

CONSTITUTION
OF
CENTRAL REPRESENTATIVE COUNCIL

PREAMBLE

Central representative Council (hereinafter also referred to as CRC) is the Central Industrial Democracy Body which is given the responsibility by the Trade Unions and other non-unionised categories including staff at outstations for the development of Industrial Democracy in Air Malta.

Although Air Malta does not qualify either as a Community-scale group of undertakings or a Community-scale undertaking according to the European Works Council Regulations, 2004 (L.N. 324 of 2004), the Regulations and Schedule of the European Works Council Regulations 2004 and any regulations amending or substituting L.N. 324 of 2004 shall apply to Air Malta in so far as they are not excluded by the present Constitution or inconsistent or incompatible therewith.

Regulations 5, 6, and 7 of L.N. 324 of 2004 in so far as applicable to the Special Negotiating Body are hereby excluded.

OBJECTIVES

To implement and further develop a comprehensive system throughout Air Malta that will produce Industrial Democracy at all levels.

TERMS OF REFERENCE

1. To develop, co-ordinate and control on behalf of all Staff categories and where applicable, their respective Trade Unions, all Industrial Democracy structures and systems in Air Malta.
2. To initiate and maintain contact with Trade Union organisations involved in the implementation and development of Industrial Democracy.
3. To enter into dialogue with the Management about existing Air Malta policies.
4. To engage and influence management on future Air Malta policies and objectives.
5. To ensure that matters of Wages, Conditions of Employment and individual grievances, remain matters for the individual Unions concerned to be dealt with by free collective bargaining.

FUNCTIONS

The Central Representative Council shall –

1. Meet with Air Malta Management on major policy issues having Company wide implications.
2. Be empowered to establish specialised groups to deal with specific items.
3. Be empowered to establish sub-groups of the CRC where necessary.
4. Maintain communication with and supply information to the official Trade Union structures in Air Malta.
5. Be responsible for keeping all Staff categories informed of developments in Industrial Democracy.
6. Discuss relevant matters with other bodies where appropriate.
7. Develop and control the resources necessary to support Industrial Democracy structures, e.g. secretarial, educational and research.
8. To maintain the confidentiality of the information obtained during meetings with management or from documents, memoranda, reports etc and particularly those which may be commercially sensitive.

MEMBERSHIP FOR ELECTION TO THE CENTRAL REPRESENTATIVE COUNCIL

1. Eligibility for membership of the CRC shall be confined to full time employees of Air Malta.
2. By the 31st December of each year, each union represented in the Colleges shall submit to the Company a membership verification list which shall be counter verified with the payroll records held by the Company.
3. Employees shall be classified under six different categories, hereinafter the Colleges.
4. Employee Categories represented by Trade Unions shall be represented by persons so appointed by the respective union(s).
5. Outstation Employees and non-unionised executives shall be referred to as the Outstation Staff and the Non-Unionised Executives. Representatives of these two categories shall be elected in appropriate elections held every two years.
6. The Colleges shall have the following representation on the CRC:
 - a) Administrative and Industrial Staff in Malta – 4 seats appointed by the GWU
 - b) Engineers– 1 seat appointed by AAE
 - c) Cabin Crew – 1 seat appointed by UCC
 - d) Cockpit Crew – 1 seat appointed by ALPA
 - e) Outstation Staff – 1 seat elected by the staff category
 - f) Non-Unionised Executives – 1 seat elected by the staff category

7. In the case of the College representing the Administrative and Industrial Staff in Malta the GWU shall ensure a proportionate balance between the Administrative and Industrial staff.
8. Representation by any union on behalf of its members shall terminate if the union is no longer the union recognized at law to represent the particular college, in which case the appointees of the union having lost recognition in the particular college shall surrender their seat/s and the CRC shall within 10 days request the newly recognized union to nominate within 7 days its members on the seat/s allocated to the College.
9. The composition of the CRC shall be reconstituted should any of the following events occur:
 - i. More than one-half of its members resign at any one time; or
 - ii. A substantial change in the number of workers belonging to each college in proportion to the overall number of workers of the Company which creates a variance of more than 15% in the proportion of any college against the overall number of workers as currently represented.
 - iii. The union representing a specific category of workers loses its recognition in the category it represents.
10. The Colleges are defined hereunder:
 - i. ***Administrative & Industrial Staff in Malta*** shall mean:
 - a. ***Administrative Staff in Malta*** referring to all workers whose job is of a clerical or administrative nature including but not limited to Passenger Handling Staff, Staff in Ground Handling, all clerical staff at H.O. etc.
 - b. ***Industrial Staff in Malta*** referring to all workers whose job is normally of a manual nature including but not limited to technicians and labourers in the Engineering department, Ground Handling/Ramp personnel, Field Services personnel workshop manual staff, drivers, cleaners, messengers etc.
 - ii. ***Engineers*** shall mean all persons employed by the Company in the grades of Ground Engineer, Supervisor Engineer and Superintendent Engineer.
 - iii. ***Cabin Crew*** shall mean all persons authorised by the Company to work as Cabin attendants including pursers and chief pursers on aircraft operated by the Company.
 - iv. ***Cockpit Crew*** shall mean all persons certified and authorised by the Company to work as pilots including chief captains, check captains, training captains, line captains, first officers and junior first officers on aircraft operated by the Company.
 - v. ***Outstation Staff*** shall mean all persons locally employed by the Company at Outstations or those normally based in Malta but stationed on temporary assignments at Outstations, excluding cabin crew, cockpit crew and engineers.

