



SINDIKAT PROFESIONALNIH FUDBALERA

NEZAVISNOST

**ARTICLES OF ASSOCIATION
of the “Nezavisnost” Professional Footballers’
Trade Union**

Belgrade, February 2022

I. TITLE, MEMBERSHIP, SEAT

Article 1

The title of the Trade Union shall be: **The “Nezavisnost” Professional Footballers’ Trade Union.**

The abbreviated title shall be: **NEZAVISNOST PFTU.**

Article 2

The “Nezavisnost” Professional Footballers’ Trade Union (hereinafter: Trade Union) is entered into the Register of Trade Union Organizations at the Ministry of Labour and Social Policy under number 20286, pursuant to the Decision No. 110-00-614/2007-02 of 30.10.2007.

Article 3

The Trade Union is a voluntary, independent organization, joined freely by professional footballers, engaged in clubs active within the Football Association of Serbia, as well as professional football players during their engagement abroad.

Article 4

Membership in the Trade Union shall be individual.

Article 5

The Trade Union shall operate within the scope of the Trade Union Confederation NEZAVISNOST.

The Trade Union shall bring into line its Articles of Association with the Articles of Association of TUC NEZAVISNOST and shall carry out the decisions of the latter’s competent bodies and obligations determined by the Charter on membership and regulation of mutual rights, obligations and responsibilities between TUC NEZAVISNOST and the Trade Union.

Provisions of the Articles of Association that are contrary to the Articles of Association of TUC NEZAVISNOST shall be null and void and shall have no legal effect.

The bodies of the Trade Union shall not make decisions that violate the unity and integrity of TUC NEZAVISNOST.

The Trade Union shall perform its activity independently, pursuant to these Articles of Association, Articles of Association of TUC NEZAVISNOST, and programme documents adopted by their respective bodies.

Article 6

The seat of the Trade Union shall be in Belgrade, Nušićeva 21.

The decision to change the seat shall be made by the Executive Committee of the Trade Union.

Article 7

The Trade Union shall have legal personality and its own current account.

The Trade Union shall have its seal, stamp, emblem and flag, in conformity with the Book of Standards of TUC NEZAVISNOST.

The seal shall have a circular form, 30 mm in diameter, with Cyrillic inscription *Sindikatski profesionalnih fudbalera "Nezavisnost"* around the edge of the seal, and with an emblem of the Trade Union in the centre.

The stamp shall be in the rectangular form, 60x40 mm in size, containing the Cyrillic text *Sindikatski profesionalnih fudbalera "Nezavisnost"* with blank spaces for registry number and date.

The emblem of the Trade Union shall be blue. It shall consist of a blue-white ball with an exclamation mark in the middle. The dot of the exclamation mark shall be located in the centre of the ball and its colour shall be orange. The [Serbian] acronym of the Trade Union – SPFN – shall be written in the middle of the ball.

The flag of the Trade Union shall be blue, 150x70 cm in size. The emblem of the Trade Union and the inscription *Sindikatski profesionalnih fudbalera "Nezavisnost"* shall be in the upper left corner of the flag.

Article 8

Based on the principles of equality, mutuality and solidarity, the Trade Union shall cooperate with other trade unions in the country and abroad and with international trade union organizations, in accordance with its principal program commitments and jointly defined positions in TUC NEZAVISNOST.

Article 9

The Trade Union shall be independent of government agencies, political parties, employers, religious communities and other institutions.

II. GOALS AND TASKS

Article 10

The task and the purpose of the Trade Union shall be protection and promotion of individual, specific and collective economic, social, educational, professional and cultural interests and rights of its members and the interests of all professional football players.

Article 11

The tasks and goals of the Trade Union shall be in particular:

- ◆ adoption of democratic and progressive sports legislation and its harmonization with international regulations in this area;
- ◆ creation of favourable social conditions for development and democratization of sports;
- ◆ protection and promotion of professional, labour, economic and social rights of persons engaged in professional football;
- ◆ development and promotion of social dialogue, i.e. implementation of collective bargaining in practice and conclusion of collective agreements;
- ◆ creation of conditions for achieving universality of football (equality, solidarity, non-discrimination, gender equality, friendship), integrity of football competitions (protection against external political, financial and commercial influences) and maintenance of adequate balance between professional and amateur football;
- ◆ upgrading of the system of health and social protection and safety of professional football players during and particularly after the end of active sports career;
- ◆ legal regulation of pensionable service;
- ◆ support to young players in the development of professional sports career;
- ◆ support to football players in planning and building up professional activity after the end of sports career;
- ◆ participation in and influence on decision-making process in government agencies, sports federations and associations regarding issues relevant for professional footballers;
- ◆ establishment and development of international activity with international sports and trade union organizations;
- ◆ mutual assistance to Trade Union members, in accordance with the needs and financial possibilities of the Trade Union;
- ◆ promoting Trade Union's goals and interests in public.

