

k a p e r s

Statutes

Revision valid as of
31.3.2022

I Name, Domicile, Purpose

Article 1 Name

- 1.1 The association under the name of "kapers Cabin Crew Union", hereafter named kapers, is established as an association in accordance with art. 60ff of the Swiss code of civil law.
- 1.2 kapers is authorised to form dependent sections, which are fully subordinated to the organisation of kapers.

Article 2 Legal domicile

The legal domicile of kapers is 8302 Kloten

Article 3 Purpose

- 3.1 As a trade union, the objectives of kapers are the representation, promotion and protection of the common interests of all its members, as well as their support.
- 3.2 kapers aspires to support the aviation industry in Switzerland in general and to promote the cooperation with similar unions, professional associations and work organisations in Switzerland and abroad.

II Membership

Article 4 Members

- 4.1 Regular membership status is open to persons employed as Cabin Crew Members.
- 4.2 Persons who do not or no longer meet this requirement, may become passive members, upon consent of the Board.
- 4.3 Members of the Board of kapers who were active in this function for a duration of at least 4 years and committee members who were active in this function for a duration of at least 8 years, may be nominated by the Board as free members and will be released from paying membership fees.

Article 5 Member obligations

- 5.1 Each member is obligated to respect the statutes and decisions of kapers and to support the objectives stipulated herein.
- 5.2 Each member is obliged to report to the administration office (for the attention of the Board) any feedback, information and complaints occurring in connection with the work and duties as a cabin crew member and which might be of interest to kapers.
- 5.3 Each member commits him/herself to pay the membership fee stipulated in these statutes.

Article 6 Admission, resignation, expulsion, voting and election rights

- 6.1 Applicants for a membership must submit a written application to the Board, who in turn will decide on the admission.
- 6.2 Each member may terminate the kapers membership by submitting a written statement of resignation, effective by the last day of each quarter (March, June, September, December), with a notice period of one month.

- 6.3 If a member resigns from her/his function, as described in art. 4.1 of the statutes, their kapers membership will also terminate, subject to the provision mentioned in art. 4.2.
- 6.4 Members who have shown a dishonourable behaviour towards kapers or have disregarded the statutes or decisions made by kapers, or have impaired the interests or reputation of kapers in any other way, may be expelled by decision of the Board.
- 6.5 Regular members, as well as free members according to art. 4.3 are entitled to voting and active election rights.
- 6.6 Eligible as a member of the Board are regular members according to art. 4.1 of these statutes. If a member of the Board does no longer fulfil the status of a regular member, she/he will be released from office automatically and with immediate effect.
- Exception: If a member of the Board is dismissed by the employer, she/he does not have to withdraw from office immediately. In this case, the Board decides on the time frame within which the Board member concerned is to be replaced, the latest possible date being one year after expiry of the notice period.
- 6.7 Passive members are not entitled to voting or election rights.

III Organisation

Article 7 Governing bodies of the association

kapers acts under the governance of the following governing bodies:

- General membership vote
- General assembly
- The Board
- The Auditing Body

Article 8 General membership vote

- 8.1 The following affairs must mandatorily be submitted for a general membership vote:
- Amendment to the statutes
 - Conclusion, amendments and termination of collective labour agreements, as well as regulations forming an integral part of a CLA in effect. For such votes, only those members are entitled to vote, for whom the respective CLA and/or the respective regulations are applicable.
 - Accession to or termination of membership with other associations, unions in Switzerland and abroad, as well as professional and work associations.
 - Dissolution of the association.
- 8.2 For decisions concerning the conclusion, amendments and termination of collective labour agreements and related regulations, as well as for the dissolution of the association, a two-thirds majority of the votes cast is required. For all other affairs, a simple majority of the votes cast is decisive.
- 8.3 Prior to the start of every general membership vote concerning affairs mentioned in art. 8.2, a consultation period of at least fifteen (15) days is required.
- 8.4 The minimum duration of a general membership vote is twentyfive (25) days. The Board publishes the exact start and end dates.
- 8.5 In principle, ballots are carried out as e-voting. The Board may decide to carry out individual ballots by means of a physical voting process.

