The work on the new Rulebook should be seen as an ongoing process that seeks to strengthen the democracy and accountability within the union's structures. This will aim to embed GMB's regional and federal structure, with its rights and responsibilities within our culture; and to increase the levels of industrial democracy and workers' participation across the union and, particularly, within representation on the Central Executive Council (CEC) and Regional Councils.

A strong healthy democracy is vital to ensuring that power is held to account at every level in the union and that the union is genuinely representative of the priorities of members.

We want to ensure that the Rulebook is accessible and facilitates participation in the internal democracy of the union. Whilst there is still work to be done, we have been listening to lay members about their experiences with the Rulebook and about the barriers that they perceive exist and that prevent them getting more involved in the union's internal democracy.

It is also clear that in the current Rulebook, there is a lack of clarity about our purpose and vision. Moreover, the current Aims and Objectives do not fit with the approach we have adopted in starting to reverse the membership decline that set in over the past period. We have started to turn around the fortunes of the union by listening to members and building industrial campaigns around their priorities. We need to ensure that the Rulebook properly reflects our newfound focus on running industrial campaigns. The proposed revised wording reflects the principles that guide our union. The revised wording seeks to capture the founding principles and mission of our union: we are truly looking to re-tie the knot of history.

We recognise that transforming the Rulebook is a process that will, in time, broaden out to include all aspects of our work, including our commitment to Equalities and Branch life. However, this year we will take some significant steps in transforming our Rulebook and strengthening our internal democracy. The work on the Rulebook, involving a scrutiny group of lay activists from all Regions, will be ongoing with a view to bringing further amendments to Congress in 2024.

As part of the work we have been doing on updating the Rulebook, we have listened to the concerns raised in Congress motions and noted the consequence of merging regions upon the size and number of seats on the CEC. In 2019, there were 61 lay member seats on the CEC. As a consequence of merging of regions, on the current model, the effect would be to reduce this to 53 seats for the next CEC elections.

In order to bring new industrial voices to our debates, it is proposed that four new industrial seats would be created on each Regional Council. The effect of this is to establish industrial priorities within the core business of our democratic structures and to restore the numerical strength of the CEC in order to rebalance the effects of mergers upon the regions.

In addition, the economic and industrial realities facing our union suggest that now is the appropriate moment to move from three industrial sections, to two (with the continuing provision for the Fine Manufacturing sector (This was established at the time of Unity's transfer of engagements to the GMB, in 2015, and we are keen to honour our commitment to that union and its members).

The status of the nations of Ireland, Scotland and Wales, within our federated union remains unchanged, guaranteeing a distinctive voice for each and a reserved seat for Ireland as part of the North West and Irish Region.

Nationally elected reserved seats remain as currently constituted.

What does this look like?

The proposal before you, for implementation within the Rulebook, would provide 60 lay member seats on the CEC, plus the General Secretary (see the attached breakdown of CEC seats). This would be achieved through the creation of two new industrial seats per region and would not otherwise – save for the move to two sections – affect any other existing CEC seats.

The intent is to introduce regionally determined industrial reserved seats onto Regional Councils and the CEC. Under this model, each region will be obliged to report on the focus of its industrial priorities with a view to filling four new seats to be created on Regional Council, and two new seats to be created on the CEC.

These seats are to be targeted, as determined by each region, in order to reflect the industrial voices of workers in sectors that are key to the region. The region will determine, each time regional council elections are held, their two industrial priorities and these will be replicated in the following CEC elections. However, regions do not have to select the same industrial sectors in every successive election cycle, allowing for flexibility in line with a constantly developing regional economy.

The members elected to Regional Council and the CEC in these new industrial reserved seats must be working in the specified sector at the time of nomination and election.

It may well be the case that there are already Regional Council members who would be eligible for election to the new industrial reserved seats but in order to ensure the greatest levels of participation, and that regions have a sufficient pool of eligible Regional Council members for election to the CEC. Under this new model, if they so choose, Regions will hold elections to their Regional Council before the next CEC elections take place.

During the period prior to the next CEC elections, regions can also hold by-elections to fill any vacant seats on their Regional Councils.

The Timetable for Elections

This will necessitate a change within the CEC electoral cycle.