In the pursuit of these goals the Trade Union shall use all democratic, lawful and legitimate, internationally recognized instruments and methods of industrial action.

III. METHODS AND FORMS OF INDUSTRIAL ACTION

Article 12

In accordance with democratic system and goals pursued, the Trade Union shall primarily use democratic methods of industrial action:

- ◆ establishment of social partnership;
- ◆ collective bargaining and conclusion of collective agreements and contracts with the club about professional engagement;
- ◆ public protests;
- ◆ strikes.

Article 13

The decision to go on strike shall be made by the Executive Committee of the Trade Union with prior consultation and consent of the TUC NEZAVISNOST Executive Board.

IV. MEMBERS' RIGHTS AND OBLIGATIONS

1. Joining the membership

Article 14

Joining the membership of the Trade Union is voluntary and personal, and shall be effected by signing an entry form.

By signing an entry form a member undertakes to accept the Articles of Association, program documents and decisions of the Trade Union bodies at all levels, to initiate and participate in Trade Union activities and to regularly pay union dues.

An expelled union member can become a member again only on the basis of a decision made by the Main Board of TUC NEZAVISNOST.

The form and contents of the entry form are laid down in the Book of Standards of TUC NEZAVISNOST.

Article 15

Upon joining the Trade Union, a member may receive a membership card, pursuant to an Executive Committee decision. The form and contents of the membership card are laid down in the Book of Standards of TUC NEZAVISNOST.

In the exercise of the rights established by the present Articles of Association and other program documents, as well as at the request of the relevant Trade Union body or official, a member shall be required to produce his/her membership card.

Article 16

The membership card is the property of TUC NEZAVISNOST. A member is required to return it upon withdrawal or expulsion from membership.

If a member loses a membership card, he/she shall be required to report the missing card to the Trade Union within 10 days and request that a duplicate be issued.

2. Members' rights

Article 17

A member who duly discharges his/her obligations toward the Trade Union shall be entitled to:

- ◆ propose candidates, to elect and be elected in Trade Union bodies;
- ◆ freely express his/her interests, coordinate them with the interests of other Trade Union members and participate in all forms of trade union work;
- ◆ influence on and participate in collective bargaining;
- ◆ to be informed and to receive professional assistance;
- ◆ free legal protection;
- ◆ mutual assistance and assistance during strike;
- ◆ education for trade union activity;
- ◆ launch initiative before Trade Union bodies;
- ◆ other rights defined by the present Articles of Association and statutory documents of the Trade Union.

A member shall be entitled to exercise the rights referred to in paragraph 1 hereof upon the expiration of at least 3 months from the date of joining the trade union, except the right to elect and be elected, which can be exercised after 12 months from the date of joining the Trade Union lapse. The Executive Committee of the Trade Union may, in cases of failure to observe the provisions of the Articles of Association, decide to extend this period.

3. Members' obligations

Article 18

A Trade Union member shall have the obligation to:

- ◆ observe the Articles of Association, statutory and program documents and to consistently implement decisions and conclusions of competent bodies;
- ◆ regularly pay union dues in accordance with the present Articles of Association;
- ◆ participate in all trade union activities organised by organisational forms or TUC NEZAVISNOST;
- ◆ safeguard the name, symbols, reputation and property of the Trade Union and TUC NEZAVISNOST.

Article 19

In case of abuse of rights and failure to comply with the obligations set forth in Articles 17 and 18 hereof and in the Charter, a member shall be accountable to competent bodies, which are required to undertake measures laid down by the present Articles of Association.

Article 20

Membership in the Trade Union shall cease in the manner and according to the procedure laid down in the Rulebook on the Founding and Manner of Operation

of Organisational Forms in TUC NEZAVISNOST, to be adopted by the TUC NEZAVISNOST Main Board.

Upon the end of football career, a Trade Union member may, at his/her request, continue his/her membership in the Trade Union in order to contribute with his/her knowledge and experience to better functioning and accomplishment of objectives and tasks of the Trade Union. The final decision on applications for continuation of membership shall be made by the Executive Committee.

