



Constitutional Remits to Annual General Meeting 2021

Recommended by the National Representatives Council

1. In 3. OBJECTS change (a), (c) and insert new (d) as follows:

- (a) To enter into collective employment agreements and any other agreements relating to wages, conditions and other employment-related matters on behalf of its members.

Rationale: MERAS negotiates a range of agreements in relation to members' employment, such as the Midwifery Accord, Pay Equity Settlement.

- (c) To develop and provide education for workplace representatives and members of MERAS to enable them to participate effectively in union organising and recruitment, and the democratic processes of the Union.

Rationale: MERAS provides education primarily to workplace representatives to support them in their role, including encouraging MERAS membership, and empowering members to participate in union democracy and organising.

- (d) To take and empower such legal and other proceedings as may be deemed necessary for the proper conduct of the business of the Union.

Rationale: MERAS undertakes legal action on behalf of members.

2. In 6. MEMBERSHIP, add the following:

- (a) "Midwifery student" after "midwife"

- (b) "as well as midwifery students employed as maternity care assistants" to end of sentence.

Rationale: Midwifery students can also be members of MERAS as noted in the introduction to this section.

3. New title for 10. MERAS STRUCTURE AND GOVERNANCE

NATIONAL REPRESENTATIVE COUNCIL (NRC)

Delete (have oversight of) and continue with "provide the governance over the affairs of MERAS on behalf of the members."

Rationale: The role of the NRC is governance, which includes oversight as detailed in the functions.

Change (b) to "Employment of MERAS Co-leaders"

Rationale: The Co-leaders are no longer contracted.

Add to (e) Developing policies for better governance of MERAS that are consistent with the objects.

Rationale: The policies developed by the NRC are in relation to their governance role.

Change (g) as follows: Electing from amongst NRC members a Chairperson, Deputy Chair, Finance Sub-committee, Employment Sub-committee (for the purposes of negotiating the Staff Collective Agreement and any other matters relating to the employment of the MERAS Co-leaders), and other Sub-committees as may be deemed necessary.

Rationale: Reflects current practice of establishing a Finance Sub-committee rather than electing a Finance portfolio holder, and establishing sub-committees to fulfil employment responsibilities in relation to the co-leaders and other sub-committees such as the Values Sub-committee.

Add new (h) Setting the membership subscription rate.

Rationale: This is a responsibility of the NRC.

4. New section to define role of MERAS CO-LEADERS under 10. STRUCTURE AND GOVERNANCE

The two MERAS Co-leaders – a Co-leader (Midwifery) and a Co-leader (Industrial) – shall work collaboratively to achieve the strategic goals of the union and to share the responsibilities and duties of the Union's General Secretary.

- a) The Co-leaders shall be generally responsible for the administration of the affairs of MERAS and for ensuring that the Union meets its statutory obligations.
- b) The Co-leaders shall be responsible for arranging NRC meetings and the Biennial Conference, and shall be responsible for ensuring that NRC and MERAS members receive the appropriate notices and papers, and shall be responsible for recording the NRC meeting minutes.
- c) The Co-leaders shall each year prepare and present a draft budget of income and expenditure and shall at each regular meeting of the NRC, bring forward a detailed income and expenditure statement and other matters in compliance with the Union's financial and legal obligations.
- d) The Co-leaders shall present an Annual Report and Annual Audited accounts to the Union's AGM.
- e) The Co-leaders shall be responsible for the day-to-day affairs of MERAS and shall be responsible for the appointment, management, supervision and control of its staff.

5. Insert APPENDIX B under 10. STRUCTURE AND GOVERNANCE

MERAS WORKPLACE REPRESENTATIVES

Add new introductory statement:

MERAS recognises that workplace representatives (reps) have a vital role in the workplace in protecting and advancing the interests of members and of MERAS. Workplace reps also play an important role in ensuring the democratic participation of members in the affairs of MERAS.

MERAS staff shall take all practical steps to assist workplace reps, including on-the-job advice and through union education.

Change ratio of workplace representatives to members to 1:10 as follows

The recommended ratio is one MERAS rep for approximately every 10 members. This will be dependent on the configuration of ward, unit or group of employed midwives.

Rationale: The previous ratio mixed FTE with actual number of members. It is a guide and was already dependent on the configuration of the ward, unit or group of employed midwives.

6. New provision for WORKPLACE ORGANISING COMMITTEES under 10. STRUCTURE AND GOVERNANCE

Workplace organising committees (WOCs) may be established by workplace reps to provide a structure in the workplace or across workplaces for organising MERAS activities.

- a) The frequency of WOC meetings, attendance, conducting of business, recording of actions, and the allocation of responsibilities will be decided by WOC members.
- b) WOCs should meet regularly before any bipartite forums, such as maternity forums and local bipartite action groups (BAGs).
- c) WOCs may include elected health and safety reps who are MERAS members.

d) In larger organisations, workplace reps may organise as branches, which are more formal structures that elect officers.

Rationale: The goal is to strengthen MERAS workplace organisation by encouraging workplace reps to work together at the local level.

7. New provision for STANDING COMMITTEES, NETWORKS and SECTOR GROUPS under 10. STRUCTURE AND GOVERNANCE

MERAS shall work with the College of Midwives and other stakeholder groups to establish standing committees, networks, and sector groups where there is sufficient member interest, for example:

- a) To focus on specific interest groups within midwifery;
- b) To provide a forum for Māori midwives to network and to facilitate Te Tiriti o Waitangi partnership, tikanga and kawa within MERAS; or
- c) To provide a forum for recently graduated midwives and/or midwifery students to network and to organise around issues for midwifery students and young midwives.

Rationale: The goal is to provide opportunities for members to network and organise where members are interested.

8. In 11. ANNUAL GENERAL MEETING (AGM)

In (a) add new (v) Consider Constitutional remits proposed by the National Representatives Council.

Rationale: Links to (17) which provides for alteration of the Rules.

In (c) (ii) Delete notice by post and replace with MERAS website, along with noticeboards, emails and MERAS publications.

Rationale: We no longer use post as this has been replaced by new technologies and we want to encourage members to use the website as the official channel of communication.

9. In 15. QUORUM, delete “of the National Representatives Council” after SGM.

Rationale: An SGM may be called by a request of 50 members as well as the NRC. Also, the AGM is a meeting of the members, not only of the NRC. However, it is reasonable to expect for the purposes of the quorum that 75% of the NRC will be in attendance at both AGMs and SGMs, and that the Chair and Deputy Chair are present.

10. In 17. ALTERATION OF THE RULES, add “and ratified” after “by a majority of the National Representatives Council”.

Rationale: See above in (9). The AGMs and SGMs include members who need to endorse or ratify changes to the Rules contained within the Constitution as recommended by the NRC following a resolution voted on by the NRC.

11. Appendix A to RATIFICATION AND BALLOT PROCEDURES

Change title of the Appendix and add to the introductory statement: “balloting for industrial action, and other legal voting processes such as ratification of a Pay Equity settlement.”

Rationale: The Appendix refers specifically to ratification of Collective Agreements, but MERAS has other legal voting processes, including balloting for industrial action and ratification of a Pay Equity settlement.

Change (a) to include notification “through communication by workplace representatives” as well as email.

Add new (b) The ballot may be workplace-based or by electronic voting.

Change current (b) to (c) as follows: Members must be notified of the opening of the ratification ballot at least two days before the voting commences.

Rationale: These changes reflect use of new technologies such as electronic voting which mean a seven-day notification period to open a ballot is not needed.

Resolution: That the proposed changes to the MERAS Constitution be accepted.