



# Declaration of principles and statutes

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The future of work in **democracy:** with **strong unions** and **more rights**

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Updated 4th CSA Congress  
Period 2021-2025



ENGLISH VERSION

**Trade Union Confederation of  
Workers of the Americas - TUCA**

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# 4<sup>th</sup> TUCA

CONGRESS

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The future of work in **democracy**:  
with **strong unions** and more rights



# DECLARATION OF PRINCIPLES AND STATUTES



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The Trade Union Confederation of the Americas (TUCA), known in Spanish as CSA, is the historical legacy of the autonomous, independent, democratic, class-oriented, plural, supportive and combative trade union movement with a socio-political approach, the axis of which is the construction of processes of humanitarian, sustainable and supportive economic and social development, tailored to the needs of the different peoples and societies of the Americas.

We are a movement that unites and reinvents itself to empower its fight for human dignity and its development in a democratic, pacifist, equalitarian society that is free of labor and social exploitation and of the violence that is inherent in any form of disruption of the free determination of the people and in the lack of recognition and appreciation of human diversity.

We, the workers, demand a society based on the culture of the human rights conquered along the history of humanity.

Almost two hundred years after their independence, most of the countries of the Americas experience unacceptable situations of poverty, and social and labor exclusion. Social struggles for emancipation have not been in vain, but their achievements have been distorted and their consolidation as a cultural, political, economic and social heritage has been undermined.

Neo-liberal globalization makes the free market prevail over the emancipation of persons, their human development and the sustainability of environmental equilibrium.

The international order continues to be a major obstacle to the sovereign development of the nations of the Region due ties of subordination and dependence.

The neo-liberal agenda of the governments of the major powers replicates the interests of multinational corporations. Whenever these powerful countries do not succeed in imposing their agenda through trade negotiations, they turn to war to secure their economic, geopolitical and military interests, subjecting populations, cultures and countries.

We condemn and combat the opprobrium intrinsic in the existence of forced labor, child labor, discrimination based on gender, different capacities, sexual preference, HIV/AIDS positive persons, exclusion and lack of opportunities for youth, senior persons and native peoples, Afro-descendants, emigrants and such other human groups that are not minorities, but part of the largest community of our societies, i.e. workers.





We are convinced that higher levels of human development are possible if we moderate and eradicate opulence, consumerism, impunity and voracity, if we harness intelligence and scientific and technological development for social welfare, instead of for human exploitation.

We aspire to a society with a harmonious balance between work and family and citizen life; a society in which the right to lifelong quality education is a reality for each and everybody; a society in which persons have dignified housing, an income that does not chip away at their joy of living, a job that does not sicken, injure, maim or kill; a society that combats any generational discrimination and which respects the elderly and senior citizens.

We are a socio-political movement committed to dignified and productive employment as the essential component of a sustainable development that articulates society with democracy and social justice. We fight relentlessly for full decent employment, as the expression of our acknowledgement of human dignity and our responsibility to participate productively to consolidate sustainable development.

We strive for a universal and supportive social protection that ensures the welfare of persons all along their entire life cycle.

We commit to the education, organization and participation of youth as a fundamental component to strengthen the trade union movement and a decisive actor in the construction of societies with social and economic justice in the Americas.

Our strength lies in our vision and perspective of life, in the value we assign to the principles of solidarity and commitment to democratic development.

We call for Social Rule of Law as the structure of the social interconnections that endows the Government with the necessary authority and power to secure the public good, social justice and a culture of respect for human rights.

We strive for full, participatory democracy rooted in the people's will, in citizen participation from their living place, their workplace and the architecture of the international system.

We strive to join forces with all social and political groups which are fighting against injustice, inequality, exploitation and seeking to construct a developed, integrated and sovereign Latin America and Caribbean, together with a supportive North America.

We are part of the International Trade Union Confederation as the legitimate and representative manifestation of the interests of the millions of workers in the five continents. We are part of a global community based on the strength of democracy and with power to transform injustice into welfare and human development.

We commit to develop a trade union self-reform so as to expand our field of affiliation and representation, in conjunction with our strategy of alliances with other civil society organizations.

The trade union organizations of the continent participating at this Congress adopt as statutes for our internal life and guideline for our relations with other social and political actors, the following rules:

The background is a solid dark blue. Overlaid on this are several large, abstract geometric shapes composed of triangles. The triangles are colored in shades of red, orange, and purple, and are outlined in white. The shapes are arranged in a way that suggests movement or a path, starting from the top left and moving towards the bottom right. The text 'CHAPTER I' is centered in the middle of the page in a white, sans-serif font.

# CHAPTER I

# CONSTITUTION, CHARACTER AND OBJECTIVES

## Article 1.

### Name, Nature and Composition

The organizations of the American Continent affiliated to the International Trade Union Confederation (ITUC) have agreed to establish, on the 27th March 2008, the Trade Union Confederation of the Americas, as the regional organization of the ITUC, to be known by the acronyms TUCA.

The Confederation enjoys the rights and prerogatives established in the ITUC Statutes; likewise, it has the powers, duties and legal personality of a regional trade union organization.

These Statutes regulate the internal life of the TUCA and its representation in relations with affiliated and fraternal trade union organizations, as well as other social and political, public and private, bilateral and multilateral, governmental and non-governmental actors at the national and subregional level, and at the level of the Americas, as well as its articulation with the ITUC.

## Article 2.

### Domicile

The Trade Union Confederation of the Americas (TUCA) is a legal entity in the form of a non-profit civil association with administrative headquarters at Rua Formosa 367, 4<sup>a</sup> piso, Centro en la ciudad de São Paulo, SP, with registration CNPJ/MF 08.260.712/0001 5, Brazil, and technical-administrative-political headquarters at Calle Buenos Aires N<sup>a</sup> 404/406 esquina Zabala, Ciudad Vieja, Montevideo, Uruguay, P.O. 11000 RUT 218479570014.

