



Articles of Association Internal Regulations Strike Fund Regulations

Everything you need to know



**Articles of Association, Internal Regulations
and Strike Fund Regulations**

of FNV Horecabond as established at the
Members' Congress in November 2024

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Introduction

1. Unless otherwise stated or clearly intended otherwise, words in the masculine, feminine or neutral form are deemed to include the other forms.
2. Where the terms “in writing” or “written” are used in these Articles of Association, they include communication by letter, telefax, email, or any other readable and reproducible message sent by electronic means, provided that the identity of the sender can be established with sufficient certainty.
3. Where the term “life partner” is used in these Articles of Association, it means a person with whom a (deceased) natural person member, at the time of death: (i) was married; or (ii) had a registered partnership; or (iii) had entered into a notarial cohabitation agreement; or (iv) according to the Municipal Personal Records Database, had cohabited for more than two (2) years, provided there is no blood relationship; or (v) due to force majeure no longer cohabited, but according to the Municipal Personal Records Database had cohabited for more than two (2) years during their lifetime, provided there is no blood relationship.

Article 1

Name, seat and origin

The association is called Federation of Dutch Trade Unions Horecabond and has its registered office in Almere. In these Articles of Association and the association’s regulations, it is also referred to as the Union. The Union was formed through the merger of: a. the Dutch Central Union of Personnel in the Hotel, Café and Restaurant Business, established on 20 May 1898; b. the Dutch Cooks’ Union, established on 9 December 1909; and c. the Dutch Geneva Union of Hotel, Café and Restaurant Personnel, established on 28 May 1890. On 1 January 1989, members of the Hospitality Division of the Food Union FNV merged with the members of the Hospitality Union FNV. This division is a continuation of the Hospitality Division of the Food Union NKV, formerly known as the Catholic Union of Personnel in the Agricultural, Food and Stimulants, Tobacco Processing, Hospitality and Related Industries, established on 25 June 1960. This division is in turn a continuation of the Dutch Catholic Union of Hotel, Café and Restaurant Employees, Saint Anthony, established on 11 January 1911.

Article 2

Foundation

The Union draws its fundamental inspiration from the values and needs of the human person. The Union regards the human person as an individual with personal responsibility and freedom, committed to acting in solidarity in service of others and the community, both nationally and internationally, and possessing the creative capacity to shape their own life and the organisation of society. The Union recognises the importance of beliefs and worldviews as sources of inspiration for trade union activities.

Article 3

Purpose

The Union aims to represent the interests of (former) employees, benefit recipients and pensioners in hospitality, recreation and catering in matters relating to work and income. Within this scope, the Union’s core tasks are to provide individual services to its members and to represent the collective interests of all (former) employees. In addition, it represents the interests of (former) employees and pensioners in these sectors as stakeholders in pension funds. In carrying out these activities, the Union promotes solidarity, social justice and self-reliance.

Article 4

Means

The Union seeks to achieve its purpose by lawful means, including:

- a. holding meetings;
- b. seeking improved working and pay conditions (including pensions) and entering into collective labour agreements, in the broadest sense;
- c. promoting compliance with and enforcement of social security, pension and employment legislation and regulations;
- d. exercising rights and powers of social partners under pension-related laws and regulations and in relation to pension funds;
- e. participating in and appointing directors to the boards of pension funds, social security funds and welfare funds;
- f. publishing, or arranging publication of, a (digital) trade journal and other publications, and supporting publications that further the Union's purpose;
- g. consulting and entering into agreements with employers and/or employers' organisations and/or other public and private institutions;
- h. establishing and managing funds;
- i. providing and arranging legal advice and legal assistance for members;
- j. promoting general education and trade union-focused education and vocational training for employees in the sectors in which the Union operates;
- k. providing and arranging education and training for Union members;
- l. affiliating and/or cooperating with the Federation of Dutch Trade Unions and other employee organisations;
- m. combating discrimination in any form;
- n. any other lawful means which, in accordance with the Union's principles, contribute to achieving its purpose.

Article 5

Requirements for (candidate-)membership

1. Persons who are employed, or seeking employment, in hotel, café, restaurant and related businesses, contract catering and/or recreation, or who were last employed in one of these sectors and no longer participate in the labour market due to unemployment, disability and/or retirement, may become (aspirant) members of the Union.
2. Membership is personal and non-transferable. Membership cannot be transferred by inheritance, except that membership may transfer to the life partner of a deceased member if and insofar as that life partner is not themselves in paid employment. Where membership transfers in accordance with the previous sentence, the requirements in paragraph 1 do not apply to that person.

Article 6

Members and aspirant members

1. The Union has members and aspirant members.
2. Aspirant members are formally not members of the Union and do not have voting rights at the Members' Congress. However, all provisions of the Articles of Association, regulations and decisions of the Union that apply to members apply correspondingly to aspirant members, unless the nature of the relevant provision indicates otherwise.
3. Aspirant members pay the regular membership fee applicable to them, as determined by the Board with the approval of the Supervisory Board.
4. Registration for aspirant membership takes place by submitting a fully completed and signed registration form to the Union.
5. Aspirant membership takes effect on the first day of the month following the month in which the registration took place.
6. After two months, aspirant membership automatically converts into regular membership, unless the aspirant membership has ended earlier in accordance with Article 8 of the Articles of Association.
7. From the moment regular membership takes effect, the member has voting rights at the Members' Congress and all other rights and obligations attached to membership under the law, the Articles of Association, the regulations and the decisions of the Union.

