

Approved by the decision of the conference  
on February 19, 2009.  
Protocol No. 1

## **Regulation**

Public association "Professional Union

Parasat by employees of Al-Farabi Kazakh National  
University (KazNU)

(Parasat Trade Union)

**Almaty, 2009**

## Regulation

### **PUBLIC ASSOCIATION "PARASAT PROFESSIONAL UNION" OF KAZAKH WORKERS**

#### **AL-FARABI NATIONAL UNIVERSITY**

##### **1. General provisions**

1.1. The Public Association "Parasat Professional Union" of employees of the Al-Farabi Kazakh National University is a voluntary, self-governing, non-profit public association established to implement the goals and objectives defined by the legislation on public associations, this Charter and is a local type public association.

1.2. The official name of the professional: official promotion of a professional in the state language of the Al – Farabi Kazakh national university employees of the professional union "Parasat" - a public Association in Russian language, public organization of the professional Soyuz “Parasat ” employees of the Kazakh National University is. Al-Farabi.

1.3. Public Association "Professional Union

Parasat of employees of Al-Farabi Kazakh National University (hereinafter referred to as the trade union) carries out its activities in accordance with the Constitution of the Republic of Kazakhstan, the current legislation on public associations and this Charter. A trade union is a legal entity whose legal capacity arises from the moment of state registration.

1.4. The activity of the trade union is based on the principles of voluntariness, equality, legality and activity of its members.

1.5. The trade union has separate property on an independent balance sheet, settlement and other accounts in banks of the Republic of Kazakhstan, seals, stamps and letterheads with its name in the state and Russian languages, as well as an emblem (symbols).

1.6. The activity of the trade union is based on an open basis and is created without limitation of the term of its activity.

1.7. Location of the trade union body – the trade union committee:

**Republic of Kazakhstan, 050038, Almaty, Bostandyk district, 71 al-Farabi Avenue, Main building-Rector's Office, room 1304.**

##### **2. Предмет деятельности и задачи профсоюза**

2.1. The subject of the trade union's activity is public relations aimed at the implementation of the tasks provided for by the legislation and this Charter.

2.2. The implementation of the tasks of the trade union is carried out through collective and other agreements concluded with the participation of interested parties in accordance with the legislation of the Republic of Kazakhstan and this Charter

2.3. The tasks of the trade union, as the subject of activity, are mutually conditioned and follow from the conditions and principles of the association of workers in trade unions enshrined in law.

The main task of the trade union is to participate in determining the working conditions of employees, these are: labor rationing; determining the conditions of remuneration; ensuring safety and labor protection; determining the conditions and concluding a collective agreement in order to protect the labor and socio-economic rights of employees; participation in the process of adopting acts of the employer on determining the working conditions of employees; participation in the resolution labor disputes; consideration of applications from trade union members related to industrial, scientific, research and teaching activities; provision of legal, material and other financial assistance to trade union members. Taking into account the specifics of the field of activity and the legal status of trade union members, the task of the trade union is also the formation and professional formation of subjects of educational activity on the basis of national and universal values, achievements of science and practice, education of citizenship and patriotism.

2.4. Cooperation with other public associations and other legal entities is carried out on the basis of the principles and forms of social partnership, equality and mutual respect.

2.5. The trade union participates in the preparation and conduct of social and cultural events of the university.

2.6. In order to achieve its statutory goals, a trade union may, by decision of the conference, form associations (unions) with other public associations of the Republic of Kazakhstan.

2.7. The trade union solves other tasks that do not contradict the legislation of the Republic of Kazakhstan.

2.8. The activities of the trade union, in accordance with the tasks specified in this Charter and the principles of social partnership, are carried out in the following forms:

- 1) collective negotiations on the preparation of draft collective agreements, agreements and their conclusion;
- 2) mutual consultations (negotiations) on the regulation of labor and other directly related relations, ensuring the rights of trade union members in the field of their labor.
- 3) participation in the activities of social partnership bodies at all levels.

### **3.Membership in a trade union**

- 3.1. Joining a trade union is carried out on an individual and voluntary basis.
- 3.2. The members of the trade union are employees, graduate students and doctoral students of KazNU who comply with the requirements of this Charter and actively participate in the implementation of the tasks provided for by this Charter.
- 3.3. Other citizens may join a trade union by decision of the conference and (or) the trade union committee.
- 3.4. Joining a trade union is carried out on the personal application of the applicant.  
The trade union length of service of a trade union member is calculated from the moment of registration of his application to join a trade union.
- 3.5 The members of the trade union are individually registered.
- 3.6 The grounds for termination of membership in a trade union are: termination and restriction of the legal capacity of a trade union member; voluntary withdrawal of a trade union member from the trade union; for violation of statutory requirements by a trade union member; in connection with termination of employment relations.
- 3.7 The decision to terminate membership in a trade union is made by the trade union committee
- 3.8 The decision to expel from the trade union is considered adopted if more than half of the members of the trade union committee present at the meeting voted for it.