**One-of-One Paragraph:** In the event of an emergency, the Executive Council of the TUCA may set up temporary headquarters, after consultation with the Secretary General of the International Trade Union Confederation.

In aid of the more effective development of the trade union, socio-labor and socio-political actions of the TUCA, the Executive Council may establish offices and representations anywhere in the Region.



## Article 3.

### Fundamental Objectives.

In order to reach the above goals, the TUCA shall abide by the objectives described in the Declaration of Principles and the Program of Action and work to promote the interests of affiliated organizations and, inter alia, can perform the following activities:

- I. At the global level, in conjunction with the ITUC and its other regional organizations will develop the objectives established in the Statutes of the Confederation;
  
- II. The objectives of the TUCA in the Americas will be:
  - a. **Work for the full respect for and the promotion of human rights** in general, and in particular of trade union and labor rights of all persons without any discrimination whatsoever and irrespective of whether they are nationals, residents or foreigners in rural or urban areas, active or passive workers, of formal or informal economy, of the public or private sector, with or without a contract, of different age groups, men and women, dependent or autonomous;
  
  - b. **Defend gender equality and equity and the full participation of women** at all levels of the trade union movement, and in all instances of society, to foster development with equal opportunity for men and women;
  
  - c. **Foster trade union development** to improve working conditions and raise the quality of life of its affiliates and their dependents, and for this purpose a main concern is to reduce working hours, make work compatible with family life, eliminate labor precariousness and lack of protection of all workers irrespective of their occupation, location and mode in which they carry out their work;
  
  - d. **Share positive experiences** in trade union development;
  
  - e. **Promote solidarity** between workers and between their organizations from their workplace and the community where they reside up to the global level;

- f. Implement**, in coordination with the national affiliated and fraternal trade union organizations, programs that strengthen processes of **trade union unity**;
- g. Establish strategic agreements and alliances** with other movements and related sociopolitical actors to build the necessary power to be able to defend and make the demands of workers and community, and bring about social justice;
- h. Defend political, social, labor and economic democracy** based on popular sovereignty and enriched with mechanisms and instances of effective participation and social dialogue;
- i. Implement coordinated participation** with affiliated organizations to have a sound and consistent impact before the States, for the implementation of public policies promoting and ensuring social equity and human development of all persons without any distinction along their entire life cycle, and consequently strive for the sustainable eradication of the following social burdens in the shortest possible time:
  - i.** Concentration of **wealth** and unjust distribution of **income** that plunges millions of human beings into poverty and social exclusion;
  - ii.** Forced and slave labor;
  - iii.** Child labor;
  - iv.** Violation and non-compliance of the rights of trade union freedom, collective bargaining and strike;
  - v.** Gender inequality;
  - vi.** Lack of **decent work** for all persons of working age;
  - vii.** Job insecurity that each causes irreparable human losses;



**viii.** Lack of universal, democratic and supportive **social protection** that safeguards persons in the face of contingencies caused by work-related **diseases and accidents**, by insufficient family income to access the goods and services ensuring the minimum social welfare of its members; by family burden, by **dismissals, age, unemployment and precarious employment, death, widowhood/widowerhood and being orphaned**, the lack of **child development centers** for the incorporation into decent work of parents;

**ix.** Lack of access to a **public, universal, quality, lifelong education** for human development;

**x.** Lack of access to **dignified housing**;

**xi.** **Violence and impunity**;

**xii.** **Corruption.**

**j.** **Strengthen the Social Rule of Law**, as a fundamental pillar for democratic development and social justice;

**k.** **Foster the economic, social, cultural and supportive integration** of the nations of the Region for a balanced and sustainable development with a strong social and participatory dimension that enables the fusion of resources and efforts to eliminate serious existing asymmetries and foster productive development with an increasing added value, while protecting the environment.

**l.** **Contribute to peace** and free self-determination of the peoples and therefore, against any form of subjugation that impedes the emancipation of all workers without any distinction whatsoever.

## Article 4.

### Development Activities

During the course of its activities, the TUCA shall observe the principles of legality, morality, publicity and economics and shall not discriminate for reasons of race, color, ethnic group, gender, religion, social class, political party or philosophical conception, or nationality

**One-of-One Paragraph:** The TUCA works via the direct execution of projects, programs or plans of action through donations of physical human and financial resources or the provision of intermediary support services to other nonprofit organizations and to the bodies of the public sector working in related areas.



The image features a dark blue background with a complex, abstract geometric pattern. This pattern is composed of numerous overlapping triangles in shades of red, orange, and purple, all outlined in white. The triangles vary in size and orientation, creating a dynamic and layered visual effect. The overall composition is reminiscent of a stylized, multi-faceted object or a cluster of crystalline structures. The text 'CHAPTER II' is centered in the upper-middle portion of the image, rendered in a clean, white, sans-serif font.

# CHAPTER II

## AFFILIATION, RIGHTS AND OBLIGATIONS

### Article 5.

#### On Affiliation

National democratic, independent and representative trade union organizations of the Americas, that were previously affiliated to the ITUC and that accept to comply with these Statutes.

The application for affiliation shall contain the elements determined by the Executive Council and shall be submitted to the TUCA Secretary General for processing. These decisions must be remitted for ratification by the Congress or the ITUC General Council.

### Article 6.

#### On Disaffiliation and Re-admittance

The disaffiliation of trade union organizations may take place voluntarily by communicating same to the Secretary General, or as a sanction imposed by the competent trade union authority and with the established formalities. The ITUC shall be informed immediately on the measures adopted and their reasons.