8. In connection with actions, strikes and collective matters, the Board is authorised, with the approval of the Supervisory Board, to allow (aspirant) membership to take effect at an earlier date.
9. The Board decides on admission as an aspirant member. An appeal against a negative decision may be lodged with the disputes committee of the Members' Congress, whose decision is final.
10. Membership does not entitle members of the Board to legal assistance or reimbursement of related costs by the Union in the event of a conflict between the Union in its capacity as employer and the Board member in their capacity as employee.

Article 7

Honorary Membership

1. Members who have rendered exceptional service to the association may be awarded the title Honorary Member.
2. Members eligible for this title are volunteers who, at the time of the award, no longer hold any position within or on behalf of the association.
3. The Board decides on the granting of honorary membership.

Article 8

End of membership

Membership ends by:

- a. written notice of termination by the member;
- b. written notice of termination by the association;
- c. expulsion by the association; or
- d. death.

Termination by the association and expulsion are effected by the Board. Upon termination of membership, all rights attached to membership lapse.

Article 9

Termination

1. The Board may terminate membership if:
 - (a) the member no longer meets the requirements for membership from article 5 paragraphs 1 and 2 of the articles of association;
 - (b) it cannot reasonably be expected of the association to allow the membership to continue;
 - (c) the membership fee arrears amount to more than three months.
2. The termination of membership through written termination by the association takes effect on the first day of the month following the month in which the termination was sent to the member.
3. Termination by the member takes place by means of a written notification from the member to the Board.
4. A member may terminate their membership at any time with effect from the first day of the calendar month following the day on which the cancellation was sent to the Board, provided this termination is received by the association before the twenty-first (21st) of the month. If the termination is received on the twenty-first (21st) or later by the association, then the termination takes effect one month later. Furthermore, a member may terminate their membership immediately in cases determined by law (see article 2:36 paragraphs 1, 3 and 4 of the Civil Code).

Article 10

Dismissal

1. A member may be expelled from membership with immediate effect by the Board with approval from the Supervisory Board:
 - (a) for any act or omission by the member that could damage the interests of the association;
 - (b) for violating the articles of association, regulations and decisions of the association.
2. The Board communicates the decision of expulsion by the association as soon as possible after the day on which the decision to expel was made – stating the reason(s) and by registered letter – to the relevant member.
3. Against a decision to dismiss a member from membership, the member may appeal to the disputes committee within four weeks after the date of notification of the decision. During the appeal period and pending the appeal,

the member is suspended, provided that the suspended member may participate in a hearing if this should take place in observance of the regulations referred to in paragraph 4.

4. The disputes committee decides in final instance on a dismissal and sends its decision to the member concerned and the Board. Additional rules may be established by regulation concerning the handling of appeals regarding dismissal of a member by the union.

Article 11

Admission after dismissal or termination

1. Members who have been dismissed from membership may be readmitted to membership after a decision by the Board and approval by the Members' Congress.
2. Members whose membership has been terminated by the union may be readmitted to membership after a decision by the Board. If membership has been terminated due to outstanding membership fees, the member may be readmitted after payment of the outstanding membership fees.

Article 12

Membership fees

1. A monthly membership fee is levied from members, the amount of which is determined by the Board after having consulted the Supervisory Board.
2. A monthly contribution for special funds may be levied, the amount of which is determined in the regulations of those funds. The regulations of the funds are established by the Board after having consulted the Supervisory Board.

Article 13

Bodies

The union has the following bodies:

- a. Members' Congress;
- b. Supervisory Board;
- c. Board;
- d. Activities team;
- e. Sector councils;
- f. Sector groups;
- g. Collective bargaining committees;
- h. Disputes committee.

Article 14

Regional activity teams

1. The union has regions. The Members' Congress establishes, on proposal of the Board, the number of regions and the area of a region.
2. Each member belongs to a region. A member is assigned by the Board to the region that covers the regional area in the Netherlands where the relevant member lives.
3. The union has an Activities team in which members from all regions are represented. The Activities team pays attention to member engagement in any case.
4. The Activities team appoints a coordinator from among its members.

Article 15

Sector groups and collective bargaining committees

1. The union has a division into sectors and sector groups.
2. A sector is a group of members with a comparable economic connection who fall under the application of one collective agreement or employment contract or under a group of related collective agreements or employment contracts. A sector group is a group of sectors with a comparable or related economic or geographical connection.
3. Establishment and dissolution of sectors or sector groups take place by the Members' Congress on a proposal from the Board approved by the Supervisory Board.

4. Prior to collective bargaining negotiations, a survey is conducted among all employees in the sector regarding the desired approach in the negotiations.
5. For the benefit of members in a sector, a meeting can be organized: the Sector Council. During the meeting of the Sector Council, the sector chooses from among its members the members of a collective bargaining committee and establishes employment conditions policy.
6. The collective bargaining committee is composed of members who work in the relevant sector and is supplemented with the salaried board member who has been appointed as negotiator for the relevant sector.
7. The Board is authorized, after having obtained approval from the relevant collective bargaining committee, to enter into collective employment agreements and pension schemes. The Board is authorized to commit to or enter into other employment conditions arrangements.
8. Members from the sector are consulted prior to the decision of the collective bargaining committee regarding entering into a collective employment agreement.
9. The collective bargaining committee regulates its own working methods.

Article 16

Board and supervision of the Board

1. The union is governed by the Board, under supervision of the Supervisory Board.
2. No person can simultaneously be part of the Supervisory Board, the work organization of the union, a collective bargaining committee and/or the daily or general management of the union, including the Board.