The union has taken legal advice and can report that we are within the provisions of the TULR (A) 1992 Act, to extend the current term of office for the CEC beyond the four years provided in Rule.

Therefore, the proposal to Congress would be that we move to two sections (Public and Private) effective from 1 July 2023; and create new industrial reserved seats in order to change the dynamic of the CEC.

To do this, we would defer the CEC elections to the first half of 2024, so that the newly elected CEC takes up office at the conclusion of Congress 2024 and would hold office for four years.

Following Congress 2023, regions would notify the General Secretary of which two sectors they will choose for the holding of industrial reserved seats elections to their Regional Council. For the Regional Council seats there will be an open seat, and a women's reserved seat, in each of the two identified sectors (this is consistent with existing election procedure for the reserved seats on Regional Councils).

Following notification of their choice of industrial sectors, by the end of December 2023, according to a timetable of their choosing, regions can, if they so choose, hold elections for two new Regional Council members to each of the new reserved sector seats, with one open seat and one women's reserved seat in each.

At the same time, on the same timetable, regions can also hold by-elections for any vacancies on Regional Council in line with rule 19.7.

Congress is asked to support this proposal and related rule amendments to facilitate this process of change. The rule amendments for consideration have been framed in such a way as to mirror the existing rules governing elections to Regional Councils, necessitating as little change as possible.

(Line numbering refers to rules as printed in the GMB Rulebook)

CECRA1. Delete “Our Purpose”; Insert:

Our Purpose and Vision

Our union was forged amid the fires of the Beckton gas works. It was created as a grassroots organisation by self-organising groups of workers under the leadership of Will Thorne. As the first general union, it was open to all grades, professions, and trades; to both women and men, without distinction, on the basis of equality and inalienable human rights.

Its purpose, then as now, is to make work, and the general conditions governing life, better for its members through organising and campaigning in the workplace. GMB recognises the inherent dignity, creativity, and value of working people, who represent the productive class within our society, that generates the wealth of the nation but which sees so little of its benefits and rewards.

While we will find common cause with good employers and work alongside them in the rebuilding and planning the economy: GMB realises that the interests of employers and workers are fundamentally different and that, as a result our members will often be in dispute with their employers. Therefore, GMB exists to rebalance the economic and productive forces in our society, in order to ensure equity, and to achieve economic and industrial, as well as political, democracy.

GMB's strength stems from the ability of its members to self-organise and campaign in their workplaces; in order to fight at all times for the betterment of wages and conditions at work. It is the collective strength of the members that generates protection at work and provides them with the opportunity for advancement.

GMB recognises its internationalist duty to offer solidarity towards workers across the globe, who find themselves engaged in the same struggles as our own members, as an attack on one is as an attack upon us all.

GMB understands the insidious nature of racism and how it systematically harms, divides, and destroys workplaces, communities, and the fabric of civil society. We stand united, poised, and proud, ready to resist, eager to challenge and certain to defeat it whenever and wherever it manifests, itself. GMB firmly believes that hope, courage, and decency, will overcome – through organisation and education – fear and blind hatred. As a working-class organisation, we seek to celebrate our class in all its rich diversity.

Our values are eternal, rather than transitory. The right to work, to produce, and to create, without the threat of exploitation and discrimination; and to control the results and rewards of our labours, is – we believe – the greatest of freedoms. It is best achieved in current conditions through the solidarity expressed in the organised Labour Movement and within our own ranks, built-up from branch and industrial group level. We are, therefore, stronger when we act together, organised and ballot-ready within each and every workplace.

As a result, GMB remains an organisation in which every member has an equal share in the sovereign power of the union and stands as a strong pillar of a vibrant, and just, civil society and of a vibrant, and growing, union. Each member gained in the workplace builds upon our industrial power and enables GMB to effect the changes that we desire in order to ensure a world of freedom, beauty and equality, where everyone will have the opportunity to express the best that is within them for the benefit of all.

CECRA2. Delete “Rule 2 Aims”; Insert:

Rule 2 Aims and Objectives

The Aims and Objectives of the Union shall be:

2.1 To recruit, organise and represent all workers.

2.2 To act to redress the imbalance of power at work between workers and their employers through organising and campaigning on a collective basis.