Trade union organizations that have disaffiliated may request re-admittance into the TUCA. In this case, as well as complying with the general requirements, they shall pay the union dues pending at the time of their separation, as an expression of their commitment to unity and trade union solidarity.

If an organization is disaffiliated by the ITUC, it must meet the re-entry requirements in the global matrix for admittance into the TUCA.



## Article 7.

### Rights of Affiliates

All affiliated trade union organizations have the following powers and rights with no other condition than those established in these Statutes.

- I.** Participate in Congresses with voice and vote;
- II.** Elect and be elected to make up the authorities of the TUCA;
- III.** Be represented or not before any governmental instance, irrespective of its level, for the promotion, claims and defense of their trade union, socio-labor and sociopolitical interests;
- IV.** Be regularly informed, through the established means, on the activities and impact of the TUCA, as well as on the main events of other affiliated trade union organizations that are of general interest;
- V.** Receive timely financial and management reports of the TUCA and respond to the demands for additional information;
- VI.** Present initiatives for struggle and coordination of forces to make the most of opportunities and address common challenges of the Region or of part of the Region.
- VII.** Participate in the programs and projects executed within its national and subregional jurisdiction;
- VIII.** Receive the technical assistance and cooperation required to reach its strategic objectives;
- IX.** Receive through it, the cooperation or assistance of other trade union entities of the Region or beyond it;
- X.** Demand and count on trade union solidarity in the face of trade union, socio-labor and sociopolitical struggles it is involved in;

**XI.** Promote before the TUCA the coordination and solidarity with Global Unions at the national, subregional and regional level;

**XII.** The other rights stemming from these Statutes and the democratic development of the Regional Organization.

## **Article 8.**

### **On Obligations and Responsibilities**

Affiliated organizations shall have the following permanent obligations and responsibilities:

**I.** Participate in duly summoned Ordinary and Extraordinary Congresses, making up their delegations on the basis of gender equality;

**II.** Encourage their organizations to implement the guidelines adopted by the Congresses, accordingly adjusted to their national reality;

**III.** Assume the positions and responsibilities that have been entrusted to them by the competent governing bodies of the TUCA;

**IV.** Promptly pay union dues and other statutory contributions;

**V.** Provide solidarity as required for to fight, make demands and defend trade union, socio-labor and sociopolitical interests of the TUCA and its affiliates;

**VI.** Inform on the decisions of general interest of their Congresses and other trade union authorities, as well as on the successful actions carried out, for same to act as reference for the regional and national work of other affiliates;

**VII.** Open up arenas of horizontal trade union cooperation and assistance for the trade union development of the TUCA member organizations;

**VIII.** Submit technical and financial reports on the activities that have been supported by the TUCA, in the form and terms set by it for said purpose;



**IX.** Assume co-responsibility in the assistance and cooperation processes provided by the TUCA;

**X.** Participate in the programs, demonstrations, campaigns and other actions established by the TUCA, within its jurisdiction;

**XI.** Support the participation of youth and women in the arenas of subregional and regional training, discussion and representation summoned by the TUCA to ensure equal opportunity and gender equity;

**XII.** Promote the free affiliation of sectoral trade union organizations to the International Trade Union Federations; and

**XIII.** The others obligations and responsibilities stemming from these Statutes.

The image features a dark blue background with a complex, abstract geometric pattern. This pattern is composed of numerous overlapping triangles in shades of red, orange, and purple, all outlined in white. The triangles are arranged in a way that suggests a sense of movement and depth, with some appearing to recede into the background while others are in the foreground. The overall effect is a vibrant, multi-colored composition that frames the central text.

# CHAPTER III



## RELATIONS OF COORDINATION

### Article 9.

#### On Articulation with the ITUC

As the Regional Organization of the ITUC, in the framework of its autonomy and democratic practice, the TUCA shall establish the necessary articulation to:

- I.** Promote attention being given to the priorities and policies of the Confederation;
- II.** Participate in global campaigns and mobilizations, as determined by the Confederation;
- III.** Establish the participation of the trade union organizations of the Region in the instances of international trade union representation before multilateral agencies and of any other kind;
- IV.** Have an impact on the programs of the United Nations agencies and other multilateral agencies for them to help reach the objectives of sustainable social development with social justice which the Region is aspiring to;
- V.** Demand the technical cooperation and assistance required in order to comply with the objectives of the TUCA;
- VI.** Request the mobilization of international trade union solidarity to address the demands and struggles of affiliated organizations of the Region;
- VII.** Through the Secretary General of the TUCA, inform on the events and forecasts requiring ITUC participation or its attention to the proposals submitted by the Regional Organization;

**VIII.** Submit the following for approval of the ITUC General Council:

- a.** The annual financial and management report of the TUCA;
- b.** The proposed budget included in the request for contributions of the ITUC and the annual regional work program;
- c.** Statutory reforms and other structural information of the Regional Organization; and
- d.** Other requirements resulting from the Statutes.

## **Article 10.**

### **On Sectoral Trade Union Coordination**

The existing structured association between the ITUC and Global Unions and regional trade union reality shall be the basis to set up a mechanism for programmatic coordination and practice of solidarity in the Americas. A structured association shall be sought in the Americas with the regional organizations of the Global Unions participating in the Global Unions Council at the international level.

Global Unions may assist the Congresses and the meetings of the Executive Council and Continental Committees set up by the TUCA, instances in which they are entitled to voice but not vote.

## **Article 11.**

### **On the Coordination with other Workers' Representations**

Legitimate trade union instances of representation, irrespective of their institutional character, set up by multilateral and binational bodies, in which TUCA affiliates or non-affiliated organizations participate, may establish the mechanisms deemed relevant to establish the coordination and integration of the efforts required to consolidate democratic, social, sustainable development with social justice for all persons of the Americas.





