

STATUTE

Of

Trade Union of Professional Football Players of Montenegro

I GENERAL PROVISIONS

Article 1.

Trade Union of Professional Football Players of Montenegro (hereinafter TUPFPM) is interest, independent, democratic, autonomous and voluntary organization of members of Trade Union which represent organizational part of Trade Union of Athletes of Montenegro.

II NAME, MEMBERSHIP, HEADQUARTER

Article 2.

The name of the trade union is: “Trade Union of Professional Football Players of Montenegro”.

Article 3.

Abbreviation of the Trade Union is: “TUPFPM”

Article 4.

The Trade Union is independent organization in which professional football players, who are engaged in football clubs that act within framework of Football Association of Montenegro, are associated on the voluntary basis.

Article 5.

Membership in the Trade union is individual.

Article 6.

Logo of The Trade Union is consisted of two irregular triangles that makes stylized Latin letter “S” painted in red color and black and white ball next to the letter. Below the letter, there is inscription “Trade Union of Professional Football Players of Montenegro”

Article 7.

TUPFPM acts within Trade Union of Athletes of Montenegro.

TUPFPM is obliged to harmonize its Statute with Statute of Trade Union of Athletes of Montenegro, and must respect decisions of its authority bodies.

TUPFPM can withdraw from the Trade union of Athletes of Montenegro only on the basis of Decision made by two third majorities of total members of Assembly.

Article 8.

The TUPFPM headquarter is in Podgorica.

Executive Committee shall be made Decision on changing the headquarters.

Article 9.

TUPFPM has its seal, stamp, logo and flag.

The stamp is of rounded shape; with logo of TUPFPM and encryption in Latin letters "Trade Union of Professional Football Players of Montenegro" around the logo.

The seal is of rectangular shape with encryption in Latin letters "Trade Union of Professional Football Players of Montenegro", with columns for register number and date.

The flag is white. There is emblem of TUPFPM in the middle of the flag and encryption "Trade Union of Professional Football Players of Montenegro".

Article 10.

TUPFPM shall cooperate with other trade unions in Montenegro and abroad on the basis of principles of equality, mutuality and solidarity. TUPFPM shall also cooperate with international trade union organizations in accordance with essential program's orientations and common asserted attitudes of Trade Union of Athletes of Montenegro.

III AIMS AND TASKS

Article 11.

TUPFPM is independent of state authorities, political parties, employers and other institutions outside of trade union.

TUPFPM is neutral regarding religious orientation.

Article 12.

The task and purpose of TUPFPM is conjoining of protection and promotion of respective, particular and common economic, social, professional and cultural interests and rights of its members, as well as of sport at all.

Article 13.

TUPFPM shall seek conjoining of interests of all professional football players who are respectively employed or engaged for fee, or they are looking for such kind of employment with football club, football association or professional association.

Article 14.

The Tasks and aims of TUPFPM are particular as follows:

- Adoption of democratic and progressive sport legislation and its harmonizing with international regulative in this field;
- Creation adequate social condition for development and democratization of sport;
- Protection and promotion of professional, working, economic and social rights of persons who are engaged in professional football;
- Development and promotion of social dialogue, that is, applying of collective bargaining in practice and concluding of collective agreement;
- Creating conditions for realization universalities of football (equality, solidarity, antidiscrimination, friendship), integrity of football competitions (protection from external political, commercial and financial influences) and preserving of adequate relation between professional and amateur football;
- Improvement of health and social protection system for football players during, and particularly, after ending of their professional careers.
- Law regulation of pension status;
- Support players in planning and realization of professional work after ending of their sport careers;
- Participation and influence on decision making process in state authorities and football associations on issues that are of significance for professional football players;
- Support to young players in professional career building;
- Establishing and development of international activity with international sport and trade union organizations;
- Solidarity aid for members of TUPFPM according to needs and financial capacities of TUPFPM;
- Promotion of goals and interests of TUPFPM in public.

In realization of these aims TUPFPM shall use all democratic, legal and legitimate international recognized instruments and methods of trade union fight.

IV METHODS AND FORMS OF TRADE UNION FIGHT

Article 15.

TUPFPM shall use, the first of all, methods of trade union fight in line with democratic structure and aims for which it strives:. The methods are as follows:

- Establishing social dialogue
- Collective bargaining and concluding of collective agreements and an agreement with a club on professional engagement;

- Developing activities that are necessary for organization and communication with membership and for strengthening of their capacities;
- Developing of activities that are enable to leaders and activists in their trade union organizations to gain skills and get information that are necessary for realization of rights of employment;
- Strikes.