V. BODIES

Article 21

The bodies of the Trade Union shall be:

- ◆ The Assembly,
- ◆ The Executive Committee,
- ◆ The Presidency,
- ◆ The Supervisory Committee.

The structure of PFTU NEZAVISNOST bodies should reflect the gender and age structure of the membership in accordance with the possibilities.

The Assembly

Article 22

The Assembly shall be the supreme body of the Trade Union.

The Assembly shall be: elective, regular and extraordinary.

The Elective Assembly shall be held once in five years, and regular once a year.

Members of the Executive and Supervisory Committee shall participate in the work of the Assembly with the status of delegates, excluding the right to vote on the report and granting of discharge to bodies.

The decision to convene the Assembly, its time and agenda, as well as the manner of election and number of delegates shall be made by the Executive Committee of the Trade Union or by the Main Board of TUC NEZAVISNOST, at least 15 days prior to the date set for the Assembly. In extraordinary circumstances, the Assembly can be held online based on the decision of the Executive Committee.

Article 23

The right to full-fledged participation at the Assembly shall be contingent on regular payment of union dues, as evidenced by appropriate financial document.

Article 24

The Assembly shall have full decision-making power if the majority of the Assembly's delegates attend it.

The Assembly shall decide by majority of votes of the attending members.

Article 25

An Extraordinary Assembly shall be convened at the request of the Executive Committee, the Main Board of TUC NEZAVISNOST or at the request of more than two thirds of members of the Trade Union.

The decision to convene an Extraordinary Assembly, its agenda, manner of election and number of delegates shall be made by the Executive Committee at least 15 days prior to the date set for the Assembly.

Article 26

An Elective Assembly, as the highest body of the Trade Union, shall:

- ◆ Elect members of the Executive and Supervisory Committees;
- ◆ Adopt Articles of Association;
- ◆ Adopt the Strategic Plan;
- ◆ Define the general guidelines of trade union strategy and policy;
- ◆ Discuss reports on the work of the Executive and Supervisory Committees for their five-year term of office.

A regular Assembly shall:

- ◆ Discuss annual reports on the work of the Executive and Supervisory Committees;
- ◆ Adopt the Rules of Procedure;
- ◆ Adopt Articles of Association;
- ◆ Decide on other issues relevant for the work of the Trade Union.

The Executive Committee

Article 27

The Executive Committee shall be the highest body of the Trade Union between two Assemblies.

The number of members of the Executive Committee shall be determined by the Decision on the Manner of Election and Number of Members of Trade Union Bodies, to be adopted by the Executive Committee at least 15 days prior to the date set for the Assembly.

Members of the Executive Committee shall be elected at the Assembly.

At its constitutive session, the Executive Committee shall elect the Presidency, the President, the Vice-President and the Executive Secretary.

The Executive Committee may appoint a member exceptionally important for the development of trade union movement, with professional reputation, experience and knowledge in professional football as a Honorary President. A Honorary President shall participate in the work of the Executive Committee and Presidency and shall have the right to offer suggestions and proposals, without the voting right.

Article 28

According to the Decision on the Manner of Election and Number of Members of Trade Union Bodies, the Executive Committee shall every year, following the adoption of the annual financial statement, review and determine the number and composition of its members.

Article 29

The term of office of the Executive Committee shall be five years.
The Executive Committee shall meet at least twice a year, or as needed.

Article 30

The Executive Committee shall:

- ◆ Carry out the program goals and tasks determined at the Assembly;
- ◆ Appoint trade union representatives in football clubs;
- ◆ Prepare and convene the Assembly of the Trade Union;
- ◆ Adopt a decision to sign a Charter;
- ◆ Adopt decisions on applications and complaints regarding these Articles of Association and interpretation thereof;
- ◆ Decide on the strike in the Trade Union;
- ◆ Adopt its operative programme;
- ◆ Adopt the report of inventory commissions;
- ◆ Decide on financial matters – adopt the annual budget in accordance with the guidelines defined by the Assembly and adopt the regular annual report;
- ◆ Elect and revoke the President, Vice-President and General Secretary;
- ◆ Set up its working bodies, determine the organisation of work, set up and organize the work of technical and administrative services;
- ◆ Decide on appeals against expulsion;
- ◆ Decide on professional work in the Trade Union;
- ◆ Decide on the establishment of regional boards at the level of municipalities/unions of municipalities and regions;
- ◆ appoints regional trade union representatives and coordinators by region
- ◆ Submit a report on its activity to the Assembly;
- ◆ Adopt its Rules of Procedure;
- ◆ Appoint the editor-in-chief/responsible editor of the Trade Union's website;
- ◆ Delegate some of its competencies to the Presidency of the Trade Union's Executive Committee.