Policies and actions will be articulated with the subregional organizations of Trade Union Federations, whether already created or to be created, in order to complement efforts. Coordination between them will also be fostered.

In the same way, a coordination mechanism may be set up with trade union representations before international supra-regional organizations to provide them the required support and promote - through them - the actions pertaining to the interests of workers and their organizations in the Region.

## **Article 12.**

### **On Socio-labor Coordination in the Americas**

In concurrence with other organizations existing in the Region or subregion, the TUCA may establish the mechanisms and instances for coordination and unity of actions deemed advisable to join efforts for the demands, promotion and defense of the interests of workers.

The image features a dark blue background with a complex, abstract geometric design. The design is composed of numerous overlapping triangles in shades of red, orange, and purple, all outlined in white. The triangles are arranged in a way that suggests a sense of movement and depth, with some appearing to recede into the background and others coming forward. The overall effect is a vibrant, multi-colored composition that is both dynamic and balanced.

# CHAPTER IV



## AUTHORITIES: ORGANIZATION AND FUNCTIONING

### Article 13.

The TUCA shall be made up by the following elective positions:

- I. Ordinary or Extraordinary Congress
- II. Executive Council
- III. Secretariat
- IV. Supervisory Council

The above bodies shall follow the said hierarchy, except the Supervisory Council which shall be endowed of broad powers, and is independent of the Executive Council and the Secretariat.

### Article 14.

#### On the Ordinary Congress.

The Ordinary Council is the supreme authority and the source of the TUCA's sovereignty and, consequently, it may adopt all the measures and guidelines to give shape to its structure, functioning and development, as required by the workers of the Americas and the ITUC in the Region.

The Congress shall function on the basis of the following general guidelines:

- I. The Executive Council, through the Secretary General, shall summon affiliated trade union organizations to the Ordinary General Council once every four years:
  - a. The invitation must be delivered at least six months prior to the date in which its sessions are to begin;

**b.** The invitation will indicate the venue, date and length of the Congress, as well as its terms and agenda. The invitation will emphasize the deadlines for the submittal of motions and on the composition of the delegations, based on principles of gender equality and representation of youth;

**c.** In exceptional cases such as pandemics or natural disasters, the ordinary or extraordinary congress of the TUCA can be held virtually, always ensuring the transparency, full participation of affiliates and democratic decision-making mechanisms, including the use of secret ballot systems;

**d.** The Secretary General shall attach the Rules of Procedure, the agenda and the accreditation forms for the delegation, as well as the information required for the preparation and timely reception of motions.

**II.** The ad referendum Executive Council of the Congress shall:

**a.** Shall prepare the draft Rules of Procedure of the Congress;

**b.** Elect, among the candidacies presented by affiliates at least three months prior to the date of the Congress and based on criteria of equilibrium between the different subregions of the Continent, the members of the following Commissions:

**i.** Credentials;

**ii.** Statutes and Rules of Procedure; and

**iii.** General Work Program and Policy.

**III.** Approve the budget of the Congresses and make all the decisions that are advisable for its successful organization, and delegate to the Secretariat as required.



#### **IV.** Deliberate and decide on:

- a.** The approval of its Rules of Procedure;
- b.** The makeup of the commissions and the definitive election of their members;
- c.** The management and financial reports of the TUCA;
- d.** The socio-labor and sociopolitical trade union policy to be adopted for the following period;
- e.** The General Work Program and special decisions for the action of the Regional Organization submitted by affiliated organizations;
- f.** Reform, modification, addition or abrogation of statutory rules;
- g.** Election of the members of the Executive Council, the President, the Secretary General, the other members of the Secretariat and the External Auditors;
- h.** The affiliation and disaffiliation of trade union organizations;
- i.** All other aspects it deems advisable.

## **Article 15.**

### **On Official Delegations**

Guaranteeing gender parity and the quota for youth participation of 15 per cent, the Executive Council will define the final selection of delegates one year ahead of Congress, in accordance with the declared membership and membership fees paid by the affiliated organizations. Thus, affiliates will have the opportunity to update their membership until two years before Congress..

## Article 16.

### On Fraternal Delegates, Observers and Guests

Participants at the Congress, additional to the official delegates, may be:

- I. Fraternal delegates.** The following shall be considered in this category: the official representation of the ITUC; the members of the Executive Council and of Continental Committees who are not part of official delegations; and representatives of Global Unions. Regarding the other cases, the Executive Council shall decide on the list of workers' organizations that may be accredited as fraternal organizations. Prior authorization of the Congress Chair, these delegates are entitled to voice, but not vote.
- II. Observers.** The representatives of governmental, multilateral and nongovernmental organizations, with which TUCA maintains friendly relations or alliances, shall be accredited as observers.
- III. Guests.** This category is granted to personalities in recognition of their work in the realm of labor and may address the Congress if given the floor.

## Article 17.

### On Congress Authorities

The President of the Secretariat or whoever the Congress has appointed shall open the first working session of the Congress and, following the first report of the Credentials Commission, shall declare whether the regulatory quorum has been reached or not, to then elect the members of the Head Table of the Congress, which will be made up by a Chair, three Vice Chairs and one Secretary. At least two women must be elected to the Head Table. Once the above have been elected, followed by the approval of the Rules of Procedure and the makeup of the Commissions by vote, with women constituting a third of the members of each Commission.



## Article 18.

### On Elections

The Rules of Procedure of the Congress shall stipulate the conditions of eligibility, deadlines and procedures for the election of trade union authorities, for which the following terms will be taken into account:

#### I. Election of the Executive Council:

The Executive Council shall be made up by 39 members, as follows: 6 members of the Secretariat, 30 Vice Presidents nominated by affiliates, the woman President and woman Vice President of the Committee of Working Women of the Americas, and the President of the Youth Committee. These numbers shall be reviewed at the first Ordinary Congress of the TUCA.