Selection of methods and forms of trade union fight is performed in line with concrete conditions.

Article 16.

Decision on strike shall be made by TUPFPM Executive Committee with previous communication and agreement by Republic Committee of Trade Union of Athletes of Montenegro.

V RIGHTS AND OBLIGATIONS OF MEMBERSHIP

1. Entering into membership

Article 17.

Entering into TUPFPM membership is voluntary and individual, and it shall be realized by signing of Statement of Joining to TUPFPM.

By signing of the Statement of Joining, a member is bound to accept this Statute, program documents and decisions of TUPFPM at all levels, to initiate and participate in trade union actions and to pay regularly membership fee.

Article 18.

Upon reception into TUPFPM, a member shall get membership card.

Shape and content of the membership card shall be asserted by TUPFPM Executive Committee. A member is obliged to show his Membership Card when realizing of his rights that are stipulated by this Statute and other program documents, as well as on request of adequate bodies and officials of TUPFPM.

Article 19.

The Membership Card is property of TUPFPM. When withdrawing or expelling from membership, a member who is concerned shall be obliged to give back the Membership Card.

In case of losing the Card, a member is obliged that within period of 10 days record to TUPFPM a disappearing of the Card and request for issuing of duplicate.

2. The rights of members

Article 20.

A member who performs his obligations toward TUPFPM has rights as follows:

- To propose candidates, to elect and be elected in TUPFPM bodies;
- To express freely his interests, to harmonize them with interests of other members of TUPFPM and to participate in all forms of trade union work;
- To make influence and to participate at collective bargaining;
- To get legal assistance free of charge;
- To get solidarity assistance and aid during a strike;
- To set an initiative at TUPFPM bodies;
- Other rights stipulated by this Statute and statutory documents of TUPFPM.

3. Ending of membership

Article 21.

Membership in the union ends:

- a) by resigning the union membership, that is, by signing the written resignation form;
- b) by being erased from the record in case of non-payment of membership fee for a period longer than two months after beginning of the new season;
- c) by changing the working status – if the member becomes a director or an employer. In that case, upon his/her request, membership in the union can be temporarily suspended (frozen);
- d) by expelling the member – in case when the member acts contrary to the TUPFPM program and statute, in case he uses trade union property illegally, as well as in case when he prevents other members from participating in the activities lead by the union.

The decision to expel the player is adopted by TUPFPM Executive Committee organization. In that case the member should be granted regular procedure and the right to appeal to Republic Committee of Trade Union of Athletes within period of 30 days from the day of receiving written information on expelling.

Commission shall be formed before making decision on expelling and it shall collect and investigate all facts that could impact the decision on expelling.

The Commission shall be formed by Executive Committee and one third of members shall be nominated on proposal of the player against whom expelling procedure is set.

Renewed membership in the union is exercised by submitting the request for union membership. The record is kept by the trade union organization on all of the above mentioned facts.

Article 21.

The Commission is obliged to assert state of the facts in short time.

During proceeding, the player against whom expelling procedure is set cannot perform any function in TUPFPM.

When considering the appeal to Republic Committee of Trade Union of Athletes is obliged to get opinion of Statutory Committee of TUPFPM.
Decision on expelling is in effect when Republic Committee of Trade Union of Athletes confirms it.

Article 22.

In cases of serious violation of basic statutory norms and program orientation of TUPFPM and that compromise dignity and autonomous position of TUPFPM, the Executive Committee can make decision on automatic expelling without investigation procedure, with right to appeal to Republic Committee of Trade Union of Athletes of Montenegro.

VI BODIES

Article 23.

Bodies of TUPFPM are:

- Assembly
- Executive Committee
- Statutory Committee
- Monitoring Committee

Assembly

Article 24.

The Assembly is the highest body of TUPFPM.
The Assembly can be regular or extraordinary.
Decision on convening, time, venue and agenda of the Assembly shall be made by Executive Committee at least 30 days before the Assembly takes place.

Article 25.

The Assembly consists of TUPFPM members from professional football clubs from Montenegro, elected by principle of number of professional players in that clubs:

From 1.....to 4 professional players is equivalent to 1 member
From 5.....to 9 professional players is equivalent to 2 members
From 10.....to 14 professional players is equivalent to 3 members
From 15.....to 19 professional players is equivalent to 4 members
From 20.....to 24 professional players is equivalent to 6 members
From 25.....to 30 professional players is equivalent to 8 members

The right on participation at Assembly is also conditioned by regular payment of membership fee which is proved by adequate financial documentation.