The following applies to e-voting: Each member is entitled to a one-time participation in an e-voting, anonymity is granted. The electronic votes must be submitted latest by the end date of the ballot.

The following applies to physical voting: The ballot papers must be available for the members latest by the start date of the ballot. The company mail boxes (if available) serve as valid mailing addresses. The ballot papers must be cast into the locked kapers ballot box latest by the end date of the ballot. Postal voting is also possible, the ballot papers must arrive at the kapers office latest by the end date of the ballot.

- 8.6 Two members of the Auditing Body act as vote counters. They are also in charge of watching over the correct timing of the general membership vote.
- 8.7 Moreover, the process of a general membership vote is determined by the Board, who must ensure secret and correct voting procedures.

Article 9 General assembly

- 9.1 The general assembly is the highest governing body of kapers. It takes place at least once a year and upon decision of the Board may be carried out as a general membership vote.
- 9.2 The general assembly is responsible for:
- the approval of the annual report and financial statement, as well as the discharge of the Board
 - the election of Board members, provided that their election is not explicitly delegated to the Board (resignation during the term of office)
 - the election of the president
 - the election of the Auditing Body
 - the determination of membership fees
 - the determination of the financial compensation for Board members. It is for the Board to decide on the distribution of such remuneration amongst Board members.
- 9.3 The Board decides on the organisation and date of an ordinary general assembly. The members are to be informed thereof at least two months in advance.
- 9.4 An extraordinary general assembly takes place as follows:
- upon decision of the Board
 - upon a written petition signed by at least 10 % of all regular members.
- 9.5 If the petition concerns a CLA or a set of regulations stipulated by kapers and the respective airline, only the support of 10% of the regular members being subject to this specific contract or set of regulations is needed.
- 9.6 The Board determines the date, time and place of an extraordinary general assembly. However, it is mandatory that an extraordinary general assembly, as requested in writing by at least 10 % of all regular members, take place no later than 3 months after the petition has been filed.
- 9.7 The president chairs the general assembly. In case of her/his absence, or upon request by at least 10 regular members, an interim chairperson will be elected.
- 9.8 During a general assembly, open voting and election is practiced, provided no other decision is made by a simple majority.
- 9.9 Members of the Board have voting and election rights, except in matters concerning their own person.
- 9.10 Whenever a member is unable to take part, her/his vote may be submitted to the president

beforehand, by means of a written statement. Such votes are only valid if they arrive at the kapers office by 18:00 hours on the day preceding the general assembly.

- 9.11 For elections and votes, a simple majority of votes is decisive. The president or the chairperson shall have the casting vote, if required.