Each Vice Presidency shall have a First and Second Alternate Vice President. In the event of a tie, the President is entitled to a double vote. The following must be followed at the time of determining the elections:

- a.** Observing the principle of gender equality and equity, a minimum of 40% women's participation in the Acting and Alternate Vice Presidencies is established as a goal;
- b.** Criterion of youth participation: the Congress shall promote the election of young trade union leaders under the age of 35; likewise the President of the Committee of Working Youth of the Americas shall be on the Executive Council.

**II.** Election of the members of the Executive Secretariat: This authority shall be made up by a President, a Deputy President, a Secretary General, a Secretary for Trade Union Training & Education, a Secretary for Sustainable Development, and a Secretary for Social Policies.

Women's representation will be guaranteed in the election of these members.

**III.** Election of member organizations of the Women Workers' Committee of the Americas (WWCA) and of the Young Workers Committee of the Americas (YWCA), each with 19 (nineteen) representatives and their respective alternate delegates. For the YWCA, the gender quota of 40% at least must be ensured.

**IV.** Election of three Acting Members and two Alternate Members of the Supervisory Council, of which at least one shall be a woman, and members need to be professionals with experience at the level of trade unions.

## Article 19.

### On Voting

The Rules of Procedure of the Congress shall establish the procedures for voting, abiding by the following guidelines:

**I.** Congress authorities shall encourage consensus;

**II.** A simple majority of official and present delegates shall be required for:

**a.** Election of members of the Executive Council, Executive Secretariat and Auditors;

**b.** Approval of the General Work Program and other ordinary resolutions.

**III.** Approval of two thirds of official and present delegates shall be required for reform, modification, addition or abrogation of the Statutes.

**IV.** In all cases voting may be by raising of hands or, if requested by 25% of delegates, voting may be nominal and, in this case, each accredited delegation shall vote as a unit. Similarly, the votes can be tallied electronically, when advisable.





## Article 20.

### On the Extraordinary Congress

An Extraordinary Congress may be summoned when, according to the Executive Council, the circumstances call for it or when 25% of affiliated organizations demand it.

The invitation to the Congress must be sent at least 3 months in advance.

The criteria applicable for the Ordinary General Congress shall be taken into account for the Extraordinary Congress.

## Article 21.

### On the Executive Council

It is the body elected by the Congress applying the criteria set in Article 16 Section I, and it is the highest authority of the TUCA between Congresses. It shall function as per the following general guidelines:

- I.** Meet immediately upon the conclusion of the Ordinary or Extraordinary General Congress in order to comply immediately with the decisions of the Congress and provide the guidelines to the Executive Council for its ongoing activities;
- II.** Hold ordinary meetings at least once a year on the date and venue it determines, and hold an extraordinary meeting when requested to do so by the Executive Secretariat or 20% of affiliated organizations;
- III.** The invitation and provisional agenda shall be in charge of the Executive Secretariat, that must remit same at least two months in advance. In the event of a Vice President not being able to attend, the Secretary General shall be promptly notified in order to summon the relevant Alternate Vice President;
- IV.** The Secretary General shall invite the official representation of the Global Unions to participate as observer, with voice but not vote, in the sessions of the Executive Council. The Global Unions shall cover the expenses of their participation;
- V.** The participation expenses of the Vice Presidents shall be covered by the TUCA, except in the case of organizations that are able to cover these expenses totally or partially;

**VI.** The sessions of the Executive Council shall be chaired by the President of the Executive Secretariat, and in the event of his/her absence the Deputy President of the Secretariat may assume this responsibility or, if they are is not available, the Secretary General;

**VII.** In all cases, the Presidency of the Executive Council shall aim at decisions being made preferably by consensus;

**VIII.** Each of the Vice Presidents who are members of the Council shall have one vote; the members of the Executive Secretariat are entitled to voice and vote;

**IX.** Global Unions shall be entitled to participate in the Committees and Working Groups that are set up, but shall not engage in positions of representation on them;

**X.** The Executive Council has mandate and competence to:

**a.** Decide on the applications for affiliation and re-affiliation of trade union organizations of the Region;

**b.** Decide on the application or non-application of sanctions to affiliated organizations, prior the due process in which the accused party is ensured the right to be heard and to provide proof in its defense;

**c.** Set up the Consultative Committees and Working Groups that it deems advisable to undertake trade union, socio-labor and sociopolitical actions at the regional or subregional level in order to step up the achievement of the objectives of the TUCA and of the General Work Program adopted by the Congress;

**d.** Grant the Consultative Committees and Working Groups the powers and responsibilities determined in the Rules of Procedure or the constituent agreement. In every case, they shall articulate with the Executive Secretariat;

**e.** Create the Working Women's Committee of the Americas and decide on its composition, rules of procedure and mandate, and shall inform the Congress on its decision;



- f.** Create the Working Youth Committee of the Americas and decide on its composition, rules of procedure and mandate, and shall inform the Congress on its decision;
- g.** Set up subregional organizations, when in the interests of the TUCA and affiliates in the subregion. In these cases, the base organizations of the subregional organization shall present the draft rules of procedure and draft terms through the Secretariat for self-financing purposes;
- h.** Establish, when advisable, additional offices to the headquarters and official representations, with the competences and responsibilities assigned to them for said purpose;
- i.** Set the domicile of the TUCA in the event of emergency situations;
- j.** Establish the funds, guidelines and inspection of the financial and patrimonial functioning of the Regional Organization, as per the terms of the Congress and consistent with ITUC regulations;
- k.** Mandate the Secretariat on priorities and strategic actions to be carried out and supervise their performance;
- l.** Approve the annual budget and annual work program to be sent to the ITUC General Council;
- m.** Receive and, if necessary, approve the annual financial and management reports of the Secretariat, the cooperation programs for trade union development in process and the reports of the Commission of External Auditors;
- n.** Fill in the vacancies generated within the Executive Council and the Executive Secretariat;
- o.** Respond to the requests of affiliates for replacement of the Vice Presidents elected in the representation;

**p.** Make the necessary decisions for the organization of the Ordinary or Extraordinary Congresses, as well as provide guidelines and authorizations to the Secretariat for it to promptly carry out the necessary tasks for that purpose;

**q.** Others stemming from the mandates of the Congress and these Statutes.

**XI.** Executive Council Members who hold office in the government or in the judiciary shall resign or withdraw from their roles in the TUCA.