Article 17

Tasks and powers of the Board

1. Subject to the limitations set out in these Articles of Association, the Board is responsible for governing the Union. In performing its duties, the members of the Board shall be guided by the interests of the Union and its affiliated organisation.
2. The Board determines the Union's general policy in broad terms, having consulted the Supervisory Board.
3. The Board develops a long-term vision for the Union, having consulted the Supervisory Board.
4. The Board determines the level of membership contributions, rate packages and any contributions for special funds, having consulted the Supervisory Board.
5. The Board prepares proposals regarding general employment conditions policy for decision-making by the Sector Councils.
6. The Board submits proposals and nominations for consideration by the Members' Congress, having consulted the Supervisory Board. In this context, the special procedure set out in Article 20 of these Articles of Association applies to the nomination of candidates for the Board, and the special procedure set out in Article 24 applies to the nomination of candidates for the Supervisory Board.
7. The Board is responsible for the preparation and implementation of Union policy.
8. The Board manages the Union's work organisation and may delegate tasks to employees of that organisation. The Board appoints from among its members, having consulted the Supervisory Board, the person who will act as director within the meaning of the Works Councils Act.
9. Within the framework of established policy and with the approval of the Supervisory Board, the Board is authorised to enter into agreements for the acquisition, disposal or encumbrance of registered property, to enter into agreements under which the Union acts as guarantor or joint and several debtor, provides security for a third party's obligations, and to represent the Union in respect of such transactions.

Article 18

Composition of the Board; absence and incapacity

1. The Board consists of a number of at least two (2) members to be determined by the Members' Congress. The members of the Board are appointed by the Members' Congress for a period of at most four years to be determined by the Members' Congress, on binding nomination by the selection committee as determined in article 20 of the statutes.
2. Retiring members of the Board are immediately re-eligible for appointment.
3. The chairman and the secretary/treasurer are appointed to their positions by the Members' Congress.

4. Candidates for the Board must be (aspiring) members of the union and of legal age.
5. If interim vacancies arise in the Board, these are filled by the Members' Congress with due observance of the provisions in this article and article 20 of the statutes. A regulation for the period until the interim vacancy is filled may be established by regulation.
6. The members of the Board are suspended and dismissed by the Members' Congress. In addition, the Supervisory Board is at all times authorized to suspend a member of the Board.
7. In case of absence or impediment of a member of the Board, as referred to in Book 2 of the Civil Code - including the situation where the person concerned has indicated in writing that there is an impediment for a certain period - the remaining members of the Board are temporarily charged with managing the union. In case of absence or impediment - as aforementioned - of all members of the Board, the union is temporarily managed by one or more persons designated for this purpose by the Supervisory Board.

Article 19

Representation, decision-making outside meetings and conflicting interests

1. The Board represents the union. The power of representation also belongs to two jointly acting members of the Board.
2. The Board may also make decisions outside meetings, provided that all members of the Board have been given the opportunity to express their opinion in writing. A report of such a decision shall be prepared by the secretary, including the responses received, which shall be added to the minutes after co-signature by the chairman.
3. A member of the Board does not participate in deliberation and decision-making if he has a direct or indirect personal interest that conflicts with the interest of the union and its affiliated organization. When all members of the Board have such a personal interest, the decision is made by the Supervisory Board.

Article 20

Tasks and powers of the Supervisory Board

1. The procedure for nominating candidates for the Board is as follows:
 - (a) The Board appoints – with approval of the Supervisory Board – the selection committee. This consists of a number of four or five persons to be determined by the Board, namely a member of the Board, an external advisor, a union employee who preferably works within a function in the Human Resources and Organization (HR) department and – depending on the number of members of the selection committee – one or two members of the Supervisory Board.
 - (b) The Board establishes, with approval of the Supervisory Board, a general profile for membership of the Board. In addition, the Board establishes, on the proposal of the selection committee, the specific requirements that apply to a specific portfolio within the Board.
 - (c) Before a vacancy is advertised, the Board determines whether or not this vacancy concerns a seat to which a specific portfolio is attached.
 - (d) The selection committee publishes the vacancy and conducts the application procedure.
 - (e) The application procedure consists at minimum of an interview round. In the further procedure, an assessment must in any case be conducted, unless the selection committee decides to grant a candidate exemption from taking an assessment. Such an exemption may only be granted if the relevant candidate is already a member of the Board and has previously undergone an assessment in relation to that appointment, or if the relevant candidate has recently undergone an assessment for a comparable position and submits the relevant report to the selection committee. The Board may further specify the application procedure each time. If the Board does not do so, then the selection committee itself determines the further specification of the application procedure for that occasion.
 - (f) The Board, the Supervisory Board and the members of the union may nominate candidates for a vacancy. Furthermore, one may apply on their own initiative. All candidates must go through the application procedure.
 - (g) The selection committee advises the Board on the possible need for and/or necessity of (additional) training for the candidates who are ultimately appointed as members of the Board.
 - (h) The selection committee bindingly nominates the candidate and/or candidates to the Members' Congress or holds a new application procedure if none of the candidates are deemed suitable by the selection committee for the open vacancy/vacancies.
2. The Members' Congress elects the new members of the Board from the candidate/candidates that the selection

committee has nominated in accordance with paragraph 1 of this article. The Members' Congress may remove the binding character from that nomination by a decision taken with at least two-thirds of the validly cast votes.