2.3 To maintain and improve the wages and working conditions of our members.

2.4 To organise the Union, in each and every workplace, in order to make work better and to build the Union from the grassroots upwards; to ensure that every workplace is organised as if a ballot for action was due; recognising that the employers have different interests to our members; that it is active struggle and campaigns that grows membership; and that our members are strongest when they organise themselves. We intend to achieve this through the development of our workplace leaders and representatives; and by listening to members and helping them build campaigns around those issues that they, themselves, have identified.

2.5 To campaign to ensure that work is secure and safe; providing, as a basic minimum, a genuine living wage.

2.6 To promote industrial, together with political, democracy.

2.7 To achieve and to maintain equal pay for women; and to act to redress historic pay discrimination on the grounds of gender, sex, race, ethnicity, and disability.

2.8 To ensure equal opportunities within the Union, the workplace, and wider society; and to end harassment, prejudice and discrimination at work on the grounds of gender, gender identity, race, ethnicity, nationality, religious beliefs, disability, age, marital status, sexuality, or social class.

2.9 To provide benefits, including legal assistance, to members, in line with our Rules.

2.10 To impart the organising and industrial skills, and the knowledge required to implement the aims of the Union to members through flexible and accessible training programmes.

2.11 To ensure Trade Union freedoms to organise, recruit, and campaign in order to grow the Union and to achieve its aims, with access to workplaces; free from fear of victimisation and blacklisting by employers.

2.12 To promote or support legislation in the interests of members, especially in connection with the legal rights of trade unions; industrial health and safety; social and economic welfare and democracy; and environmental protection.

2.13 To secure the election of members to Parliament, and public authorities, who will promote the policies of the Union and further the interests of Union members through political means, providing that the candidates are pledged to collective ownership, under democratic control, of the means of production, distribution, and exchange.

2.14 To undertake any such lawful acts as are incidental or conducive to the achievement of the above aims (or any of them) or that the Central Executive Council may consider to be in the collective interests of the members, or may be likely, directly or indirectly, to benefit the union or its members as stated under Rule.

CECRA3. Rule 11

Insert New Clause 1a:

1a One member will be elected as a representative for each of the two industrial sectors in each Region.

Insert New Clause 1b:

1b One member will be elected as a representative of the Manufacturing Hub in Midlands Region.

Clause 2a: delete “on 31 May in the year the election takes place”; insert at end of clause: “as stated in the membership figures for the previous September.”

2a One member will be elected as a general representative in each Region which has 75,000 or fewer members as stated in the membership figures for the previous September.

Clause 2b: delete “on 31 May in the year the election takes place”; insert at end of clause: “as stated in the membership figures for the previous September.”

2b Two members will be elected as general representatives in each region which has more than 75,000 members as stated in the membership figures for the previous September.

Clause 4: After first sentence insert new sentence: “No member will be eligible to be nominated for election to an industrial sector seat unless they are working in the sector at the time of nomination and election.”

4 No member will be eligible to be nominated for election to a section seat unless they are a member of that section. No member will be eligible to be nominated for election to an industrial sector seat unless they are working in the sector at the time of nomination and election.

Only women will be eligible to be nominated for election to a women’s reserved seat. Only members of a relevant racial group will be eligible to be nominated for election to a race reserved seat. Only members under 30 years of age on the first Tuesday of December in the year they are elected (or on the date of election if elected in a by-election) will be eligible to be nominated for election to a young members reserved seat. Members must be members of the region in which they are nominated. No-one can be nominated for election in more than one group. All candidates must have the relevant qualifications set out in rule 18.

Clause 5: After second sentence insert new sentence: “Only branches having members in an industrial sector can make nominations for the reserved industrial sector seats for that sector.”

5 Each branch in a region may nominate members for general seats, the women’s reserved seat, the race reserved seats, the young members reserved seats, the disabled reserved seats and the lesbian,

gay, bisexual and transgender reserved seats. In line with rule 35.21 (Composite branches), only branches having members in a section can make nominations for that section seat. Only branches having members in an industrial sector can make nominations for the reserved industrial sector seats for that sector. Only branches in Ireland can make nominations for the general seat under clause 2c, and these branches will not be entitled to make nominations for any other general seat. If a branch is entitled to nominate a candidate for election to any seat, it cannot nominate more than one candidate for election to that seat.