## Article 22.

### On the Women Workers Committee of the Americas

The Working Women’s Committee of the Americas (CMTA) is created as a consultative body of the Executive Council and supports the Executive Secretariat in matters relating to working women in the political, social, economic, labor and legal spheres.

**I.** The main objectives of the Committee are:

**a.** Work to contribute to reach gender equality and parity; develop proposals and actions ensuring the mainstreaming of the gender policy in the trade union, socio-labor and sociopolitical spheres; strive to reconcile work and family life so as to facilitate the full development of persons; and, in general, execute the mandates of the Congress and advise the Executive Council in the sphere of gender equality and parity;

**b.** Promote trade union affiliation of women, their sociopolitical training and their due participation in the governing bodies of trade union organizations;

**c.** Represent working women of the TUCA in the different forums and regional arenas, in coordination with the Executive Secretariat;

**d.** Participate, in representation of the Region, on the ITUC Women’s Committee.

**II.** Shall be made up by the representation of working women of affiliated organizations and shall have a total of 19 (nineteen) members;



**III.** Propose to the Executive Council the approval of its Rules of Procedure;

**IV.** Elect the woman President and woman Vice President of the WWCA and nominate them to be part of the Executive Council.

## Article 23.

### On the Working Youth Committee of the Americas

The Working Youth Committee of the Americas (CJTA) is established as a consultative body of the Executive Council and to support the Executive Secretariat.

**I.** The main objectives of the Committee are:

**a.** Become actively involved in political, economic, social, cultural and legal issues to increase the opportunities for training and effective access to decent work, reduce unemployment and the precariousness to which the working youth of the Region is subjected;

**b.** Promote the committed participation, training and trade union militancy of young persons, as well as their access to instances of trade union representation, and the mainstreaming of the TUCA youth policy in all organizational activities of its affiliates;

**c.** Actively participate in the fight against the worst forms of labor affecting young persons;

**d.** Represent working youth of the TUCA in the different forums and regional arenas, in coordination with the Executive Secretariat;

**e.** Participate, in representation of the Region, in the ITUC Youth Committee.

**II.** The Committee shall be made up by 19 (nineteen) brothers and sisters under 35 years of age from affiliated organizations.

**III.** Propose to the Executive Council the approval of its Rules of Procedure.

**IV.** Elect the President and Vice President of the YWCA and nominate the former as acting member and the latter as alternate member of the Executive Council.

## Article 24.

### On the Executive Secretariat

The Executive Secretariat is a permanent collegiate governing body of the TUCA elected by the Congress, of political executive nature and made up according to provisions in Article 18 Section II.

**I.** The Executive Secretariat shall:

**a.** Prepare the programs and budgets for compliance with statutory objectives, the policy and General Agenda adopted by the Congress, and execute them prior approval of the Executive Council and, if applicable, of the ITUC. Said execution shall be carried out in coordination with affiliates when at the national level;

**b.** Execute the decisions adopted by the Executive Council and the ITUC for the Region;

**c.** Summon and attend the Executive Council, as well as report to it on the performance of the Secretariat and the general course of the TUCA;

**d.** Direct, organize and administrate the functioning of the TUCA, in all its spheres and levels, maintaining the permanent mainstreaming of gender equality, as well as systematize its lessons so as to permanently raise the efficacy of its trade union, socio-labor and sociopolitical work;

**e.** Develop the bases for the functioning of offices or representations established by the Executive Council in accordance with provisions in Article 19 Section X subparagraph f), when required;

**f.** Guide the participation and organic coordination with affiliates for the nationwide execution of the adopted programs;



- g.** Establish the responsibilities of the Secretariat in Gender and Youth areas;
  - h.** Define the communication policies and institutional relations;
  - i.** Define the policy for Social Alliances, Occupational Health, Social Security and Migrations;
  - j.** Direct the relations of coordination, strategic alliances, cooperation for development and association with other public or private, national or international bodies;
  - k.** Maintain flowing communication and effective coordination with the ITUC;
  - l.** When deemed appropriate, set up ad hoc commissions or working groups for the best execution of the components of the General Program, projects or campaigns;
  - m.** Intervene to exercise good offices, mediation, reconciliation or arbitration in inter-trade union disputes, when requested to do so by the parties or when required by the ITUC;
  - n.** The other responsibilities stemming from the compliance with and enforcement of these Statutes and the decisions of the higher governing bodies.
- II.** Executive Council Members who hold office in the government or in the judiciary shall resign or withdraw from their roles in the TUCA.
- III.** For the development of its powers and duties, the Secretariat shall hold an ordinary meeting at least twice a year.

## Article 25.

### Obligations, Powers and Duties of the President

The President shall be a member of the Secretariat and shall have the following obligations and duties:

- I.** Attend all the meetings of the Secretariat and is entitled to voice and vote. In case of a tie, the President has the casting vote;
- II.** Chair all the meetings of the Executive Council and any special meeting summoned by the organization;
- III.** Perform all the functions as instructed by the Secretariat.