The Presidency

Article 31

With a view to advancing the organization and improving the efficiency of work, the Executive Committee shall elect the Presidency as the body with competencies defined by the present Articles of Association.

The Presidency shall be composed of the President, Vice-President and General Secretary and, as needed, a certain number of members of the Executive Committee pursuant to the decision of the Executive Committee.

All members of the Presidency shall be in charge of specific areas of work.

The Presidency shall:

- ◆ Prepare and carry out the positions and decisions of the Executive Committee;
- ◆ Make decisions on trade-union, economic, social, financial and other issues of interest for the membership and organisation, in accordance with the orders of Executive Committee;
- ◆ Grant consent to the conclusion of collective agreements and appoint bargaining teams;
- ◆ Perform other tasks as authorised by the Executive Committee.

Article 32

The President of the Executive Committee, who is also the President of the Trade Union, shall:

- ◆ Represent the Trade Union in relations with third parties;
- ◆ Convene and preside over the sessions of the Executive Committee and the Presidency;
- ◆ Be responsible for the implementation of the positions and decisions of the Executive Committee and the Presidency.

Article 33

The Vice-President shall:

- ◆ Deputize for the President in his/her absence or in the case of his/her being prevented from discharging his/her functions;
- ◆ Organize and direct work in the area which he/she is in charge of;
- ◆ Assist the President in discharging of his/her duties;
- ◆ Coordinate other tasks entrusted to him/her by the Presidency, the Executive Committee and the President.

Article 34

The General Secretary shall:

- ◆ Organize the work of all Executive Committee services;
- ◆ Coordinate the work in various areas;
- ◆ Prepare sessions of the Executive Committee and the Presidency and the respective agenda proposals;
- ◆ Take care of the deadlines for carrying out the Executive Committee and the Presidency decisions and shall undertake measures for their implementation;
- ◆ Assist in the preparation of meetings of all other organs and bodies;
- ◆ Take care of the execution of the Budget and prepare the Report on Financial Operation for Trade Union bodies;
- ◆ Organize and monitor collection of union dues;
- ◆ Prepare information on the use of union dues;
- ◆ Discharge tasks referring to internal organization of the Trade Union;
- ◆ Organize and coordinate activities referring to collective bargaining;
- ◆ Perform other tasks conferred to him/her by the President or Vice-President of the Trade Union.

The Supervisory Committee

Article 35

The Supervisory Committee shall be made up of 3 (three) members – the President and two members, elected at the Assembly.

The term of office of the Supervisory Committee shall be five years.

Article 36

The Supervisory Committee shall:

- ◆ Supervise the material-financial operation of the Trade Union;
- ◆ Audit financial operation at least once a year;
- ◆ Provides opinion on reports of Inventory Commissions;
- ◆ Discuss annual operating report and submit its findings to the Executive Committee of the Trade Union;
- ◆ Submit the Report on Operation to the Assembly.

Article 37

The President of the Supervisory Committee participates in the work of all Trade Union bodies by invitation, without decision-making rights.

A member of the Supervisory Committee may not be elected to other Trade Union bodies.

VI. A TRADE UNION REPRESENTATIVE

Article 38

Trade union representatives shall be appointed by the Executive Committee, as needed and as required by Trade Union members in a football club.

Trade union representatives and their deputies, with regard to football season, shall be proposed by Trade Union members in a football club for a period of one year and they shall be appointed by the Executive Committee of the Trade Union.

Article 39

A trade union representative shall:

- ◆ Represent the Trade Union in a football club;
- ◆ Undertake measures and activities in the process of protection against violation of labour and trade union rights;
- ◆ Mediate in disputes;
- ◆ Solicit participation of Trade Union members in trade union activities;
- ◆ Discharge other tasks at the order of the Executive Committee.

VII. REGIONAL ORGANISATION

Article 40

The Executive Committee may decide to organize the Trade Union at the regional level, through establishment of Regional Boards.

A decision on the establishment of a Regional Board shall define the territory on which it shall operate the composition of the Board and its method of operation.

Article 41

A Regional Board shall be accountable to the Executive Committee for its work and shall undertake measures within the delegated responsibilities.

VIII. ELECTION PRINCIPLES AND DECISION-MAKING

Article 42

Election of members of Trade Union bodies at all levels of organization shall be carried out, in principle, by open vote, but may be carried out by secret ballot if the majority of attending members so decide.

