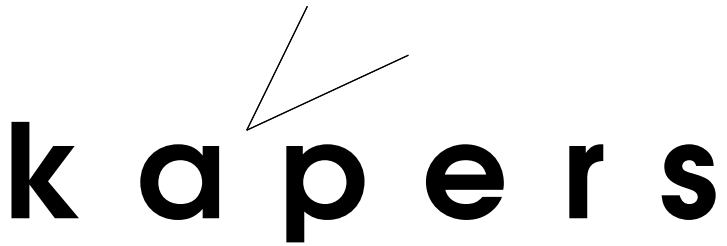


# Sta-

tutes of **kapers**  
Cabin Crew Union



**k a p e r s**

## I Designation, Domicile, Purpose

### Article 1 Designation

The Association, herein designated as **kapers**, standing for „Vereinigung des Kabinenpersonals“ (Cabin Crew Union), is organized as a society in accordance with the Swiss code of civil law. By the name of „**kapers**-Panther“, there is an independent section of **kapers** that is fully subordinated to the organization of **kapers**.

### Article 2 Legal domicile

The legal domicile of **kapers** is 8302 Kloten

### Article 3 Purpose

- 3.1 The purpose of **kapers**, as a professional society, includes the representation, support and protection of common interests of all members, as well as providing them assistance in case of need.
- 3.2 It is also one of the purposes of **kapers** to generally support Swiss air traffic business and to promote cooperation with similar professional domestic and foreign organizations.
- 3.3 The section „**kapers**-Panther“ caters to the specific interests of the retired **kapers**-members.

## II Membership

### Article 4 Members

- 4.1 Regular membership status is possible for persons employed as Cabin Crew Members.
- 4.2 Whoever, does not or no longer meet these requirements, may become a passive member upon consent by the board.
- 4.3. Every ordinary **kapers** member who retires early or in due time, can apply to become a member of **kapers**-Panther and so remain a **kapers** member. The status of **kapers**-Panther is equivalent to a passive membership.
- 4.4 Members of the board of **kapers** who have been active in such function, for a duration of at least 4 years, may be nominated by the board as free members and will be released from membership fee payments.

## Article 5 Member obligations

- 5.1 Each member is obligated to adhere to the statutes and decisions of **kapers** and to support the herein contained aims.
- 5.2 Each member is obligated to report to the administration office such information and complaints, which might be of interest to **kapers**, and occurring in connection with the performance of duties as a cabin crew member.
- 5.3 Each member is obligated to pay the membership fee as laid down in these statutes.

## Article 6 Admission, termination, expulsion, voting and election rights

- 6.1 Applicants for membership must file a written request for admission, addressed to the board, which in turn will decide on the admission.
- 6.2 Each member can terminate his membership, effective with the last day of the month, by giving a written one month advance notice.
- 6.3 If a member's function, as described in the statutes under article 4.1, is being terminated, his membership with **kapers** will also terminate, subject to provision of Art. 4.2.
- 6.4 Members who have shown a behaviour dishonourable toward **kapers** or who have disregarded statutes or decisions made by **kapers**, or who have impaired the interests or reputation of **kapers** in any other way, may be expelled by decision of the board.
- 6.5 Voting as well as active election rights are open to regular as well as free members, according to Art. 4.4. Passive voting right is regulated by Art. 10.4.
- 6.6 Eligible as members of the board are regular members according to Art. 4.1 of these statutes with the exception of provisions 10.2 and 10.3. If the status of regular membership of a member of the board is no longer applicable, such a member will automatically be disqualified from the board. With the exception, if the respective company dismisses a member of the board, this board member does not have to withdraw from office.
- 6.7 Passive members do not qualify for voting nor election.

## III Organisation

### Article 7 Society assembly

- 7.1 The society assembly is the top executive body of **kapers**. It is taking place at least once a year and the board determines whether it is carried out as a general assembly or as a strike ballot.
- 7.2 Timing and location of the regular general assembly are being determined by the board.
- 7.3 The forthcoming general assembly must be made public by the board at least two months ahead of time.
- 7.4 An extraordinary general assembly takes place as follows:
  1. by decision of the board
  2. as a consequence of a written request by at least 10 % of all regular members. If the content concerns a CWA or regulation between **kapers** and a particular airline, only the support of a tenth of the ordinary members with this specific contract or regulation is needed.The board determines the time and place of an extraordinary general assembly, however, it is mandatory that an extraordinary general assembly, as must have been requested in writing by at least 10 % of all regular members, must take place no later than 3 months after such a request has been filed.
- 7.5 A society assembly is permissible for the following purposes:
  1. Approval of the yearly report and yearly budget
  2. Election of members of the board, provided the board has not been explicitly commissioned with their selection. (Resignation/expulsion during term of office)
  3. Election of the president
  4. Election of auditing body
  5. Determination of the yearly dues
  6. Determination of the dues for non-members („Vollzugskostenbeitrag“).
  7. Determination of the financial compensation for members of the board. The distribution of such remuneration among the members of the board is determined by the board.
  8. Modifications of statutes

9. Conclusion, changes and termination of collective working agreements. For collective working agreements which are valid for only one category, the respective members are responsible.
  10. Conclusion, changes and termination of regulations which are integral part of a collective working agreement. For regulations which are valid for only one category, the respective members have the right to vote.
  11. Joining or terminating the membership with other trade or business organizations
  12. Dissolution of the society
- 7.6 For elections and resolutions the absolute majority of returned ballots is significant. Regarding points 8, 9, 10, and 12 of Art. 7.5, voting is only permitted by means of a strike ballot. Points 9 and 12 require 2/3 majority, for points 8 and 10, single majority is sufficient. The president or the managing board member will have the final decision in case of a missing majority.