3. During the performance of the activities referred to in paragraph 1, the selection committee will monitor whether there is (possibly) a conflict of interest between the members of the selection committee and (potential) candidates for the vacancies. If and to the extent this is the case, the relevant member of the selection committee will abstain from deliberation and decision-making regarding the relevant candidate(s) and will have no right to receive or inspect documents relating to the relevant candidate(s).

Article 21

Tasks and powers of the Supervisory Council

1. The Supervisory Council has the task of supervising the policy of the Board and the general course of affairs in the union and its affiliated organization. It assists the Board with advice. In fulfilling their task, the members of the Supervisory Council are guided by the interests of the union and its affiliated organization.
2. The Board provides the Supervisory Council with the data necessary for the performance of its task.
3. The Board shall inform the Supervisory Board in writing at least once every six months about the main lines of strategic policy, general and financial risks, and the management and control systems used.

Article 22

Decision-making outside meetings and conflicting interests

1. The Supervisory Board may also make decisions outside meetings, provided that all members of the Supervisory Board have been given the opportunity to express their opinion in writing. A record of a decision made in this manner shall be prepared, including the received responses, which after co-signing by the chairman shall be added to the minutes.
2. A member of the Supervisory Board shall not participate in deliberation and decision-making if they have a direct or indirect personal interest that conflicts with the interest of the union and the associated enterprise or organization. When the Supervisory Board cannot make a decision as a result, the decision shall be made by the Members' Congress.

Article 23

Composition of the Supervisory Board and absence and impediment

1. The Supervisory Board consists of a number to be determined by the Members' Congress of at least five and at most seven members. In the composition of the Supervisory Board, the aim is that it forms a reflection of the composition of the union members from the various sectors spread across the country, with preferably the members residing in different regions as referred to in article 14. The members of the Supervisory Board are appointed by the Members' Congress for a period of four years.
2. In addition, the Supervisory Board may from time to time determine that specific portfolios and/or areas of focus are connected to certain seats in the Supervisory Board. If this is the case, the Members' Congress appoints a candidate for membership of the Supervisory Board whether or not as a member of the Supervisory Board with a specific portfolio and/or area of focus.
3. The members of the Supervisory Board retire according to a schedule to be drawn up by the Supervisory Board. Retiring members of the Supervisory Board are eligible for reappointment at most twice, unless the selection committee has determined that no succession can be found. In that case, the Members' Congress may decide on the proposal of the Board and/or the Supervisory Board that a member of the Supervisory Board is eligible for reappointment once more for a maximum of one term. A member of the Supervisory Board appointed to an interim vacancy takes the place on the retirement schedule of the person whose vacancy they were appointed to fill.
4. In case of absence or impediment of a member of the Supervisory Board as referred to in Book 2 of the Civil Code - including the situation where the relevant person has indicated in writing that there is impediment during a certain period - the remaining members of the Supervisory Board are temporarily charged with exercising the duties and powers of the Supervisory Board.

In case of absence or impediment of all members of the Supervisory Board, the duties and powers of the Supervisory Board will be exercised by one or more persons designated for this purpose by the Members' Congress.

Article 24

Candidacy for the Supervisory Board

The procedure for nominating candidates for the Supervisory Board is as follows:

- (a) The Board appoints – with approval of the Supervisory Board – the selection committee. This consists of a number of four or five persons to be determined by the Board, namely a member of the Board, an external advisor, a union employee who preferably works within a function in the Human Resources and Organization (HR) department and – depending on the number of members of the selection committee – one or two members of the Supervisory Board.
 - (b) The Supervisory Board establishes a general profile for membership of the Supervisory Board. In addition, the Supervisory Board establishes, on the proposal of the selection committee, the specific requirements that apply to a specific portfolio within the Supervisory Board.
 - (c) Before a vacancy is published, the Supervisory Board determines whether or not this vacancy concerns a seat to which a specific portfolio is attached.
 - (d) The selection committee publishes the vacancy and conducts the application procedure.
 - (e) The application procedure consists at least of an interview round. In the further procedure, an assessment must be conducted, unless the selection committee decides to grant a candidate exemption from taking an assessment. Such exemption may only be granted if the relevant candidate is already a member of the Supervisory Board and has previously undergone an assessment in relation to that appointment, or if the relevant candidate has recently undergone an assessment for a comparable position and submits the relevant report to the selection committee. The Board may, with approval of the Supervisory Board, further define the application procedure for each occasion. If the Board does not do so, the selection committee itself determines the further structure of the application procedure for that occasion.
 - (f) The Board, the Supervisory Board and the members of the union may nominate candidates for a vacancy. Furthermore, one may apply on their own initiative. All candidates must go through the application procedure.
 - (g) The selection committee advises the Board and the Supervisory Board on the possible need for and/or necessity of (additional) training of the candidates who are ultimately appointed as members of the Supervisory Board.
 - (h) The selection committee bindingly nominates the candidate and/or candidates to the Members' Congress or holds a new application procedure if none of the candidates are deemed suitable by the selection committee for the open vacancy/vacancies.
2. The Members' Congress elects the new members of the Supervisory Board from the candidate/candidates that the selection committee has nominated in accordance with paragraph 1 of this article. The Members' Congress can remove the binding character from that nomination by a decision taken with at least two-thirds of the validly cast votes.
 3. During the exercise of the activities referred to in paragraph 1, the selection committee will monitor whether there is (possibly) a conflict of interest between the members of the selection committee and (potential) candidates for the vacancies. If and insofar as this is the case, the relevant member of the selection committee will abstain from deliberation and decision-making regarding the relevant candidate(s) and will have no right to receive or inspect the documents relating to the relevant candidate(s).
 4. When nominating for the appointment of a member of the Supervisory Board, the following information is communicated to the Members' Congress: their age, their profession, the positions they hold or have held insofar as these are relevant in connection with fulfilling the role of a member of the Supervisory Board, to which legal entities they are already connected as commissioner or supervisor. If this includes legal entities that belong to the same group, it may suffice to indicate the group. The recommendation and the nomination for appointment or reappointment are motivated. In case of reappointment, consideration is given to the way the candidate has fulfilled their role as a member of the Supervisory Board.