## Article 26.

### Obligations, Powers and Duties of the Deputy Presidents

Deputy Presidents shall be a members of the Secretariat and may:

- I.** Attend all its meetings, and the DP is entitled to voice and vote;
- II.** In the event of absence or temporary or permanent impossibility of the President, the Deputy Presidents shall carry out said functions with the same obligations, powers and duties;
- III.** Carry out other functions, as determined by the Secretariat.





## Article 27.

### Obligations, Powers and Duties of the Secretary General

The Secretary General is the legal and administrative representative of the TUCA. The election of the SG shall be ratified by the ITUC General Council. The Secretary General will have the following duties and powers:

- I.** Coordinate the activities of the Secretariat and the Executive Council;
- II.** Summon the meetings of the Executive Council and of the Secretariat, and also summon the TUCA Congresses in accordance with provisions in these Statutes;
- III.** Oversee compliance with the top objectives of the TUCA and of the decisions approved by its instances;
- IV.** Ensure that the activities of the TUCA are carried out in the framework of the principles and rules established in these Statutes;
- V.** Represent the TUCA before affiliates, the ITUC, Global Unions, fraternal organizations, cooperating agencies and other international organizations, and shall be responsible for the relations of cooperation with the above organizations;
- VI.** Coordinate the functioning of the Working Groups and Special Commissions established to advise and support the Secretariat and the TUCA on the issues defined by the Executive Council;
- VII.** Coordinate the functioning of the different TUCA offices, abiding by the guidelines established by the Secretariat;
- VIII.** Be responsible for all the TUCA bank accounts, in conjunction with the person charged with the administration of the economic-financial area, as well as the bank accounts, of the TUCA. Similarly, the SG shall co-sign all the checks issued by the TUCA with a member of the Secretariat;

**IX.** Delegate the representation of the TUCA to the members of the Secretariat and the Executive Council when the circumstances call for it. Likewise, the SG may delegate some of the responsibilities described in this Article to one or more members of the Secretariat, with their consensus;

**X.** Perform the other functions assigned to SG by the Secretariat or the Executive Council.

## **Article 28.**

### **Obligations, Powers and Duties of the Secretary for Sustainable Development**

The duties and powers of the Secretary for Sustainable Development shall be:

**I.** Coordinate and be responsible for the application of TUCA programs and activities in relation to economic issues and sustainable development;

**II.** Promote the exchange of experiences, knowledge and information with the different instances of the ITUC, the TUCA, affiliates, fraternal organizations, specialized agencies and other organizations relating to the tasks of the Confederation;

**III.** Establish contacts for agreements of cooperation with trade union institutions or institutions linked to the trade union movement and other specialized agencies, to support the development of the activities of the TUCA in the area of economic policies and sustainable development, in accordance with the decisions of the Secretariat;

**IV.** Be responsible for the areas of integration, migration, environment and transnational corporations, without affecting the other functions assigned to it the Secretariat.



## Article 29.

### Obligations, Powers and Duties of the Secretary for Trade Union Education and Training

The duties and powers of the Secretary for Sustainable Development shall be:

- I.** In coordination and consultation with the Secretary General, ensure the proper development and application of the trade union training programs of the TUCA;
- II.** Coordinate the functioning and tasks of the Working Groups and Special Commissions established to advise and support the Secretariat and the TUCA on issues relating to its area of competence and responsibility;
- III.** Promote the exchange of experiences, knowledge and information with the different instances of the ITUC, the TUCA, affiliates, fraternal organizations, specialized agencies and other organizations relating to the tasks of the Confederation;
- IV.** Establish contacts for cooperation agreements with trade union institutions or institutions or institutions linked to the trade union movement and other specialized agencies, to support the development of the activities of the TUCA in the area of education, trade union training and professional training, in accordance with the decisions of the Secretariat;
- V.** Perform the other functions assigned to it by the Secretariat.

## Article 30.

### Powers and Duties of the Secretary for Social Policies

The duties and powers of the Secretary for Sustainable Development shall be:

- I.** Coordinate and be responsible for carrying out the programs and activities of the TUCA relating to social policies;

- II.** Coordinate the functioning and tasks of the Working Groups and Special Commissions established to advise and support the Secretariat and the TUCA on issues related to the scope of its competence and responsibility;
- III.** Promote the exchange of experiences, knowledge and information with the different instances of the ITUC, TUCA, affiliates, fraternal organizations, specialized agencies and other organizations relating to the tasks of the Confederation;
- IV.** Establish contacts for cooperation agreements with trade union institutions or institutions linked to the trade union movement and with other specialized agencies, to support the development of the activities of the TUCA in the areas of Human Rights, Informal Economy and the Fight against Child Labor;
- V.** Perform the other functions assigned to him/her by the Secretariat.

## Article 31.

### On the Supervisory Council

The Supervisory Council is a collegiate body made up of three members and two alternate members, which shall be elected simultaneously to the Executive Council ensuring its necessary independence in order to fulfill its powers and duties.

**One-of-One Paragraph:** The mission of the Supervisory Council is to safeguard the economic and financial responsibility of the TUCA administration, acting as a body for supervision, support and consultation.

## Article 32.

### On the Remuneration of Leaders

Except for the President and the Deputy President, the other members of the Secretariat shall receive remuneration as agreed by the Secretariat and endorsed by the Executive Council. The members of the Supervisory Council shall not receive remuneration.

The background is a solid dark blue. Overlaid on this are several abstract, geometric shapes composed of triangles. These shapes are primarily in shades of red, orange, and purple, with white outlines. One large, complex shape is on the left side, extending from the top left towards the center. Another large, similar shape is on the right side, extending from the top right towards the center. The triangles within these shapes are of various sizes and orientations, creating a dynamic, crystalline appearance.

