

Statutes of *actionuni der Schweizer Mittelbau*

- Legally binding document is in German
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I. General provisions

Definition

§ 1 ¹*actionuni der Schweizer Mittelbau* is the umbrella organization of non-professorial academic staff of all Swiss higher education institutions according to the definition of higher education in the HFKG Art. 2 Para. 2. These include universities (cantonal universities and the Swiss Federal Institutes of Technology), universities of applied sciences and universities of teacher education.

² *actionuni der Schweizer Mittelbau* is a non-governmental, non-profit association according to ZGB Art. 60 following. *Actionuni der Schweizer Mittelbau* serves charitable purposes and is politically independent.

³ The translations of *actionuni der Schweizer Mittelbau* are: (F) *actionuni le corps intermédiaire académique suisse*, (I) *actionuni il collegio intermediario academico svizzero*.

Purpose

§ 2 The objectives of *actionuni der Schweizer Mittelbau* are:

- a) Formulation and communication of the concerns of the non-professorial academic staff at national and international level.
- b) Stimulating the discussion on research and teaching of non-professorial academic staff in Switzerland.
- c) Improving the working conditions of non-professorial academic staff in Switzerland.
- d) Representing the interests of non-professorial academic staff in Switzerland in university policy committees and to authorities as well as other research and university-related institutions.

Seat and duration

§ 3 The office of *actionuni der Schweizer Mittelbau* is in Zurich. Its duration is unlimited.

II. Membership

Types of membership

§ 4 ¹ *actionuni der Schweizer Mittelbau* consists of full members, associated members and individual members.

² The full members belong to at least one of the following university types¹:

- a) Universities (the cantonal universities and the federal states Technical colleges),
- b) University of Applied Sciences
- c) University of Teacher Education.

§ 5 Full members are organizations representing non-professorial academic staff in recognized universities in Switzerland.

§ 6 Associate members are organizations representing important regional or subject-specific interests of the scientific staff.

§ 7 Interested persons, who do not necessarily have to belong to the *Mittelbau*, can join *actionuni der Schweizer Mittelbau* as individual members.

Becoming a member

§ 8 Inquiries about membership are to be directed to the board. Membership is decided upon by the general assembly after suggestion by the board. Based on justified motives membership can be rejected.

Membership Withdrawal

§ 9 Withdrawal takes place by written statement to the board with six months' notice period at the end of a calendar year. For the commenced membership year, the resigning member must pay the full membership fee to *actionuni der Schweizer Mittelbau*.

Exclusion of members

§ 10 The general assembly can exclude a member with a 2/3 majority based on justified reasons, e.g. if the affected member does not pay the membership fee. For the started membership year, the member must pay the full membership fee to *actionuni der Schweizer Mittelbau*.

III. Bodies

Bodies of *actionuni der Schweizer Mittelbau*.

§ 11 The bodies of *actionuni der Schweizer Mittelbau* are:

- a) The General Assembly,

- b) the board,
- c) the permanent and temporary commissions,
- d) the auditors.

General Assembly (= Delegates' Assembly)

1. Competences

§ 12 The general assembly is the supreme body of *actionuni der Schweizer Mittelbau*. The assembly has the following competences:

- a) Elect the presidency of the board
- b) Decision on the inclusion of new members,
- c) Exclusion of members,
- d) Approval of the annual accountings and the report of the auditors,
- e) Décharge grant to the board,
- f) Determining the amount of the membership fee,
- g) Approval of the annual budget,
- h) Setting goals and positions,
- i) Election of the board and the auditors,
- j) Election of representatives in bodies of Swiss higher education politics,²
- k) Creation and termination of permanent commissions,
- l) Amendments of the statutes,
- m) Termination of *actionuni der Schweizer Mittelbau*.

2. Organization

§ 13 The ordinary general assembly takes place once a year. An extraordinary general assembly can be convened by

- the board,
- 2/3 of the members,
- three full members.

§ 14 The board draws up the agenda and mails it to the members at least 15 days before the general assembly (GA). The agenda needs to be voted for at the beginning of the general assembly. All later changes must be confirmed with 2/3 majority of voters. The general assembly is chaired by a member of the board. Associated members announce their delegates to the GA beforehand.

§ 15 The GA is quorate if at least half of the full members are represented by at least one delegate. In case the GA is not quorate, another GA must take place within one month. The invitation is to be sent out no later than 10 days before the GA. This GA is in any case quorate.

