

GMB
Election of General Secretary and Treasurer 2019
By-laws

In exercise of its powers under Rule, the Central Executive Council adopts and issues the following By-laws.

1. In accordance with the Central Executive Council Special Report – Review of GMB Elections – adopted by GMB Congress 2018 notification that an election for General Secretary & Treasurer is due will be issued by Monday 17 June by letters to branches, posting on the GMB website, text and twitter messages to members and an email to all staff.

2. The Central Executive Council will set the qualifying standards and criteria for potential nominees.

3. Potential nominees, including (if they intend to stand) the holder of the office, must declare their intention to seek nominations. In the case of the General Secretary & Treasurer, Regional Secretaries, National Officials by contacting the President or the National Returning Officer, and in the case of any other member by contacting their Regional Secretary, in each case by Monday 1 July 2019. All potential nominees will be referred to the National Returning Officer who will supply each person with a pack containing a personal details form, the election by-laws and instructions on providing a current head and shoulders photo, a personal statement of up to 1,000 words, and contact details.

4. The National Returning Officer shall issue to each potential nominee a form requesting the following personal details:

- (i) Name
- (ii) Branch
- (iii) Section
- (iv) Current Employer
- (v) Current Occupation
- (vi) GMB Rule Book Offices held on Saturday 31 August 2019.

5. The potential nominee shall accurately supply **all** the personal details requested. The completed form must reach the National Returning Officer by Monday 8 July 2019, failing which the potential nominee shall be disqualified. The form may be delivered by post, by hand, or by email but not by any other method of delivery.

6. By Monday 8 July 2019, the potential nominee shall also provide the National Returning Officer with a head and shoulders photo, personal supporting statement and contact details for Branches to contact potential nominees direct to seek further information and for receipt of invitations to hustings under by-law 21.

Failure to provide such information shall not disqualify a potential nominee but all subsequent communications from the National Returning Officer to the nominee shall be deemed to have been received within one day of being sent, and failure to provide contact details for receipt of invitations to hustings shall relieve Regions and Branches from the duty imposed by by-law 21 to invite the potential nominee (if confirmed as a candidate) to any hustings.

7. The Finance & General Purposes Committee of the Central Executive Council shall ratify that potential nominees comply with the qualifying standards and criteria and shall have the power to remove any wording from a potential nominees supporting statement that it deems to be untrue, obscene, discriminatory, defamatory, or otherwise unlawful. The Finance & General Purposes Committee decision is final and not subject to appeal.

Nominations

8.Nominations shall be sent by Branches, using the form provided, to the National Returning Officer to arrive not later than Wednesday 11 September 2019. Each Branch may only submit one nomination. The form may be delivered by post, by hand, or by email but not by any other method of delivery.

9.A nominee who receives fewer than 50 valid nominations, and does not receive a nomination from at least two different Regions, shall not qualify for candidature.

10.The Finance & General Purposes Committee shall determine which nominees are eligible under rule and have complied with the by-laws and confirms the list of candidates

Election addresses etc

11.The National Returning Officer shall invite each candidate to supply an election address of up to 1,000 words using the form provided to be published with the ballot papers. A candidate may supply an election address in electronic form, in which event the format shall be Microsoft Word.

12.An election address shall not be obligatory but, if supplied, must reach the National Returning Officer by Monday 23 September 2019, otherwise it shall not be accepted An election address may be sent to the National Returning Officer by hand, post or email but not by fax or any other method of delivery.

13.Election addresses should not contain anything that is obscene, discriminatory, defamatory or otherwise unlawful. An election address will not be modified without the consent of the candidate, however any liability for publishing the contents of the election address, with the ballot papers, falls on the candidate (and not the GMB).

14.The National Returning Officer shall delete all words which follow the first 1,000 words of the election address and so are in excess of the maximum number of words permitted under by-law 11 above.

15.Numbers expressed as figures will count as words e.g. "2019", "2019/20", count as one word; "2019/2020", "2019-2020" count as two words; "two thousand and nineteen" counts as four words. GMB" counts as one word, as do acronyms and abbreviations such as "CEC", "TUC", "UK". The method to be adopted for producing copies of potential nominees supporting statements for distributing to Branches or candidates' election addresses for distribution to voters with the ballot paper shall be as follows:

- (a) plain typeface in monochrome Arial font, single line spacing, double line spacing between paragraphs;
- (b) standard use of lower and upper case i.e. lower case save for capitals at start of sentences names and acronyms (e.g. "GMB" "TUC")
- (c) graphic and other special or non-verbal effects, text or content will not be reproduced e.g. inappropriate capitalisation, bold, italics, underlining, bullet points, colours, boxes around text, graphs, tables, sketches, symbols, cartoons, photographic images (other than a photograph supplied under by-laws 3 and 6).

Canvassing, hustings and purdah

16.Face to face canvassing shall be permitted. No text, circular or other material (whether written, typed or printed and whether communicated electronically or otherwise) shall be issued on behalf of any candidate in the election other than an election address published with the ballot papers that accords with by-laws 11 to 15 inclusive.