Article 10 Board

- 10.1 The Board is responsible for the management of the association's affairs, the execution of decisions made by the general assembly, as well as the compliance with the tasks assigned to them in these statutes. The Board has the responsibility to decide on all affairs, which are not explicitly assigned to another governing body by these statutes. In order to fulfil their tasks, the Board may hire personnel and form committees and bodies, with the involvement of the members of the association. It is the responsibility of the Board to recruit members for the committees and bodies. Each of the committees is presided over by a Board member.
- 10.2 The Board consists of at least seven, but no more than eight members, with reservation of art. 10.4. The presidency consists of three persons (one president with two vice presidents, or a co-presidency with two presidents and one vice-president). Furthermore, the Board includes a Secretary General (as long as the provisions of 10.6 are fulfilled) and four or five additional members. The Board members, as well as the president are elected for a regular term of office of four years.
- The Board appoints the vice-presidents.
- 10.3 The voluntary resignation of a Board member during the term of office must be communicated to the Board in written form or during a Board meeting which is recorded in writing, with a three months' notice. In this case, the Board elects a replacement (self-completion). After announcement of the replacement candidate, there is an appeal period of 30 days. If 10% of all regular members speak out against the announced replacement candidate within this time frame, by-elections must be held.
- If there are any significant reasons, such as neglect of Board duties or inability to properly represent the union's interests, a member of the Board may be dismissed by decision of the entire Board. In this case, a by-election must be carried out for the rest of the term of office.
- If the president steps down during the term of office, the Board will organise a by-election.
- 10.4 In case of an expansion, the Board may be enlarged by a maximum of 3 persons per airline. The enlargement of the Board can be decided on by means of a Board resolution, which is recorded in writing. The enlargement of the Board may last no longer than up to the next elections.
- 10.5 In principle, the seats on the Board are to be distributed proportionally to the number of members of the airlines concerned.
- 10.6 The Board can elect the Secretary General to the Board. The election is possible earliest one year after commencement of the Secretary General's employment, must be confirmed by the Board for each term of office and ends latest with the termination of employment. Regardless of this election, the rights and obligations of the respective working contract apply for the employment relationship between the Secretary General and kapers.
- 10.7 With a minimum of three months' notice, the Board has to present to the members a list of candidates for election to the Board. They are to be selected from the active Board members, committee members and regular union 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 subsequent to the Board's presentation of the list of candidates.

- 10.8 The Board represents kapers externally. For legally binding acts for kapers, the collective signatures of two Board members are required.
- 10.9 The Board carries out Board meetings as often as required. It constitutes a quorum if one person from the presidency and at least four members of the Board are present. Decisions are made by the majority of the participating Board members. In the event of a voting tie, the item concerned will be rejected and re-evaluated. In case of a second voting tie, the president (a co-presidency has only one vote), or in her/his absence the vice-president with the higher seniority has the casting vote.
- 10.10 Duties, obligations and competences of Board members, committee members and persons of trust are stipulated in separate performance specifications.

Article 11 Auditing body

- 11.1 The general assembly elects the Auditing Body for a term of office of four years. It consists of four members. In case of a resignation during the term of office, the Board decides on a replacement. Four members must be up for election latest by the subsequent elections.
- 11.2 By the end of the fiscal year, the Auditing Body submits their written audit report on the financial statement to the Board, for approval by the general assembly.
- 11.3 The Auditing Body acts as vote counter and holds a supervisory function during general membership votes. In case of e-voting, the lists with all participants are placed at the disposal of the Auditing Body.

IV Finances

Article 12 Fiscal year

The fiscal year starts on January 1 and ends on December 31. By this date (December 31), the annual financial statement must be closed.

Article 13 Membership fees

- 13.1 Membership fees, implementation contribution fees and solidarity contributions serve kapers to cover the expenditures of union activities and to secure future commitments.
- 13.2 The annual membership fee for regular members who are subject to a CLA which is negotiated with kapers, is defined as a percentage of the gross annual salary and is set at 0.7% thereof. Members without a fixed gross annual salary (e.g. FCCM) have to pay a membership fee of 150.- CHF. Regular members who are not subject to a CLA negotiated with kapers, also have to pay an annual membership fee of 150.- CHF. The membership fees for CCM who are employed abroad (i.e. FOR CCM) can be adjusted to the purchasing power of the country concerned.

The membership fee for passive members is 30.- CHF.

- 13.3 Upon resignation from kapers, the membership fee is owed until the date of membership termination.

Article 14 Liability

kapers' liabilities are covered exclusively by the association's assets.

V Dissolution**Article 15 Dissolution**

The decision for the dissolution of the association is made by a general membership vote. Legal reasons for dissolution remain reserved. The members will decide on the use of the remaining association assets.

VI Final provisions**Article 16 Entry into force**

These statutes enter into force on March 31, 2022 and replace those of May 31, 2016.

This is a translation of the kapers statutes. Only the German version is legally binding.