- vi. *Non Unionised Executives* shall mean all those persons who hold an executive position who, by nature of their contract of service, cannot be members of a Trade Union Body. These shall exclude those who hold the grade of CEO, COO, Chief Officers and General Managers who shall be considered as Central Management positions.
11. Each College shall be entitled to appoint or elect 1 Substitute Representative for every Representative on the CRC.
 12. The Trade Unions shall be asked to forward the names of their representatives and substitute representatives for the forthcoming two year period by the 30th March of every other year. In the first year these names shall be submitted by the 30th September 2004.
 13. A Worker Director(s) cannot represent any Union or be part of the CRC.

ELIGIBILITY

1. Representatives and Substitute Representatives shall be appointed by the respective Union or elected by the appropriate college for a period of two years.
2. In January of every other year the Secretary of the CRC shall issue a circular to all Trade Unions requesting the names of their representative(s) and substitute representative(s) on the CRC for the forthcoming two years, and informing them of the date and venue of the first meeting of the new Council. The names of representatives and substitute representatives are to be received by not later than 15th March of every other year.
3. The CRC shall organise and hold elections for those eligible under this constitution to elect representatives for the Outstation Staff College and the Non Unionised Executive College. These elections shall be held in the month of February of every other year and results shall be formally communicated to the President and Secretary of the outgoing CRC by not later than the 15th March of every other year.

OFFICERS

1. The CRC shall be entitled to elect a President, Vice President Treasurer and Secretary
2. (a) The election of the President, Vice President Treasurer and Secretary shall be held at the first meeting of the CRC following 31st March of every other year. Only Representatives, and excluding Substitute Representatives, of the CRC shall be entitled to propose, second and vote at such election. The successful candidates shall hold office for two years.

(b) In the event that an Officer ceases to be a CRC representative during his/her term of office, the CRC shall, through the Secretary, notify within 4 days the Member Trade Unions and all members of the CRC of the vacancy or vacancies created. The election of the replacement Officer(s) shall be held at a CRC meeting to be held not later than 2 weeks from the dispatch of notification of the vacancy to the CRC members and to the member Trade Unions/Colleges.

3. Administrative Support – A person shall be appointed and engaged by the CRC in consultation with the Company. Such person shall be an employee of Air Malta p.l.c. but shall report to the Secretary of the CRC. Such person shall be bound by the rules and ethics of the Company.

VOTING PROCEDURES

Only representatives appointed and/or elected by the above mentioned procedure shall be entitled to vote in CRC Meetings. Each member shall have 1 vote. All decisions shall be adopted by a two-thirds majority of those eligible to vote. In the absence of the representative, the substitute representative shall have the right to vote instead of the absent representative.

ATTENDANCE AND PROCEEDINGS AT MEETINGS

CRC meetings can only be attended by:

- Appointed or elected Representatives and Substitute Representatives
- Persons not forming part of the CRC who are invited to attend specific meetings. 75% of the representatives present during the vote must be in agreement.
- Experts not forming part of the CRC who are appointed by the CRC for advice and consultation.

At least one meeting shall be held every three months.

The minutes of the meetings shall be approved by the subsequent meeting and shall be signed by the President and the Secretary.

The language of the minutes and documents shall be English.

QUORUM

One half of the members appointed or elected to the CRC and who amongst them represent three fourths of all the Colleges represented on the CRC, shall constitute a quorum of the Council. In the absence of the representative, the substitute representative shall count for the purpose of the quorum.

ANNUAL GENERAL MEETING WITH MEMBER TRADE UNIONS

A meeting shall be held annually with the Trade Unions and representatives of Outstations Staff and Non Unionised Executives in the month of February. The purpose of this meeting shall be to present the CRC's Annual report for discussion and to consider amendments (if any) to the CRC Constitution. The Annual Report, the agenda for the meeting, including proposed amendments to the CRC's Constitution, shall be circulated to all the Unions and to Outstation Staff and Non Unionised Executives four weeks in advance of the meeting. Unions and/or Colleges wishing to have items included on the agenda, including amendments to the Constitution, shall forward these in writing to the Secretary of the CRC six weeks in advance of the meeting.

An Agenda for the Annual General Meeting (AGM) shall be prepared by the outgoing CRC. In case of disagreement two thirds of the representatives present during the vote must be in agreement.

The CRC may itself insert on the agenda of the AGM resolutions for consideration at the AGM. In case of disagreements two thirds of the representatives present during the vote must be in agreement.

RESOURCES

A detailed budget plan of all expenses, including but not limited to professional/expert advice but excluding the cost of the office and administrative support is to be presented to Management at the beginning of each financial year.

The Budget Plan and provision shall be subject to the approval of Air Malta's Management.

Any expenses incurred by the CRC out of the budget provision are to be duly supported and accounted for by the CRC.

Signed for and on behalf of
Air Malta p.l.c.


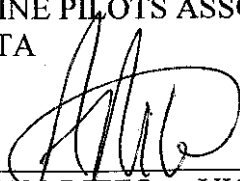


LAWRENCE ZAMMIT
CHAIRMAN

Signed for and on behalf of the Unions



EMANUEL ZAMMIT – SECRETARY
MARITIME & AVIATION SECTION
GENERAL WORKERS UNION


EVAN CUTAJAR – PRESIDENT
UNION OF CABIN CREW
JOSEPH GATT - SECRETARY
AIRLINE PILOTS ASSOCIATION -
MALTA
ADRIAN RIZZO – VICE-PRESIDENT
ASSOCIATION OF AIRLINE
ENGINEERS