17.No potential nominee, nominee or candidate shall invite or accept any donation or contribution in money or kind from any other person and in particular from any provider of goods or services to the Union or any employer. Candidates may recover standard expenses and subsistence for attending hustings arranged under by-law 21 and may incur additional expenditure not exceeding £5,000 in the election. Each candidate shall, not later than one week after the close of voting, submit a financial return on the form provided to the National Director of Finance, showing all expenses and subsistence claimed in connection with hustings and accounting for any additional expenditure incurred by him/her in connection with the election.

18.No officer, official or employee of the Union shall request, instruct or pressure any person over whom he/she has authority to take any step to support a potential nominee, nominee or candidate. Save where he/she takes leave to which he/she is entitled, no officer, official or employee of the Union shall be released from their duties as such for the purpose of assisting a potential nominee, nominee or candidate, whether by canvassing or otherwise

19.No candidate and no officer, official or employee of the Union shall for the purposes of supporting a potential nominee, nominee or candidate access or use any information contained on the union's membership or other databases, records or lists, including the names and/or addresses or other contact details of members or officials of the Union.

20.In the event that a potential nominee, nominee or candidate becomes aware of any breach or apparent breach of by-law 16, 17, 18 or 19 by another person acting or purporting to act on his/her behalf, he/she shall as soon as reasonably practicable dissociate himself/herself from any breach, take all reasonable steps to prevent a recurrence of any breach, withdraw any material that has been issued in support of him/her and notify the National Returning Officer that he/she has done so.

21.Each Region of the Union may hold up to three hustings, to which the Regional or Branch Secretary as appropriate (Regional or Branch President in the event that the Secretary is a candidate) shall invite all those nominees who are confirmed as candidates by the Central Executive Council Finance & General Purposes Committee. Invitations shall be issued and the hustings conducted so as to treat candidates equally and with proper dignity and respect. Subject to by-law 6, a failure of a relevant Region or a Branch officer to invite all candidates shall be treated as a conduct contrary to the rules of the Union for the purposes of rule 5. The first hustings held in each Region will be deemed as the Regional hustings and will be filmed and loaded onto the GMB website.

22.Save for hustings arranged in accordance with by-law 21, no potential nominee, nominee or candidate may address any meeting of any Branch (including a meeting of his/her own Branch) or Region or Section of the Union or any meeting of any kind whether held in a workplace or elsewhere, on the subject of the election.

23.A breach of any of the following by-laws may lead to disqualification of a nominee or candidate from standing in the election:

- (a) breach by the potential nominee, nominee or candidate of by-law 16, 17, 18, 19, or 22
- (b) failure by a potential nominee, nominee or candidate to take all steps required by by-law 20.

24.A period of purdah will commence on Monday 17 June 2019 during which all employees should refrain from active campaigning in line with these by-laws and all employees, Central Executive Council members, Regional Committee members and Regional Council members must refrain from any online activity or social media activity in respect of, related to, or referencing the General Secretary & Treasurer election. Save for any centrally issued tweets, texts or emails giving only factual information on locations or dates of hustings meetings, any breach of purdah shall be

treated as a conduct contrary to the rules of the Union for the purposes of rule 5. The period of purdah will end on Wednesday 30 October 2019.

Other matters

25. The Central Executive Council hereby specifies Saturday 31 August 2019 as the date at which membership and arrears of contributions are to be assessed for the purposes of eligibility to vote.

26. Exercising its power under rule 10.4, the Central Executive Council delegates its functions under rule 15.3 to its Finance & General Purposes Committee, the decisions of which will not be subject to approval by the Central Executive Council. The Finance & General Purposes Committee must satisfy itself a nominee can fulfil the range of duties in the General Secretary & Treasurer Job Description. Upon the Finance & General Purposes Committee confirming a nominee as a candidate, the National Returning Officer shall send Regions the candidate's contact details provided under by-law 6 and the Regional Secretary shall thereupon ensure that they are passed to organisers of Regional hustings without delay.

27. Any member in arrears of contributions, or who has failed to repay, or is in default on any loans or cost awards shall not be eligible as a candidate.

28. In the event that the Finance & General Purposes Committee determines that there is no more than one validly-nominated candidate for the Office, that candidate shall be deemed to be elected.

29. No person who accepts nomination in this election shall serve on the Finance & General Purposes Committee or on the Appeals Committee of the Central Executive Council in respect of any matter arising in connection with the election.

30. The National Returning Officer shall arrange for the names of the Branches that have validly nominated a candidate to be listed with the candidate's election address.

31. Ballot papers must be returned to reach the Independent Scrutineer by Wednesday 30 October 2019.

32. The Independent Scrutineer shall arrange for the counting of votes in the election.

33. These by-laws will subsist until the next election is called by the Central Executive Council, and there will be no active campaigning permitted between elections. Any breach of this by-law may lead to disqualification.