

1. General

1. Matters of dispute arising from the rules or regulations of the Union affecting Union members shall be dealt with in accordance with this rule.
2. The purpose of this rule is to deal with all matters of potential dispute between members, with the aim of achieving settlements where disputes arise. This rule covers all aspects of union administration.
3. All potential disputes will be administered by the General Secretary's Department. The process will identify the nature of the potential dispute and will be subsequently classified as one of the following, (a) breakdown in relationships (b) breach of national rules. Potential disputes arising from the above will be dealt with by the CWU Complaints procedure or National Disputes Committee (NDC)
4. None of the above will be actioned in the event a dispute is being contemplated or in progress either via an internal employer procedure or an external body and has reached a conclusion.

2. CWU Complaints Procedure

1. All matters requiring consideration shall be dealt with by the General Secretary's department in line with the appropriate byelaws.

3. National Dispute Committee (NDC)

- 1 All matters requiring consideration and/or investigation shall be administered by the General Secretary's department.
2. The committee shall be served by an Officer appointed by the General Secretary. The Committee shall consist of members of the NEC, which will be determined by the byelaws.

4. National Dispute Committee Powers and Procedures

- 1 All matters requiring consideration under this rule should be referred to the General Secretary's Department. Such matters may be referred by either a member or a Branch.
- 2 The NEC shall prescribe regulations governing the procedures for the conduct of all cases before the NDC and may amend such regulations from time to time. These amendments shall be subject to endorsement at a subsequent General Conference.
- 3 The NDC has the power to require the production of written evidence and attendance of witnesses who are members of the Union. In the event of non

production of written evidence or non attendance by either of the parties involved, the Committee has the right to take decisions in their absence.

- 4 The NDC shall consider each dispute in line with the NDC bylaws and conclude whether or not the dispute is appropriate to be dealt with at a full hearing of the NDC.
- 5 Following the full hearing of the dispute, in the event the NDC conclude that there has been a breach of the National Rules, the NEC may exercise one or more of the following powers.
 - a. Censure the member concerned.
 - b. Suspend the member from membership or from all or any benefits of membership for such time as may be determined.
 - c. Remove the member from any CWU representative office.
 - d. Disqualify the member from holding office for such a period as the NDC may determine.
 - e. Impose a suspended sentence for so long as the NDC shall consider just and reasonable.
 - f. Expel the member from the Union.
- 6 There shall be a right of appeal against decisions of the NDC to an Independent Appeal Panel. In all cases of appeal, the decision appealed against shall be suspended pending the hearing of the appeal. An appeal against a decision of the NDC can only be brought by the charged member.

5. Independent Appeals Panel (IAP)

1. The NEC shall prescribe byelaws governing the procedure for the conduct of all cases before the IAP and may amend such byelaws from time to time.
2. The IAP shall consist of 3 Independent members, one of which shall be the chair.
3. The IAP shall be served by an Officer appointed by the General Secretary.
4. The decision of the IAP shall be final and binding on the appellant and the Union and concludes the internal process.

7 Functions of the General Secretary and the NDC Officer in relation to potential disputes

1. The Officer to the NDC shall be responsible for the documentation of matters requiring consideration by the NDC and for recording the proceedings of the committee.

2. The Officer to the NDC shall notify a member of their rights under the rules of the Union and the consequences of failure to comply with any direction issued, or any penalty imposed by the NDC. The officer will notify the General Secretary of the final decision.