Clause 7: Line 1 delete “2007”, insert “2024”. Line 4 delete “first Tuesday in December”, insert “end of Congress in June”

7 Beginning in 2024, elections under this rule will be held by secret ballot for all groups every four years. Members of the Central Executive Council who are elected in this way will hold office for four years from the end of Congress in June in the year they are elected. Except where the Central Executive Council decides otherwise casual vacancies that arise during the first two years of the term of office will be filled by a by-election held on a day decided by the Central Executive Council and casual vacancies that arise during the last two years of the term of office will not be filled. Any member who is elected to fill a casual vacancy will hold office for the rest of the above four-year period.

Insert New rule 11.10

10 The term of office of the Central Executive Council elected in 2019, will expire at the end of Congress in June 2024.

CECRA4. Rule 19

Clause 4, Line 7 insert “or industrial sector delegates”. Line 8 insert “or industrial sector”. Line 9 insert “or industrial sector”. Line 10 insert “or industrial sector members”

4 Members of the regional council will be elected every four years from nominations sent in by the branches in the region. Branches will only be entitled to nominate one member for each seat elected under this rule and rule 20, and will not have more than one representative for each seat elected under this rule and rule 20. Members who are nominated for election as section delegates or industrial sector delegates must be members of the appropriate section or industrial sector and can only be nominated by a branch of their section or industrial sector. However, these nominations can be made by the appropriate section members or industrial sector members of a composite branch in line with rule 35.21. Members who are nominated must have the necessary qualifications as set out in rule 18. Only members under 30 years of age on 15 April in the year they are elected (or on the date of election if elected in a by-election) will be eligible to be nominated for election to a young members reserved seat.

Insert New rule 19.15

15 Prior to each Regional Council election each Region will determine, for that election and the next following CEC election, two industrial sectors.

CECRA5. Rule 20**Insert New Clause 1a:**

1a Two representatives for each of the two industrial sectors will be elected to seats on Regional Councils reserved for those industrial sectors. Only members who are working in the sector at the time of nomination and election will be eligible for nomination under this clause. One of the two seats in each industrial sector will be reserved for women.

CECRA6. Rule 35

Clause 21, line 2 insert “or industrial sector”. Line 7 “insert or industrial sector” Line 6 insert “or as appropriate, that industrial sector”. Line 9 insert “or as appropriate, industrial sector,” Line 10 insert “or as appropriate, industrial sector”

21. If a branch (‘a composite branch’) is made up of members of more than one section or industrial sector of the union, procedures for things such as nominating candidates (including nominating candidates for election to the Central Executive Council under rule 11, and nominating candidates for election to regional councils under rule 19) and voting (which is usually carried out by branches or members of one particular section or industrial sector) will be carried out by the members of that section, or as appropriate, that industrial sector, in the composite branch. The number of members of that section, or as appropriate, industrial sector, in the composite branch will, where appropriate, be counted as the number of members of the branch. The Central Executive Council can make by-laws to set out how this rule should be applied, and the procedures that composite branches must follow.

CECRA7. Rule 1A The Sections of the union**Delete Rule 1A. Insert New Rule 1A**

Members of the Union will be grouped into two sections.

- The public section
- The private section

Region	Private	Fine MF	Public	Industrial Res'd Seats	GENERAL SEATS	Extra General Seat for Regions with over 75,000 members*	Ireland Res'd General Seat	WMN'S RES'D	RACE RES'D	LGBT+ RES'D	DISAB RES'D	YM RES'D	TOTAL
London	1		1	2	1	1		1					7
Midlands	1	1	1	2	1	1		1					8
North East, Yorkshire & Humber	1		1	2	1	1		1					7
North West & Irish	1		1	2	1	1	1	1					8
GMB Scotland	1		1	2	1			1					6
Southern	1		1	2	1	1		1					7
Wales & South West	1		1	2	1			1					6
Race Reserved													5
LGBT+ Reserved													2
Disability Reserved													2
Young Member Reserved													2
TOTAL	7	1	7	14	7	5	1	7	5	2	2	2	60

* subject to September 2023 membership figures (rule 11.2b)