#### **Article 8 General assembly**

- 8.1 The general assembly is conducted by the president.
- 8.2 In case of his or her absence, or upon the request by at least 10 regular members a president for the day will be selected.
- 8.3 Voting and elections during the general assembly are carried out openly provided there is no other majority decision.
- 8.4 Members of the board possess voting and election rights, except in matters of their own concern.
- 8.5 Whenever a member is unable to be present, his ballot may be handed directly to the president, however, requiring the previous filing of a written statement. Such ballots are only valid if received at the **kapers** head office by 6 pm on the day previous to the general assembly.

#### **Article 9 Strike ballot**

- 9.1 Prior to the start of every strike ballot concerning points 8, 9, 10, 11, or 12 of the Art. 7.5 a consultation is required of at least 15 days duration. The duration for the ballot is at least 20 days.
- 9.2 The duration of a ballot concerning points 1, 2, 3, 4, 5, 6, or 7 of Art. 7.5 takes at least 25 days.
- 9.3 The duration of a ballot concerning points 8, 9, 10, 11, or 12 of Art. 7.5 takes at least 20 days.
- 9.4 Ballot forms must be forwarded to the members at the latest at the beginning of the voting period. The internal P.O. Box is accepted as the appropriate mailing address - if available -.
- 9.5 Ballots are to be deposited into the locked **kapers** containment; deadline 6 pm on the last day of the voting period. They might also be sent to the legal domicile of **kapers**.
- 9.6 Ballot counting is performed by two members of the auditing body, who at the same time are responsible for the correct timing of the strike ballot.
- 9.7 Carrying out procedures of the strike ballot are furthermore determined by the board. The board is also responsible for correct and secret voting procedures.

#### **Article 10 Board**

- 10.1 The board is responsible for the conduction of the society's business matters, the execution of decisions made during society assemblies, as well as the execution of its tasks, as contained within the statutes. The board is responsible for decisions to be made on business matters which are not expressly reassigned, by the statutes, to another medium. In order to fulfil its various tasks the board may hire personal and form appropriate commissions, composed of society members. The selection of committee members is to be carried out by the complete board. Individual sections are each headed by a member of the board.
- 10.2 The board consists of at least seven, but not more than eight members: a president, two vice presidents, the general manager (as long as the provisions of 10.3 are fulfilled), and four respectively five additional members. The board members as well as the president are elected for the duration of 2 years. In case of voluntary early retirement from office, of a member of the board, the board must be informed in writing 3 months ahead of time. In this case the board completes itself (self-completion). A member of the board may be dismissed by action of the board as a whole, for important reasons, such as neglect of duties or inability to properly represent the society's interests. In this case a substitute must be elected by the society assembly for the remaining portion of the term.

- 10.3 The board can elect the general manager as a board member. This election is possible earliest one year after employment of the general manager, has to be confirmed by the board for every office period, and ends at the latest with the termination of employment. Regardless of this election the provisions of the respective working contract apply to the employment between general manager and **kapers**.
- 10.4 The board must present a list of proposed candidates to the society assembly for re-election to the board. They are to be selected from the current members of the board, committee members and regular members. With a request addressed to the board, which must be signed by at least 5 % of all regular members, additional candidates may be proposed to the board for election. This must take place within 30 days after the board's presentation of its own candidates.
- 10.5 The board represents **kapers** externally. For legal binding the mutual, collective signatures of two board members are required.
- 10.6 The board organizes board meetings as often as required. A quorum requires the presence of the president or one of the two vice presidents and at least four members of the board. In case of equal number of votes, the item concerned will be rejected and judged again. In case of a second equal number of votes, the president, or in case of absence, the vice president with the higher official seniority makes the final decision .

#### **Article 11 Auditing body**

- 11.1 The society assembly installs the auditing body for a duration of 2 years. It consists of four members.
- 11.2 By the end of the fiscal year, the auditing body provides a written report for the board c/o the society assembly.
- 11.3 The auditing body is also acting as counter of ballots, as well as in a supervisory function for a strike ballot, in accordance with Art. 9.4.

### **IV Finances**

#### **Article 12 Fiscal year**

The fiscal year begins January 1st and ends December 31st. By this day the books have to be balanced.

#### **Article 13 Dues**

- 13.1 Dues are needed to cover **kapers'** operation expenses and future commitments.
- 13.2 The society assembly determines the nature as well as the amount of the dues. Fees are due in advance for the current fiscal year.
- 13.3 The annual dues per member are set at Sfr. 150.- for regular membership, Sfr. 30.- for passive members.
- 13.4 On termination of membership dues for the respective year will remain the property of the society.

#### **Article 14 Liability**

**kapers** financial commitments are covered exclusively by the society's assets.

### **V Dissolution**

#### **Article 15 Dissolution**

The dissolution of the society takes place upon the decision of the society assembly in accordance with art. 7.5 and 7.6. Legal reasons for dissolution remain reserved. The disposition of the remaining society assets is carried out by the society assembly.

### **VI Final rules**

#### **Article 16 Entry-into-effect**

These statutes become valid as of January 1st, 2012 and replace the ones of January 1st, 2010.

This is a translation of the statutes of **kapers**. Solely the German version is binding.