

Disclaimer: this is a translation of the official Statutes of actionuni, which are written in German. In case of inconsistencies, the German version applies.

Articles of Association of *actionuni* Swiss Midlevel Academic Staff

based on the Articles of Association dated April 6, 2016

I. General Provisions

Definition

Section 1 ¹ *actionuni* Swiss Midlevel Academic Staff is the umbrella organization for midlevel academic staff at Swiss higher education institutions as defined by Art. 2 Abs. 2 para. 2 of the Federal Act on Funding and Coordination of the Swiss Higher Education Sector (Higher Education Act).¹

² *actionuni* Swiss Midlevel Academic Staff is an association pursuant to Art. 60ff. of the Swiss Civil Code. *actionuni* Swiss Midlevel Academic Staff serves public or charitable objects and is neutral with respect to political parties and religious affiliations.

³ The official names of the *actionuni* Swiss Midlevel Academic Staff are as follows in the respective languages: (DE) *actionuni der Schweizer Mittelbau*, (FR) *actionuni le corps intermédiaire académique suisse*, and (IT) *actionuni il collegio intermediario academico svizzero*.

Object

Section 2 The object of *actionuni* Swiss Midlevel Academic Staff is to represent Swiss midlevel academic staff's interests in regard to university and education policy on a national level. In particular, this includes:

- a) Articulating, communicating, and representing the concerns of the midlevel academic staff on both national and international levels.
- b) Advocating on behalf of the midlevel academic staff in Switzerland within and vis-à-vis university committees and public authorities as well as additional players associated with research and higher education.
- c) Promoting the exchange of information, networking, and opinion formation within Swiss midlevel academic staff.

Headquarters and Duration

Section 3 *actionuni* Swiss Midlevel Academic Staff is headquartered in Zürich. The duration is indefinite.

¹ These comprise the tier-one universities (cantonal universities and federal institutes of technology), universities of applied sciences, and universities of teacher education.

II. Membership

Types of Membership

Section 4 *actionuni Swiss Midlevel Academic Staff* consists of ordinary members, associate members, and individual members.

Section 5 Full members are organizations of midlevel academic staff at recognized higher education institutions in Switzerland and, accordingly, fall into at least one of the following types (according to the Higher Education Act):

- a) Tier-one universities (cantonal universities and federal institutes of technology),
- b) Universities of applied sciences
- c) Universities of teacher education

Section 6 Associated members are organizations that represent important regional or subject-specific interests of midlevel academic staff.

Section 7 Interested individuals, who do not necessarily need to be midlevel academic staff, may join *actionuni Swiss Midlevel Academic Staff* as individual members.

Acquisition and Loss of Membership

Section 8 Membership must be applied for in writing to the Board. The Assembly of Delegates shall decide on admission based on a proposal by the Board.

Section 9 Admission as a member may be refused by the Board on grounds that significantly harm the interests of *actionuni Swiss Midlevel Academic Staff*, with a written justification.

Section 10 Membership can be renounced by informing the Board in writing with six months' notice, effective at the end of a calendar year.

Section 11 The Assembly of Delegates can eject a member with a 2/3 majority on grounds that significantly harm the interests of *actionuni Swiss Midlevel Academic Staff*. This provision can only be rescinded with a 2/3 majority at the Assembly of Delegates.

Section 12 In the event of either renunciation or ejection, the full membership fee must be paid for the Association's fiscal year during which the membership ended.

Rights and Obligations of Members

Section 14 The members' obligations are to send at least one delegate to the Assembly of Delegates (see Section 22) and to pay the annual membership fee (see Section 38).

Section 15 Members have the right to participate in accordance with Section 24.

Section 16 If an ordinary member wishes to sign or support a national initiative, the member is obligated to communicate this intention to the Board of *actionuni Swiss Midlevel Academic Staff* at an early stage.

III. Bodies

Bodies of *actionuni Swiss Midlevel Academic Staff*

Section 17 *actionuni der Schweizer Mittelbau* has the following bodies:

- a) The Assembly of Delegates
- b) The Board
- c) The Internal Auditors

Assembly of Delegates

1. Remit

Section 18 The Assembly of Delegates is the uppermost body of *actionuni Swiss Midlevel Academic Staff*. Its remit includes the following:

- a) Electing the Chair and the Board
- b) Electing the delegates of *actionuni Swiss Midlevel Academic Staff* to bodies of the Swiss Higher Education system
- c) Authorizing the Board, conducting elections for additional Board members, as the need arises, or additional delegates of *actionuni Swiss Midlevel Academic Staff* to Swiss Higher Education Policy, as the need arises, during the Association's fiscal year
- d) Electing the Internal Auditors
- e) Approving the annual statement and the Internal Auditors' report
- f) Granting discharge to the Board
- g) Setting the value of the membership fees
- h) Approving the annual budget
- i) Deciding on the admission of new members
- j) Deciding on the ejection of members
- k) Amending the Articles of Association
- l) Dissolving the Association
- m) Deciding on whether *actionuni Swiss Midlevel Academic Staff* will sign or support initiatives. This requires a 2/3 majority of the Assembly of Delegates. Ordinary members that do not wish to join in supporting an initiative have the right for this to be declared accordingly in public announcements. This provision can only be rescinded with a 2/3 majority at the Assembly of Delegates.