### **4 The rights and obligations of trade union members.**

- 4.1. Trade union members have the right to: elect and be elected to the governing bodies of the trade union; to participate in decision-making by trade union bodies; to receive information affecting their rights and interests; to free legal advice; to receive health and other services; to participate in events held by the trade union; to address both verbally and in writing on issues of trade union activity; to withdraw from the union.
- 4.2. Trade union members are obliged to: comply with the requirements of the Charter; participate in the work of trade union bodies in order to achieve its objectives; comply with the decisions of trade union bodies; pay union dues in accordance with the established procedure; register and withdraw from it on time, within a month.

### **5. Governing bodies and the structure of the trade union. Powers of the trade union management bodies.**

- 5.1. By decision of the conference (meeting) of the trade union, the elected bodies of the trade union are elected (approved) for a period of up to 5 years with an annual report on the work done.
- 5.2. The supreme governing body of the trade union is the conference.
- 5.3. The permanent governing body of the trade union is the trade union committee (hereinafter referred to as the trade union committee), the composition of which is formed (elected) by direct delegation of representatives from the structural divisions of the trade union with the right to recall and replace them.
- 5.4. The trade union bodies also include: the chairman of the trade union; the audit commission; the chairmen of the trade union bureau and trade union organizers.
- 5.5. The Conference is convened as necessary, but at least once every five years.
- 5.6. Trade union members shall be notified of the time, venue and agenda of the conference at least fourteen days prior to its holding.
- 5.7. The Conference is recognized as legitimate provided that there is a quorum - the participation of two thirds of the elected delegates.
- 5.8. Decisions are made by a simple majority of votes of the delegates present at the conference.
- 5.9. An extraordinary conference may be held at the request of at least one third of the members of the trade union, or by decision of the trade union committee.
- 5.10. A meeting of the trade union committee is considered competent if more than half of the members of the trade union committee are present at the meeting. Meetings of the trade union committee are held at least once a month.
- 5.11. The exclusive competence of the supreme governing body - the conference - includes: adoption of the Charter, amendments and additions to the Charter; approval of the collective agreement; **Rules of activity of trade union bodies** and other **acts** on determining the working conditions of trade union members; hearing reports on the activities of the trade union committee, the chairman of the trade union and the revkom; making a decision on the creation and liquidation of structural divisions, branches and representative offices of the trade union; making decisions on the reorganization and liquidation of the trade union; determining the competence of the organizational structure; election of management bodies and heads of the trade union; determining the procedure and frequency of financial reporting by the elected body, as well as the procedure for conducting inspections by the control body and approving their results; making a decision on participation participation of a trade union in the creation and activities of other legal entities.
- 5.12. The trade union Committee, represented by the chairman of the trade union, in agreement with the employer: represents and defends the interests of the trade union and the university in state bodies, public and other organizations; participates in improving the legal basis for the activities of subjects of educational activity; on the basis of decisions of the conference has the right to conclude an agreement with others

legal entities, regardless of the forms of their creation and type of activity on labor, social, economic issues and educational, scientific activities; adopts regulations and other documents of legal significance; participates in the selection and approval of heads of bodies of the structural subdivision of the trade union; issues a power of attorney to trade union members to represent the interests of the trade union; regulates budget execution; has the right to create social funds within the framework of the tasks defined by this Charter; to participate in the work of the competition commission on the election of employees, civil servants (PPP); organizes visits to the workplaces of trade union members and, based on the results of inspections, has the right to make decisions aimed at eliminating the identified shortcomings; hears reports from the chairmen of the trade union bureau, trade union organizers, members of the trade union committee and information from representatives of the KazNU administration on socio-economic issues within the framework of the legislation and the Charter of the KazNU; in compliance with the norms of the legislation of the Republic of Kazakhstan, has the right to make decisions on holding rallies, processions and other actions; carries out economic and other activities; performs other functions that do not contradict the requirements of legislation and the rules of this Charter.