Article 25

Powers of the Members' Congress

1. The Members' Congress is the highest body in the union and is the general meeting within the meaning of the law.
2. The Members' Congress assesses the policy conducted by the Board based on the annual report.
3. The Members' Congress ensures the election, suspension and dismissal of the members of the Board and the Supervisory Board.

4. The Members' Congress is authorized to amend statutes and regulations.
5. The Members' Congress is authorized to enter into a merger or to dissolve the union.
6. The Members' Congress delegates the decision-making authority regarding entering into collective labor agreements or binding to or entering into other employment conditions arrangements to the collective bargaining committees established for this purpose.
7. The Members' Congress may establish permanent committees.

Article 26

Access to and speaking and voting rights at the Members' Congress

1. All members and aspiring members have access to and speaking rights at the Members' Congress meeting.
2. Each member and aspiring member is authorized to exercise the rights referred to in paragraph 1 in person or by means of an electronic communication device, provided that he can be identified via the electronic communication device and can directly take note of the proceedings at the meeting. Participation in the Members' Congress meeting by means of an electronic communication device is considered attendance at the meeting.
3. The Members' Congress may decide to grant access to or speaking rights at the meeting to persons who do not have such rights based on paragraph 1 of this article.
4. Only members have voting rights during the Members' Congress. Aspiring members explicitly do not have voting rights.
5. The members of the Board are members of the Members' Congress and have voting rights during the Members' Congress, unless it concerns a decision whereby the union grants rights to or waives obligations of a Board member other than in their capacity as a Board member.
6. The members of the Supervisory Council have access to and speaking rights at the Members' Congress meeting. In their capacity as members of the Supervisory Council, they have an advisory vote.

Article 27

Meetings of the Members' Congress

1. The Members' Congress meets under the leadership of the Board and convenes at least once a year. Furthermore, an extraordinary Members' Congress can be held upon request of the Supervisory Council or at least fifty (aspiring) members, with reasons stated, submitted to the Board. In case of absence or impediment of both all members of the Board and all members of the Supervisory Council, ten (aspiring) members together shall be authorized to convene a Members' Congress and invite the members and aspiring members in writing.
2. At least ten (aspiring) members together may submit proposals and nominations to the Board for consideration in the Members' Congress. However, nomination for positions on the Board can only be done in the manner described in article 20 of the statutes and nominations for positions on the Supervisory Council can only be done in the manner described in article 24 of the statutes.
3. The Members' Congress is announced to members and aspiring members by means of a written advance notice. The announcement states the location and time of the meeting and the date by which any proposals must be submitted at the latest.
4. Members and prospective members are invited no later than two weeks before the Members' Congress. The invitation states the location and time of the meeting and the items to be discussed, provided with the necessary data and explanations. The order of these items is determined by the Board with approval of the Supervisory Council. The Members' Congress may decide by majority of the valid votes cast to deviate from this order.
5. In deviation from the first and second sentence of paragraph 4 of this article, the following applies. If it is not reasonably possible to include the items, data and explanations to be discussed at the Members' Congress with the invitation, this information may also be sent or announced to the (prospective) members at a later time. In that case, the relevant information will be sent or announced to the (prospective) members as quickly as reasonably possible, but no later than the time determined by law or, in the absence thereof, no later than three (3) working days before the start of the Members' Congress. In this case, the first mailing will state the reason why a document will be sent later.