2. Organization

Section 19 The ordinary Assembly of Delegates takes place once per year. An extraordinary Assembly of Delegates can be convened by the Board or by three ordinary members.

Section 20 The Board shall prepare the agenda for the Assembly of Delegates and send it to the members at least 15 days before the Assembly. The Assembly of Delegates shall be chaired by a Board member.

Section 21 The Assembly of Delegates has a quorum if at least 1/3 of the ordinary members are represented by at least one delegate. If the meeting does not constitute a quorum, another

Assembly of Delegates must be convened within one month. The invitation must be sent out at least 10 days before the meeting. This Assembly of Delegates shall constitute a quorum under all circumstances.

Section 22 The members shall report their delegates for the Assembly of Delegates to the Board.

Section 23 Guests may be invited to the Assembly of Delegates.

3. Composition

Section 24 The Assembly of Delegates is composed of the delegates of the ordinary members, the delegates of the associated members, and the individual members.

Section 25 ¹ The number of delegate votes per ordinary member is calculated according to its number of midlevel staff members. A delegate may cast multiple delegate votes on behalf of other delegates from her/his member association.

² The number of delegate votes per ordinary member is calculated according to the following formula:

- Up to 1000 midlevel staff members of the respective association 2 delegate votes
- 1001 to 4000 midlevel staff members of the respective association 3 delegate votes
- More than 4000 midlevel staff members of the respective association 4 delegate votes

³ The number of midlevel staff members on January 1 of the respective year is decisive.

Section 26 ¹ The composition of the Delegation is generally a matter for the ordinary and associate members. However, the delegates must themselves be members of the ordinary or associate members that have sent them.

² A delegate can only represent one member.

4. Participation and Voting Rights

Section 27 ¹ The ordinary members' delegates have the right to propose motions, to vote, and to be elected.

² The associate members' delegates and the individual members have the right to propose motions.

³ The members of the Board have the right to propose motions.

⁴ Unless otherwise defined elsewhere, resolutions are adopted by a simple majority vote.

Board

1. Remit

Section 28 The Board is the managing body of *actionuni Swiss Midlevel Academic Staff*. Its remit includes the following:

- a) Dealing with ongoing business
- b) Creating and administering the budget
- c) Representing *actionuni Swiss Midlevel Academic Staff* externally
- d) Establishing working groups

- e) Electing additional Board members, as the need arises, during the course of the Association's fiscal year
- f) Electing the delegates of *actionuni Swiss Midlevel Academic Staff* to Swiss Higher Education Policy

2. Composition

Section 29 ¹ The Board is composed of at least three people and consists of the Chair and the other Board members.

² Whenever possible, attention should be paid to a balanced gender ratio as well as an appropriate representation of the language regions and types of higher education institutions.

Section 30 The Board members shall be elected for the term of one year; re-election is possible.

Section 31 The delegates from *actionuni Swiss Midlevel Academic Staff* to Swiss Higher Education Policy are considered permanent guests of the Board are entitled to vote and submit motions.

3. Organization

Section 32 The Board constitutes itself with the exception of the Chair.

Section 33 Resolutions by the Board shall be adopted by a simple majority of the members present. In the event of a tie, the Chair shall have the casting vote.

4. Signatory Power

Section 34 Two members of the Board shall sign collectively for the Association.

Internal Auditors

Section 35 ¹ The Internal Auditors shall consist of two individuals who themselves are affiliated to an ordinary member.

² These may not belong to the Board.

³ The Internal Auditors shall be elected by the Assembly of Delegates. The term in office lasts one year; re-elections are permissible.

Section 36 ¹ The Internal Auditors shall verify the accuracy of the annual statement.

² They shall report to the Assembly of Delegates and propose the approval or rejection of the annual statement.

IV. Finances, Liability

Revenue

Section 37 The financial resources of *actionuni Swiss Midlevel Academic Staff* derive from the membership fees. The Association may raise additional funds as long as this does not limit its independence. The long-term objective is structural basic financing.

Membership Fee

Section 38 ¹ The value of the annual membership fee shall be determined each year by the Assembly of Delegates.

² The membership fee for ordinary members shall be calculated on the same basis as Section 25 para. 2.

³ The annual membership for associate members shall be set at a flat rate.

⁴ Fee reductions or waivers are possible. To this end, the member should submit a justified request to the Board.

Liability

Section 39 *actionuni Swiss Midlevel Academic Staff* shall not pursue commercial purposes and shall not seek profit. Only the Association's assets are liable for the commitments of *actionuni der Schweizer Mittelbau*.

V. Concluding Provisions

Amendments to the Articles of Association

Section 40 The Articles of Association may be amended by two thirds of members participating in the vote at the Assembly of Delegates.

Dissolution

Section 41 The dissolution of *actionuni Swiss Midlevel Academic Staff* must be resolved by a 2/3 majority of members participating in the vote at the Assembly of Delegates. This provision can only be rescinded with a 2/3 majority at the Assembly of Delegates.

Section 42 Assets remaining after the Association's dissolution shall be donated to a tax-exempt institution headquartered in Switzerland with the same or similar objectives.

Binding Version

Section 43 If there are translations of these Articles of Association, the original German text takes precedence under all circumstances.

Entry into Force

Section 44 These current Articles of Association were adopted by the Assembly of Delegates of *actionuni Swiss Midlevel Academic Staff* on **June 24, 2022** with immediate effect.