- 5.13 The trade union committee has the right to determine the management structure of the trade union and the procedure for the activities of the internal structural units.
- 5.14 The joint activities of the trade union committee and structural divisions are based on these Articles of Association, their Provisions and powers of attorney issued to the chairmen of the trade union bureau and trade union organizers.
- 5.15 Rights of structural units: in accordance with labor legislation and this Charter, structural units have the right to apply to the trade union committee on labor and socio-economic issues; to coordinate interests in the development of a draft collective agreement and the implementation of obligations of the parties to the collective agreement; to consider issues of conducting a coordinated policy in the field of social and labor relations; to participate in creation of an effective mechanism for regulating social, labor and related economic relations; assistance in ensuring guarantees of labor rights of trade union members and the implementation of their social protection; encouragement and all possible forms of dialogue to strengthen mutual ties and cooperation within the framework of the institute of social partnership.
- 5.16. Structural units are obliged to: comply with the decisions of conferences and the trade union committee; report to the trade union committee on the results of work carried out in accordance with the work plan of the trade union committee; submit reports in the prescribed form on the expenditure of budget funds allocated by the decision of the trade union committee; be in solidarity with the trade union committee, trade union structures when carrying out actions to protect the rights of trade union members; comply with the rules of professional, business ethics.

## **6. The procedure of election, the powers of the chairman of the trade union.**

- 6.1. The chairman of the trade union is elected for five years by the decision of the next reporting and election conference. The chairman of the trade union may be re-elected for a new term. By position, the chairman of the trade union is the chairman of the trade union committee. At a meeting of the trade union committee, the chairman has the right to vote on the position.
- 6.2. In his activities, the chairman is accountable to the conference trade union committee and the audit commission of the trade union.
- 6.3. Early termination of the powers of the chairman is allowed by decision of the conference and the trade union committee by at least two thirds of the votes of the delegates of the conference and members of the trade union committee.
- 6.4. The Chairman directly manages the trade union as a whole, the trade union committee and structural divisions.
- 6.5. The Chairman of the trade union: reviews and concludes contracts and other agreements on behalf of the trade union committee; represents the interests of the trade

union in state bodies, public organizations and other bodies of legal entities; ensures control over planning and budget execution; coordinates the activities of structural divisions; coordinates the work of funds and enterprises created with the participation of the trade union; organizes the work of staff management of the trade union committee and trade union activists; ensures the preparation and holding of conferences, meetings of the trade union committee, monitors the implementation of their decisions; disposes of its property without prejudice to the trade union; ensures interaction with other legal entities, trade unions and their associations; organizes the information work of the trade union; resolves issues aimed at strengthening and developing the trade union; issues orders and decisions; concludes labor and civil law contracts with employees of the management staff of the trade union committee and other persons (specialists, experts); has the right to sign.

6.6. In his absence, on the proposal of the chairman, by the decision of the trade union committee, the powers of the chairman may be assigned to another person.

#### **7. Conditions for the formation of structural units of the trade union and their bodies**

- 7.1. The structural divisions of the trade union at all levels are formed by the decision of the trade union conference;
  - 7.2. The procedure for the election, appointment and dismissal of heads of structural divisions is determined by the conference, and in the period between them - by the trade union committee.
  - 7.3. The chairman of the trade union bureau, the trade union organizer is elected for a term of five years by a decision of the public meeting of the structural unit;
  - 7.4. Early re-elections of the body of a structural subdivision, termination of the powers of the chairman of the trade union bureau and the trade union organizer are carried out at the request of at least one third of the number of members of the trade union of the structural subdivision or by decision of the trade union committee;
- 7.5. Elections in structural divisions are held at least once every five years in the form of a convocation of a meeting.
- 7.6. The quantitative composition of the members of the trade union bureau is determined by the decision of the meetings of structural divisions in coordination with the trade union committee.

#### **8. Finances and property of the trade union**

- 8.1. The source of the formation of the budget and property of the trade union are membership fees, as well as income from economic or other activities not prohibited by law.
- 8.2. Monthly union membership fees are set at one percent of monthly earnings. The amount of contributions may be changed by the decision of the conferences on the proposal of the trade union committee.
- 8.3. The property of the trade union is the funds and property necessary for the material support of the activities provided for by the Charter.
- 8.4. The budget of the trade union, in addition to membership fees, is formed from voluntary contributions, donations, proceeds from exhibitions, sports and other events, income from economic, scientific, research and other activities, as well as from other sources of income not prohibited by law.
- 8.5. Trade union funds are used for the purposes provided for by this Charter and acts of the trade union.