3. Composition

§ 16 The GA consists of the delegates of the full members, the delegates of the associated members and the individual members.

§ 17 ¹ The number of delegates/votes per full member depends on the number of its members.³ One delegate can represent several delegate votes of his / her member organization.

² The number of delegate votes per full member is calculated as follows:

up to 100 members ⁴	2 delegates/votes
101 to 200 members ⁵	3 delegates/votes
201 to 300 members ⁶	4 delegates/votes
over 300 members ⁷	5 delegates/votes

³ The basis is the number of members on the 31st of December of the previous membership year.

§ 18 The composition of its delegation is basically a matter of each full and associated member. The delegates, however, must be themselves a member of the regular or associate member organization.

§ 19 A delegate can only represent one member organization.

4. Participation and voting rights

§ 20 ¹ The delegates of the full members have the right of petition, to vote and electoral law.

² The delegates of the associate members and the individual members have the right of petition.

³ The members of the board and the commission chairs have the right of petition

⁴ Regarding affairs of a specific university type, the full members of this university type together have the right of rejection, in case they are overruled by members of the other university types. Together means 2/3 majority of the present votes within the concerned university type.

⁵ Unless otherwise defined elsewhere, decisions will be made with simple majority.

Board

1. Competences

§ 21 The board is the executive body of *actionuni der Schweizer Mittelbau*. It has the following competences:

- a) Daily business,
- b) Confirmation of permanent board members or deputies of board members,
- c) Creating and managing the budget,
- d) Public representation of *actionuni der Schweizer Mittelbau*,
- e) Establishment and termination of temporary commissions,
- f) Provisional election of representatives in bodies of Swiss higher education politics during a fiscal year.

2. Composition

- § 22 ¹ The board consists of six members, whereby
- a) the persons themselves must belong to a full member,
 - b) no more than two persons from a university (cantonal Universities and Swiss Federal Institutes of Technology), a university of applied sciences and a university of teacher education and
 - c) a gender balance and adequate representation of language regions.
- ² Representatives in bodies of Swiss higher education politics within the meaning of § 12, letter j, are co-opted board members
- § 23 ¹ The members of the board pursuant to § 22 (1) are appointed for a term of one year and can be re-elected. They have the right to have a deputy representative of the same type of university, who needs to be confirmed by the board
- ² If a seat cannot be filled, the delegates of the corresponding university type decide on whether the vacant board seat can temporarily be filled by a member of another university type.
- § 24 The co-opted members of the board are entitled to vote and have the right of petition. The competences according to § 21 letters b), c) and f) do not apply.¹¹

3. Organization

- § 25 The board constitutes itself, except the presidency.
- § 26 Decisions of the board are passed by a simple majority of the present members. In case of a tie, the presidency has the casting vote.

4. Authorization to sign

- § 27 Two members of the board collectively sign for the association.

Commissions

- § 28 ¹ The GA can create permanent and the board can create timely limited commissions for a specific topic or a specific task.
- ² The GA or the board elects the commission chair. The commissions constitute themselves.

Auditors

- § 29 ¹ The auditors consist of two persons who themselves belong to a full member.
- ² Auditors must not belong to the board.
- ³ The auditors are elected by the GA. The term of office is one year and is renewable.
- § 30 ¹ The auditors examine the annual financial statement for its accuracy.
- ² They report to the GA and request the approval or the rejection of the annual financial statement.

IV. Means, liability

Revenue

§ 31 The financial means of *actionuni der Schweizer Mittelbau* come from the membership fees. In addition, the association can generate funding in further ways as long as this does not limit the independence of the association.

Membership Fee

§ 32 ¹ The amount of the annual membership fee is set each year by the GA.

² The annual membership fee of full and associate members depends on the number of their paying members.

³ The reduction or remission of the membership fee is possible. A well-justified request has to be submitted to the board. ¹²

Liability

§ 33 The association is liable only with its assets.

V. Final provisions

Changes in the statutes

§ 34 Any change of the statutes must be approved by the GA with a 2/3 majority

Termination

§ 35 The termination of *actionuni der Schweizer Mittelbau* must be by a 2/3 majority vote of the GA. The assets of *actionuni der Schweizer Mittelbau* have to be transferred by the GA to another association with similar objectives.

Legal validity

§ 36 The present statutes were approved by the general assembly of *actionuni der Schweizer Mittelbau* on 3 February 2014 and were immediately adopted thereafter.