# CHAPTER V

## TRADE UNION PATRIMONY

### Article 33.

#### Sources of Finance

The running and development of the TUCA, as a free and autonomous organization of the ITUC, shall be financed by the following sources:

- I.** Union dues as determined by the Congress;
- II.** Allocations of the ITUC;
- III.** Voluntary contributions of related affiliates, individuals or legal entities;
- IV.** Financial yields of the trade union patrimony;
- V.** Contributions by the cooperation agencies for trade union development.

### Artículo 34.

#### On Union Dues

- I.** Union dues are the foremost expression of solidarity and trade union unity towards the TUCA. The basic terms for their contributions as of 2021 shall be:
  - For organizations with up to 50,000 members, union dues will be US\$ 1500 (one thousand five hundred US dollars).
  - For organizations with between 50,001 and 100,000 members, union dues will be US\$ 2000 (two thousand US dollars).
  - For organizations with 100,001 members and more, the amount set by Congress is US\$ 22 (twenty-two US dollars) per every thousand members declared or fraction thereof.



**II.** The Executive Council shall be entitled to update the monetary values of the union dues with 2/3 majority;

**III.** Based on the principle of transparency, the Secretary General shall periodically communicate the state of the payment of union dues to all affiliates;

**IV.** Non-payment of union dues has the following consequences:

**a.** Non-payment of two quarters, an admonishment note by the Secretariat, which will be communicated to the Executive Council;

**b.** Non-payment of up to 4 quarters, without any special treatment granted by the Executive Council, suspension of the actions of cooperation and assistance, with the exception of those referring to trade union development mainly focused on the financial self-sufficiency of the affiliate in question; if a Congress is held during that period, the indebted organization may only participate with a right to voice but not vote, and may not be elected to any position in the Regional Organization;

**c.** Non-payment of more than 4 and less than 8 quarters, all rights of the organization shall be suspended;

**d.** Non-payment for 8 quarters shall be taken as the withdrawal of the organization;

**e.** Each of the above sanctions shall be duly communicated to the indebted organization;

**f.** Each of the above sanctions shall be duly communicated to the indebted organization;

## Article 35.

### On the Setting-up of Funds

The Executive Council may entrust the Secretariat to promote the setting-up of:

- I.** A Reserve Fund to face eventual needs or contingencies of the TUCA relating to modernization, change of headquarters or financial vulnerability. The Reserve Fund may be set up with special contributions and the yields and dividends of the regular funds.
  
- II.** A Special Cooperation Fund for trade union development. This fund shall be set up with the voluntary contributions of other persons and trade union organizations of the Region or beyond to promote horizontal trade union cooperation and strengthen the regular action of the TUCA with special short-term trade union strengthening projects. The Executive Council shall determine the special mechanism for its management and administration.



The background is a solid dark blue. Overlaid on this are several large, abstract geometric shapes composed of smaller triangles. The colors used for these shapes are bright red, orange, and purple. The shapes are arranged in a way that suggests movement or a path, starting from the top left and moving towards the bottom right. The triangles are outlined in white, creating a high-contrast, modern aesthetic.

# CHAPTER VII

## PROCEDURES

### Article 36. On Procedures

All procedures shall be carried out based on democratic principles of transparency, participation, information, hearings, defense, as applicable.

#### I. Electoral:

- a.** The conditions of eligibility, election and voting established in Articles 18 and 19 shall be detailed in the Rules of Procedure of the Congress;
- b.** Committee elections, as well as the method to fill a vacancy of one of the positions, shall be regulated by their Rules of Procedures;

**II.** Suspension and expulsion of the affiliates. In these cases, the procedure shall be carried out in an ad hoc committee set up by the Executive Council and its decisions shall be final once endorsed by the Congress.

- a.** The causes of these sanctions relate to the gravity of non-compliance with the principles and objectives of the TUCA and the detriment caused to the prestige, unity, solidarity, work and patrimony thereof;
- b.** The Rules of Procedure shall be prepared by the Executive Council;

**III.** Audits. The elected Supervisory Council shall audit the financial management and fiscal year annually. Upon request of the Executive Council audits may be performed for shorter periods or be of an administrative nature. In both cases, other than honesty and transparency, the criteria will be administrative simplification, efficacy and efficiency of the organizations.



## Article 37. On Dissolution

The dissolution of the TUCA shall call for the summoning of an Extraordinary Congress, for which a summoning will be sent to all affiliates 3 months in advance. The communication shall contain details of the circumstances calling for said dissolution, as well as the date, time and venue of the Congress. The motion of dissolution requires the support of three quarters of the delegates present and voting at the Congress.

In the event of dissolution of the TUCA, its patrimony shall be assigned to the ITUC.



# CHAPTER VII



## GENERAL PROVISIONS

### Article 38.

#### General Provisions

The following general provisions are established for the application and interpretation of these Statutes:

- I. The reliable text is in the Spanish language;
- II. Interpretation shall be the responsibility of the Executive Secretariat ad referendum of the Executive Council;
- III. Reform of these Statutes requires the qualified majority set in Article 19 Section III.

### Article 39.

#### Decision making

All the decisions of the Congress or of its governing bodies are subject to ratification by the Congress or the ITUC General Council.

## TRANSITORY ARTICLES

**First:** The elected Secretary General shall inform and provide documentation to the ITUC General Council on the decisions of the Congress within 30 days of its conclusion.

**Second:** These Statutes are valid as of their approval by the Congress, and which shall be informed to affiliated organizations by the TUCA Secretary General.

**Third:** Given the special situation caused by the Covid-19 pandemic, the 4th TUCA Congress - authorized the Executive Council to decide on the applications for affiliation to, or disaffiliation from. the TUCA, in accordance with the approved Statutes. This amendment to the Statutes shall be in force during the 2021-2025 period.



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