Article 26.

The Extraordinary Assembly should be convened if requested formally by Executive Assembly, Republic Committee of Trade Union of Montenegro or at least half of members of TUPFPM.

The information on convening and agenda of the General Assembly will be sent at least two weeks in advance to the Assembly members.

Article 27.

The Assembly as the highest body of TUPFPM:

- To determine the basic directions of trade union strategy and policy;
- To adopt Program and Statute;
- To elect members of Executive Committee, Statutory Commission and Monitoring Committee;
- To consider and adopt reports on work of Executive Committee, Statutory Commission and Monitoring Committee;
- To adopt internal rules on work;
- To decide on other issues of importance for work of TUPFPM.

Executive Committee

Article 28.

The Executive Committee is the highest body of TUPFPM between two Assemblies. Members of the Executive Committee shall be elected at Assembly.

The Executive Committee shall elect Presidency, President, two Vice-Presidents at constitutive session.

The Executive Committee can nominate an Honored President as a person who is significant member for development of trade union movement, with high professional reputation, experience and knowledge in professional football. The Honored President can participate in work of the Executive Committee by giving suggestions, but without right of making decision.

Article 29.

Executive Committee shall:

- Realize program aims and tasks defined at the Assembly;
- Verify shop stewards in football clubs;
- Prepare and convene the Assembly;
- Make decisions on financial issues – adopt annual financial plan in line with directions of the Assembly and adopt annual Report;

- Form working bodies, stipulate organization of work, and organize work of secretariat;
- Make decisions on establishing of regional committees at the level of municipalities and regions;
- Submit the Report on work to the Assembly;
- Adopt internal rules for work.

Article 30.

With a view of promotion of organization of work and improvement of efficacy of activities, the Executive Committee can establish Presidency of TUPFPM. All members of the Presidency, except President, get a duty for particular field of work.

Article 31.

The Presidency performs all current program, organizational and financial duties in line with this Statute and orders of the Executive Committee.

Members of The Presidency, on the basis of decision made by Executive Committee, perform all duties on the voluntary or professional basis.

Article 32.

President of the Executive Committee, who is in the same time President of TUPFPM shall:

- Represent and advocate TUPFPM in relation to third persons;
- Convene and chair sessions of the Executive Committee and the Presidency;
- Take care on conducting of attitudes and decisions made by the Executive Committee and the Presidency;
- Take care on execution of financial plan and prepare the Report on financial operations for bodies of TUPFPM;
- Organize and coordinate activities within field of collective bargaining;

Article 33.

Vice president shall:

- Substitute President in case of absence or inability to perform his function;
- Organize and conduct work within scope of his duties;
- Assist to the President in performing his duties;
- Coordinate other works for which he is charged by the Presidency, the Executive Committee and President.

Statutory Commission

Article 34.

Statutory Commission has three members – President and two members.
Members of the Statutory Commission shall be elected by the Assembly.

Article 35.

The Statutory Commission shall:

- Monitor implementation of this Statute;
- Interpret this Statute between two Assemblies;
- Give proposals for changes and amends of this Statute;
- Make decisions on statutory disputes;
- Give its opinions on individual disputes on request of the bodies and members.

Article 36.

President of the Statutory Commission shall participate in work of all bodies, without decision making right.

Member of the Statutory Commission cannot be elected for a member of other bodies of TUPFPM.

Monitoring Committee

Article 37.

The Monitoring Committee has three members – President and two members who shall be elected by the Assembly.

Article 38.

The Monitoring Committee shall:

- Monitor material – financial operations of TUPFPM;
- Control financial operations at least once per year;
- Adopt Report of census commissions;
- Consider annual Report on Operations and submit findings to the Executive Committee;
- Submit Report on Material – Financial operations to the Assembly.

Article 39.

President of the Monitoring Committee shall participate in work of all TUPFPM bodies, without decision making right.

Member of the Monitoring Committee cannot be elected for member of the other bodies of TUPFPM.

VII SHOP STEWARD

Article 40.

Shop stewards shall act as represents of TUPFPM in football clubs.

The shop stewards and their substitutes shall be elected, depending to duration of football season, by TUPFPM members in a football club on period of one year, and it shall be verified by Executive Committee.