Article 28

Voting in union meetings and attendance at union meetings

1. The following voting provisions apply at meetings of union bodies and at other union meetings:
 - (a) Except in cases where statutes and regulations prescribe otherwise, decisions are made by absolute majority of the valid votes cast. Blank votes are invalid.
 - (b) Each voting-entitled person present at the meeting casts one vote.
 - (c) Votes are cast electronically, orally or in writing. Unless voting is electronic, voting on persons is done in writing and on matters orally, except for deviating decisions by the meeting and except for deviating provisions in statutes or regulations. If a voting-entitled person participates in a Members' Congress by means of electronic communication, they may exercise voting rights via the electronic communication medium, provided they can be identified via the electronic communication medium and can directly take note of the proceedings at the meeting.
 - (d) When voting on matters, a proposal is considered rejected in case of a tie vote.
 - (e) When voting concerns persons, the person who receives the absolute majority of valid votes cast is elected. In cases where one vote is held for one or more positions to be filled from multiple candidates, the candidate with the fewest votes is eliminated and a new vote is held. In case of a tie, a new vote is held. If the votes are tied again, lot decides.
 - (f) In deviation from paragraph 1 sub e of this article, the following voting procedure applies when voting on decisions to appoint members of the Supervisory Board and on decisions to appoint the salaried members of the Board by the Members' Congress:
 - (i) Each voting member receives a (digital) ballot paper. On it, the member writes down which candidates they vote for.
 - (ii) Per (digital) ballot paper, a member may write down at most as many candidates as there are open vacancies. Writing down fewer candidates is also allowed.
 - (iii) After members have written down which candidates they vote for, they submit their (digital) ballot papers to the chairperson.
 - (iv) The chairperson is responsible for (having) counted the number of votes each candidate has received. Each time a member has written down a candidate on their ballot paper, that candidate receives one vote.
 - (v) The candidates who receive an absolute majority of the validly cast votes are appointed. Absolute majority of the validly cast votes is understood in this case as: more votes than half the number of validly cast (digital) ballot papers.
 - (vi) However, if the number of candidates who receive an absolute majority of the validly cast votes is greater than the number of open vacancies, the following applies. The candidate with the most votes is appointed first, followed by the candidate who has the next most votes (in case of an equal number of votes, chance decides). This continues until all open vacancies are filled. The remaining candidates are not appointed.
 - (vii) If the number of candidates who receive an absolute majority of the validly cast votes is smaller than the number of open vacancies, the following applies. The candidates who receive an absolute majority of the validly cast votes are appointed in accordance with paragraph 1 sub f under v of this article. The candidate who has received the fewest votes drops out (in case of an equal number of votes, chance decides). A new voting round takes place between the remaining candidates who were not elected. The rules in paragraph 1 sub f of this article apply again. However, the Members' Congress may also decide to forgo a new voting round. In that case, the unfilled vacancies remain open and the appointment is placed on the agenda again at the next Members' Congress.
 - (g) If multiple proposals have been made regarding a particular subject, the most far-reaching proposal is voted on first. The chairperson determines which proposal is the most far-reaching.
 - (h) Amendments to proposals are put to vote beforehand.
 - (i) The members of a meeting cast one vote per member. The votes are cast personally and without mandate. Members cannot be represented when casting their vote.
 - (i) De leden van een vergadering brengen per lid één stem uit. De stemmen worden persoonlijk en zonder mandaat uitgebracht. De leden kunnen zich bij het uitbrengen van hun stem niet laten vertegenwoordigen.
2. The Board may decide per meeting whether each person entitled to attend meetings is authorized to participate in meetings of union bodies in person or through a written proxy, by means of electronic communication, to speak therein and – if applicable – to exercise voting rights. If such a decision is made, a person entitled to attend meetings who makes use of this authorization must be able to be identified via the electronic communication medium, be able

to directly take cognizance of the proceedings at the meeting, participate in the deliberations and – if applicable – exercise voting rights. Participation in the meeting by means of electronic communication is considered as presence at the meeting.

Article 29

Financial resources

1. The financial resources of the union consist of:
 - (a) membership fees;
 - (b) contributions for special funds;
 - (c) other income.
2. The management of the financial resources is conducted by the secretary/treasurer. The secretary/treasurer provides the auditor with all information requested by them and which may be useful in the exercise of the audit.

Article 30

Financial control

1. The Board is obliged to maintain administration of the financial position of the union and of everything concerning the activities of the union according to the requirements arising from these activities, in such a manner and to preserve the related books, documents and other data carriers in such a way, that the rights and obligations of the union can be known at all times.
2. With approval of the Supervisory Board, the Board annually establishes a budget.
3. Annually within six months after the end of the financial year, except for extension of this term with at most four months by the Members' Congress on grounds of special circumstances, the Board prepares an annual report and makes it available for inspection by the members at the union's office.
4. Within this term, the Board also prepares a board report on the affairs in the union and on the policy conducted and makes this board report available for inspection by the members, unless article 2:396 paragraph 7 or article 2:403 applies to the union.
5. The annual report consists of a balance sheet, a profit and loss statement and notes.
6. The annual report is signed by the members of the Board and the members of the Supervisory Board. If the signature of one or more of them is missing, this is reported with reasons given.
7. The union may, and if legally required to do so, shall, commission an accountant to examine the annual accounts. The Members' Congress is authorized to grant this commission. The Board shall be authorized to do so in case the Members' Congress fails to appoint an accountant. The appointment of an accountant is not limited by any nomination; the commission may be withdrawn at any time by the Members' Congress and by the party that granted it.
8. The accountant reports on his examination to the Board and the Supervisory Board. The accountant presents the results of his examination in a statement regarding the reliability of the annual accounts. The auditor's statement is made available to the members in accordance with the provisions of paragraph 3. The provisions of Article 2:393 of the Civil Code shall apply insofar as correspondingly applicable.
9. The annual accounts are adopted by the Members' Congress, which the Board shall convene at the latest one month after the end of the period referred to in paragraph 3 above. The union ensures that the prepared annual accounts, the annual report and the data to be added pursuant to Article 392 paragraph 1 Book 2 of the Civil Code are present at its office from the convocation for the relevant Members' Congress. The members can inspect the documents there and obtain a free copy of them.
10. Adoption of the annual accounts does not constitute discharge of a member of the Board or member of the Supervisory Board.

A separate decision by the Members' Congress is required for this purpose.

Article 31

Association year

The association year of the union runs from January first to December thirty-first inclusive.

Article 32

Internal Regulations

1. Internal Regulations are established by the Members' Congress. The Internal Regulations govern the implementation of the articles of association and, if necessary, other matters of the union.
2. The Internal Regulations may not contain provisions contrary to these articles of association.