#### **9. Economic and other activities of the trade union.**

- 9.1. The trade union represented by the trade union committee has the right to economic, scientific, research, and entrepreneurial activities in accordance with the legislation of the Republic of Kazakhstan.
- 9.2. Income from the economic activities of the trade union is subject to taxation in accordance with the legislation of the Republic of Kazakhstan and is not distributed among the members of the trade union. The trade union is allowed to use its funds for

- charitable purposes.
- 9.3. The trade union has the right to purchase securities, invest available funds in various financial institutions.
  - 9.4. The chairmen of the trade union bureau, trade union organizers use and dispose of property and funds within and on the basis of decisions of the trade union committee and powers of attorney.
  - 9.5. The report on the use of allocated funds is approved by the decision of the trade union committee.
  - 9.6. The amount of budgetary funds allocated to the management bodies of the trade union is determined both by the decision of the conference of the trade union and the trade union committee within the approved estimates.
  - 9.7. Protection of interests and provision of social services to non-union members is carried out on the basis of legislation, on an individual or collective contractual basis, by decision of the trade union committee.

## **10. The Audit Commission**

- 10.1. The audit commission of the trade union is elected for a period of five years by the decision of the conference.
- 10.2. The audit commissions are independent from the governing bodies of the trade union, accountable to the elected body that elected them - the conference.
- 10.3. In its activities, the audit commission is guided by the current legislation, the Charter of the trade union and the Regulations on them.
- 10.4. The decisions of the audit commission, within their competence, are binding on the relevant bodies, trade union leaders and trade union organizers.
- 10.5. The members of the audit commission enjoy the right of advisory vote at meetings of the relevant management bodies.
- 10.6. The audit of the financial activities of the trade union committee, the audit commission, is carried out at least once a year
- 10.7. The results of the annual audit of the financial activities of the trade union committee are considered at a meeting of the trade union committee.

## **11. Incentive measures**

- 11.1. For active work, trade union members have the right to incentives.
  - 11.2. The types of incentives and the procedure for their application to trade union members are determined by separate Rules adopted by the trade union committee, the act of the employer and the collective agreement.

## **12. Measures of public influence and the procedure for their imposition**

- 12.1. Public pressure measures may be applied to a trade union member for violations of the requirements of the Charter



12.2. For committing an illegal act, by the decision of the trade union committee, the following measures of public influence may be applied to a trade union member: reprimand; deprivation of the right to use the benefits established by the trade union committee for a certain period of time; exclusion from the trade union.

12.3. The decision on the application of a public impact measure is made in the presence of a trade union member. If a trade union member fails to attend a meeting of the trade union committee without valid reasons, as well as with his consent, the decision to apply a measure of public influence may be taken in absentia.

12.4. The validity period of a public impact measure may not exceed more than three months from the date of its application.

### **13 The procedure for making amendments and additions to the Articles of Association**

13.1. The issue of amendments and additions to the Charter of the trade union is submitted to the conference by the trade union committee, or the chairman of the trade union, or at the request of at least one third of the total number of delegates present at the conference.

13.2. The decision to amend and supplement the Articles of Association of the trade union is considered adopted if at least two thirds of the delegates present at the meeting of the conference voted for the proposal.

### **14. The procedure for resolving civil and labor disputes**

14.1. Civil law disputes arising as a result of the implementation of industrial and economic activities and concluded civil law transactions are resolved in accordance with the procedure established by law.

14.2. Disputes arising on the application of labor legislation between members of the trade union and the university administration are considered by conciliation commissions in accordance with the procedure determined by labor legislation.

14.3. Disagreements that have arisen regarding the organization of the activities of trade union bodies are subject to consideration in accordance with the legislation, the Rules of Activity of elected trade union bodies approved by the trade union committee.

### **15. Procedure for liquidation and reorganization of a trade union**

15.1. The reorganization (merger, division, transformation) of a trade union is carried out by decision of the conference in accordance with the procedure provided for by the legislation of the Republic of Kazakhstan.

- 15.2. A trade union may be liquidated: by a decision of the conference; by a court decision.
- 15.3. In case of liquidation of a trade union, a liquidation commission is appointed, which acts in accordance with the procedure established by the legislation of the Republic of Kazakhstan.
- 15.4. The liquidation of a trade union is considered completed, and the trade union has ceased its activities after the relevant entry has been made by the authorized body in the state register of legal entities.

**Chairman of the trade union**

**Amirbekov Sharipbek Agabayevich**