Article 41.

Shop steward shall:

- Represent TUPFPM in a football club;
- Undertake measures and activities in process of preventing violation labor and trade union rights;
- Mediate in disputes;
- Engage TUPFPM members in trade union actions;
- Perform other duties ordered by Executive Committee.

VIII REGIONAL ORGANIZING

Article 42.

The Executive Committee can make decision on organizing of TUPFPM at regional level, through establishing of regional committees.

Territory of acting, composition of committee and way of acting shall be defined by decision on establishing the regional committees.

Article 43.

The regional committee shall be liable to the Executive Committee and shall undertake measures within scope of its authority.

IX PRINCIPLES ON ELECTION AND DECISION MAKING

Article 44.

Election of members of TUPFPM bodies at all levels of organizing shall be carried out by open ballot.

Verification of elected members of the bodies shall be carried out by open ballot.

In process of candidature and election of members of the bodies one shall take into account that composition of a body reflects structure of membership.

Members of political parties' bodies and political offices in State bodies cannot be elected for members of executive bodies of TUPFPM.

Article 45.

The Executive Committee is obliged to adopt electing rules for election of TUPFPM bodies and officials at least 30 days before the Assembly takes place.

Article 46.

The electing rules shall contain:

- Procedure of candidacy of individuals for TUPFPM bodies and respective office holders in TUPFPM;
- Way of election the Executive Committee members, the Statutory Commission, Monitoring Committee and respective office holders in TUPFPM.

Article 47.

Decision shall be made only if simple majority of body members are presented at session. The decision shall be made by simple majority of presented members of the body, except decisions on: general strike, adoption, changes and amends of this Statute and collective bargaining that must be made by two-third majority of total number of the members of bodies.

Decisions of the bodies, except the decision on general strike, shall be made by open ballot.

The body can decide that certain decision should be made by secret ballot.

Article 48.

The body can suspend a member before expiration of his mandate, in case that the member does not perform his duties or in case of gross violation of this Statute and TUPFPM program documents by that member.

The body can elect a new member instead of suspended one, on the way stipulated by this Statute, that is, Principles of Election. On that way, one-third of the body members can be replaced.

In case of force majeure (death) or ending of membership in TUPFPM, more than one-third of the body members can be replaced.

The body member can resign on his function.

Article 49.

In case of election between more candidates for respective office holders, than should be elected, the candidate who won majority of the votes shall be elected.

If in the first circle of voting no one candidate won requested majority, the second circle shall be organized for two candidates with the biggest numbers of votes and a candidate who won majority of the votes shall be elected.

X INFORMING IN TUPFPM

Article 50.

Work of TUPFPM is public.

The members of TUPFPM bodies at all levels shall be obliged to inform membership and public on their activities.

Reporting shall be performed by Report on Work, bulletins, leaflets, newspapers, radio stations and special publications.

XI MEMBERSHIP FEE AND FINANCING

Article 51.

Assets for financing of TUPFPM work shall be provided by membership fee, donations, and voluntary work of members, presents, entrepreneurship and other resources.

Article 52.

A member shall be obliged to pay membership fee regularly.

The membership fee shall be paid once per year in amount stipulated by Executive Committee on beginning of calendar year.

The membership fee shall be collected directly from members. Direct charging shall be carried out by a shop steward who shall pay it on gyro account of TUPFPM.

Article 53.

The membership fee which belongs to TUPFPM shall be used for:

- Financing of common activities at the level of trade union;
- Training of members for trade union work;
- International cooperation;
- Legal protection;
- Solidarity aid;
- Collective bargaining;
- Strikes and solidarity actions.

Article 54.

TUPFPM bodies shall be obliged to make Financial Plan and adopt annual report on revenues and expenditures.

XII TRADE UNION PROPERTY

55. Article.

TUPFPM property is common ownership of all members.

The Executive Committee shall dispose with the property.

The property shall be inseparable in sense that no one member has a right on return of membership fee or other property.

XIII TRANSITIONAL AND FINAL PROVISIONS

Article 56.

The Statute shall be come into effect on the day of its adoption.

Article 57.

Changes and amends of this Statute shall be performed in the same way of its adoption. In case of harmonization of this Statute with Statute of Trade union of Athletes of Montenegro, the Executive committee can make respective changes and amends of this Statute that are additionally subjected to verification of the Assembly.

ASSEMBLY

Of

Trade Union of Professional Football Players of Montenegro

Podgorica 28.September 2009.