Article 33

Disputes and complaints regulation

1. The union has a disputes committee. The disputes committee consists of three members, one of whom is an independent chairperson. Two substitute members may be added to the disputes committee. A substitute member of the disputes committee may replace a regular member of the disputes committee at the latter's request. This does not apply to the chairperson. The chairperson of the disputes committee is elected by the Members' Congress and may not be a member of the union. The regular members and substitute members of the disputes committee are also elected by the Members' Congress but must be members of the union. The Members' Congress is authorized to dismiss the (substitute) members of the disputes committee.
2. The disputes committee receives secretarial support from the work organization of the union.
3. The committee regulates its own working method (with the understanding that three (substitute) members, including the chairman, must be involved in every decision), decides in final instance and communicates its decision in writing and provided with good reasoning to the parties involved.
4. The disputes committee decides on disputes between a member on one side and the union or union bodies on the other side or between union bodies among themselves, including disputes about the interpretation of the articles of association and regulations and with the exception of complaints about service provision. The disputes committee also decides on disputes regarding the editorial part of the (digital) trade magazine. The disputes committee decides in final instance.
5. Complaints from a member about the service provision to the member by the union are submitted to the Board. The Board decides on this in final instance. The working method of the Board is established in a complaints procedure.

Article 34

Dissolution and liquidation

1. A decision to enter into a merger can only be made with a majority of at least two-thirds of the validly cast votes during the Members' Congress.
2. Dissolution of the union can only be decided by a Members' Congress explicitly convened for that purpose. This decision to dissolve can only be made with a majority of at least three-quarters of the validly cast votes.
3. The Members' Congress that decides on dissolution also decides on the destination of the union's assets in observance of the legal provisions. This decision must be made with the same majority as determined in the previous paragraph.
4. After dissolution, liquidation is carried out by the Board under supervision of the Supervisory Board. The Members' Congress may decide to appoint other persons as liquidators.
5. During liquidation, the articles of association and regulations of the union remain in force, insofar as possible.

Article 35

1. In cases not provided for in this regulation, the Board decides with approval of the Supervisory Council.

1. The (aspirant) members are bound by the mere fact of their (aspirant) membership to the articles of association, the Internal Regulations of the union and to the decisions of the union's bodies.
2. In all cases not provided for by these articles of association, the Internal Regulations of the union and the other regulations, the Board decides – having heard the Supervisory Board. The Board brings apparent gaps to the attention of the Members' Congress. It simultaneously makes proposals to the Members' Congress to fill those gaps.

Internal regulations

Article 1

Name

The union is abbreviated as FNV Horecabond.

Article 2

Membership

1. Registration for membership takes place as follows
 - a. in writing (including: electronically) by submitting a completely filled out and signed registration form to the union; or
 - b. by telephone, by completing the telephone registration procedure with the union.
2. The candidate membership is deemed to have commenced on the first day of the month following the month in which the member registered. In case of doubt, the Board decides. Those who are transferred from other trade union(s) with which the union cooperates are deemed to have joined as candidate members on the first day of the month following the last contribution month at the organization from which they are transferred. The rights date of said transferred members remains the same as the rights date at the other trade union(s).
3. At the start of membership, each member receives a welcome letter and can download proof of membership via the website. Members can also indicate they wish to receive a copy of the union's articles of association and Internal Regulations. Board members automatically receive a copy.
4. Members are obliged to notify the union in writing when terminating membership, changing address, or modifying member data.
5. Members who move from one region to another region are not deemed to be part of the region of their new place of residence before they have been transferred.

Article 3

Honorary Membership

1. Members who have distinguished themselves in a special way for the association receive the title: "honorary member".
2. Members eligible for this are volunteers and at that moment no longer hold any function (within) or on behalf of the association.
3. The Board decides – with approval from the Supervisory Council – on the appointment of honorary membership.

Article 4

Contribution Arrears

Members who are one month behind in paying contributions receive a warning. If they do not pay the outstanding contributions in the following two months, membership may be terminated (art. 9 paragraph 1 sub c of the articles of association).

Article 5

The Members' Congress

1. The Members' Congress is held at least twice per year.
2. The Members' Congress is announced to members through a written advance notice. The announcement states the location and time of the meeting and the date by which any proposals must be submitted at the latest.
3. At least 2 weeks before the Members' Congress, members and candidate members are invited. The invitation states the location and time of the meeting and the points to be discussed, provided with the necessary data and explanations. The order of these points is determined by the Board with approval from the Supervisory Council. The Members' Congress can decide by majority of valid votes to deviate from this order.
4. All members of the union have access to the Members' Congress meeting. The Members' Congress may decide

to also grant access to the meeting to persons who are not members of the union. The Members' Congress may authorize the chairperson to give the floor to persons who are not members of the Members' Congress. They explicitly have no voting rights.

Article 6

Dismissal

Proposals for dismissal of members of the Board or the Supervisory Council must be made with reasons stated. The Members' Congress gives the person concerned timely opportunity to present written and oral defense against the dismissal proposal.

Article 7

Collective action, including strikes

1. A decision to conduct collective action is made in a meeting convened for this purpose by the Board, for the members who may be involved in the action.
2. A decision to conduct collective action is made with a majority of at least 3/4 of the valid votes cast.
3. Only those members who are involved in the relevant collective action or will be directly involved in it may participate in the vote.
4. The Members' Congress has, even if the requirements set forth in this article are met, the authority at all times to withhold its approval from a decision, or to terminate collective action, including a strike, if in the opinion of the Members' Congress very weighty reasons, derived from the interest of the members, require such action.
5. The Board, having consulted the Supervisory Council, has the leadership in collective action called by the union.