In the process of nominating candidates and electing members of the bodies due regard should be made to ensure that the composition of bodies reflects the composition of membership.

Members who have been elected to positions in state bodies and political parties or to other public positions that may lead to a conflict of interest, as well as members who hold any office in the Football Association of Serbia and its members cannot be elected to executive Trade Union bodies.

Article 43

The Executive Committee shall, at least 15 days prior to the Assembly, make a decision on the manner of election and number of the Assembly delegates, as well as a decision on the manner of election and number of Trade Union bodies.

Article 44

Trade Union bodies may make valid decisions if the majority of the members of the bodies attend the meeting.

Decisions shall be made by majority vote of members attending the meeting, except the decision on strike which require two-thirds majority vote of the total number of members of the respective body.

The decisions of the bodies shall be made, as a rule, by open vote.

A body may decide that a certain decision shall be reached by secret ballot.

Article 45

The term of office of members of all bodies and appointed officials at all levels shall be five (5) years.

The term of office shall terminate prematurely in case of death, resignation, dismissal from office or termination of membership in the Trade Union.

A body may release its member before the expiration of the term of office if he/she fails to discharge his/her duties or has grossly violated the Articles of Association or program documents of the Trade Union.

A body may elect a new member to replace the released member.

In such a way, up to $\frac{1}{3}$ of members of the body may be replaced between the two Assemblies.

In case of death, serious illness, resignation or cessation of membership in the Trade Union more than $\frac{1}{3}$ of members of the body may be replaced.

A member of the Trade Union body may resign from his/her office.

When the termination of the mandate referred to in paragraph 2 of this article is ascertained the Executive Board undertakes to elect a new member of the body within 15 days from the date of termination of the mandate.

Article 46

In case of election between several candidates for incumbents of official positions within a Trade Union body, the candidate who receives the majority of votes of the attending members of the body concerned shall be deemed elected.

If no candidate receives the necessary majority in the first round of voting, a second round shall be organized between two candidates with the highest number of votes in the first round. A candidate who receives more votes of the present members of the body concerned shall be deemed elected in the second round.

IX. INFORMATION COMMUNICATION IN THE TRADE UNION

Article 47

The work of the Trade Union shall be public.

Members of the Trade Union bodies at all levels of organisation and activity shall be required to keep the membership and public informed about their work.

Information shall be circulated by reports on work, participation at trade union meetings, by way of leaflets, bulletins, press, radio, television, internet presentations, panels and separate publications.

X. UNION DUES AND FINANCES

Article 48

Funds for financing the operation of the Trade Union shall be provided from union dues, donations, voluntary work of members, gifts and from other sources.

Article 49

A member shall have to pay union dues regularly.

Union dues shall be paid once a year in the amount to be determined at the beginning of the calendar year by the Executive Committee.

Union dues shall be collected directly from members, who shall be obliged to pay the relevant amount into the Trade Union's account.

Article 50

The total amount of the collected union dues shall be distributed in the following way:

- ◆ 79% for the NEZAVISNOST PFTU;
- ◆ 21% for TUC NEZAVISNOST.

Article 51

Union dues that belong to the NEZAVISNOST PFTU shall be used for:

- ◆ financing of joint activities of the Trade Union;
- ◆ training of members of the Trade Union for successful trade union work;
- ◆ international cooperation;
- ◆ legal labour protection;

- ♦ mutual aid;
- ♦ collective bargaining;
- ♦ strikes and solidarity campaigns.

Article 52

In the aim of ensuring the principle of fairness, efficiency and openness of the system of union dues collection and use, and to provide recommendations for its improvement, accounting affairs shall be performed on behalf of the Trade Union by the joint Department for Financial and Accounting Affairs of TUC NEZAVISNOST.

Article 53

Property invested by TUC NEZAVISNOST into the Trade Union, as well as the rights to symbols referred to in article 7 hereof, shall be the ownership of TUC NEZAVISNOST.

XI. TRADE UNION ASSETS

Article 54

Trade Union assets shall be a joint ownership of all members.

The assets shall be managed by the Executive Committee.

The assets shall be indivisible in the sense that no member shall be entitled to a refund of union dues or other property.

XII. TRANSITIONAL AND FINAL PROVISIONS

Article 55

The present Articles of Association shall come into force on the date of their adoption.

Upon the adoption of the present Articles of Association, the Articles of Association adopted in February 2018 shall be repealed.

The Executive Committee
NEZAVISNOST Professional Footballers'
Trade Union