Article 8

Strike fund

1. The union has a strike fund. The fund aims, among other things, to cover the costs related to conducting collective action.
2. The strike fund, the purpose, the means and the management of the fund is further regulated in the strike fund regulations.

Article 9

Rate packages

1. Members are obligated to pay membership fees according to the classification most recently established by the Board with approval of the Supervisory Council.
2. The change in rates takes effect in the month following the month in which the change was requested. Payment at too high a rate gives no right to restitution of the overpayment, unless there is clearly an administrative error. This is at the discretion of the Board.
3. The Board is authorized to conduct an investigation into the accuracy of the information provided and if necessary to require a corrected statement. The Board is also authorized in special cases, at its discretion, to classify a member in a lower membership fee class than to which they would belong according to the classification established by the Board with approval of the Supervisory Council.
4. Deferment of membership fee payment is not granted in principle.

Article 10

The trade magazine

1. The union publishes a (digital) trade journal. The management of the (digital) trade journal is conducted by the Board.
2. The Board appoints an editor-in-chief from among its members. The editor-in-chief is responsible for the content of the trade journal.
3. The (digital) trade journal must contain:
 - a. announcements and messages about the union and its activities;

- b. announcements and messages about the business organization in general;
 - c. discussions and contributions on professional and other matters.
4. Members receive the trade journal free of charge. Non-members can subscribe at a price to be determined by the Board with approval of the Supervisory Council.

Article 11

Issue handling and legal assistance

Members have the right to assistance from the union in a dispute with the employer, client and/or benefit institution. Members are referred to a possible external legal aid provider by or on behalf of a member of the Board. The right to assistance and legal aid is further regulated in the 'General conditions for individual legal aid'. Only the Board with approval of the Supervisory Council is authorized to establish and modify these General conditions for individual legal aid.

Article 12

Committee of confidential counselors

1. Members of the union recognize the right of every member to respect for personal privacy and the inviolability of the body. The union pursues an active policy to combat unwanted behavior by members towards each other.
2. The Members' Congress appoints two confidential counselors whereby diversity is guaranteed.
3. A member who has a complaint regarding unwanted behavior by another member during union activities can be assisted by a confidential counselor.

The confidential counselors have the task to:

- a. assist the complainant and provide advice.
 - b. attempt to reach a solution to the identified problem through investigation and consultation with the person involved.
 - c. support the complainant, if desired, in filing a complaint with the Board.
4. The Board may terminate the membership of the member involved or expel that member from membership if the complaint is declared justified.

Article 13

Final provisions

1. In cases not provided for in this regulation, the Board decides with approval of the Supervisory Council.
2. This regulation can be amended by decision of the Members' Congress with a simple majority of votes.
3. Dit reglement kan gewijzigd worden bij besluit van het Ledencongres met gewone meerderheid van stemmen.
4. In case of disagreement about the application of any article of this regulation or in cases not provided for, the Board decides, subject to appeal to the Members' Congress.

Strike Fund Regulations FNV Horecabond

Article 1

The union has a Strike Fund.

Article 2

The fund aims to:

- a. Cover the costs associated with strikes and/or lockouts involving members of FNV Horecabond;
- b. Cover the costs associated with and resulting from actions and activities comparable to those mentioned under a., involving members of FNV Horecabond;
- c. Cover the union's deficit if the union faces financial problems due to actions by employer(s) or government legislation or regulations.

Article 3

The Board with approval of the Supervisory Board determines whether the Strike Fund bears the costs of the action mentioned in article 2. The Board prepares a financial report with approval of the Supervisory Board for accountability to the Members' Congress.

Article 4

The fund's resources consist of:

- a. Contributions from the union. The Board with approval of the Supervisory Board determines the desired size of the Strike Fund. Based on this determination, the Board with approval of the Supervisory Board makes a decision about contributions from the union to the fund and withdrawals from the fund in favor of the union.
- b. Interest and other income benefit the fund.

Article 5

1. The treasurer/secretary must invest the fund's resources in such a way that they can be liquidated quickly.
2. The fund's assets, as well as changes therein, are separately disclosed in FNV Horecabond's financial report.
3. The treasurer/secretary provides the auditor with all information requested and that may be useful in performing the audit.

Article 6

1. Only when the requirements set in article 8 of the Internal Regulations of FNV Horecabond are met and as long as the Members' Congress has not exercised its authority mentioned in article 8 of the Internal Regulations, can payment from the Strike Fund be granted to:
 - a. members who lose income from work due to a strike, lockout or factory occupation or through their action for FNV Horecabond;
 - b. members who as victims of a strike, lockout or factory occupation or through their action for FNV Horecabond lose income from work.
2. The payment to members referred to under b. in the previous paragraph is generally not provided for longer than two months. In special cases, this period may be extended by the Board with approval of the Supervisory Board.

Article 7

Claims for payment in case of strike, lockout, factory occupation or victimization can only be made by those members who have fulfilled all their financial obligations to the union.

Article 8

The benefit to members in case of strike, exclusion or victimization is regulated by and pursuant to the regulations of the FNV Resistance Fund.

Article 9

In all cases not provided for in these regulations, the Board decides with approval of the Supervisory Board. It reports on this afterwards to the Members' Congress of the FNV Resistance Fund.

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Disclaimer

This advice is based on Dutch law. In case English terms are used that may have a different meaning, the interpretation under Dutch law shall prevail.



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