Victorian Allied Health Professionals Association

Workplace Delegate Policy

This is the Workplace Delegate Policy adopted on 08 December 2015 by the Branch Committee of Management of the Victorian Allied Health Professionals Association.

Policy version control

Date	Author/Department	Version number	Summary of changes
25 Sept 2013	Branch Committee	1.0	
08 Dec 2015	Branch Committee	1.1	Branding and references update

The Union Rules and the provisions of the Fair Work Act 2009 and Fair Work (Registered Organisations) Act 2009 will prevail over the terms of the policy to the extent of any inconsistency.

Reference: Health Services Union Rule 66: Workplace Committees (Sub Branches) and Representatives

Nomenclature: The term 'Branch', as used herein, refers specifically to the VAHPA—the VAHPA is one of ten (10) Branches of the Health Services Union. Whereas the term 'Union', as used herein, refers to the federally registered Health Services Union. The term 'workplace area' refers to a designated division within the broader workplace.

General Statement of Policy and Intent

The Branch recognises that Delegates, being the primary interface between the Union, the Members and the Employers, are the bedrock of our Union.

We believe that Delegates are most effective when they are highly skilled, well supported (by the Union and the Membership) and clear in their rights, responsibilities and objectives.

This policy aims to ensure that all Members of the Branch are represented by an effective, collegiate and forthcoming Delegate.

1. **Election of Workplace Delegates**

All financial Members of the Branch at a workplace must elect at least one (1) Workplace Delegate by and from their number. The relevant Organiser shall, in consultation with Members, determine the appropriate number of Workplace Delegates required to ensure fair representation of those Members.

Workplace Delegate elections are to be held annually, generally at the beginning of each calendar year. Such elections are to be advertised on the Branch website for a period of at least one (1) week prior to the election date and are subject to the Branch's Democracy Policy.

Workplace Delegate elections will be conducted by a Branch Returning Officer appointed by the Branch Secretary and will occur at a face-to-face meeting of Members of that workplace or (workplace area) or via secret ballot should the Members determine that this course of action is more appropriate.

A delegate nomination form must be completed and signed by the nominated delegate and a nominating member. The appropriate form is available from the Union website.

A person shall not be elected as a Workplace Delegate unless they are a financial member of the Branch. A Workplace Delegate shall *ex-officio* be a member of any relevant Workplace Committee at their workplace.

All positions remain in office until the incoming Workplace Delegate has been declared elected by the Branch Returning Officer, or until resignation. Workplace Delegate vacancies that occur mid-term must be reported to the Secretary or designated Organiser so that elections may be held to fill that position. All such elections will be held as soon as is practical.

2. Role of Workplace Delegates

Delegates represent members in their workplace, recruit and sign up new members and act as a spokesperson for the Union and the Branch in a professional, positive and honest manner.

The role of the Workplace Delegate is to:

- Act as a first port of call for Members with workplace concerns or issues;
- Refer Members to the relevant designated Branch Organiser in those instances where they cannot manage deal with the member's issue independently;
- Represent the Members of the Branch employed in their workplace or workplace area in dealings between those Members and management;
- Generally represent the Union and any relevant Branch thereof in their workplace;
- Take all reasonable and necessary steps to recruit and enrol as Members all eligible employees in their workplace;
- Immediately report to the Organiser or Branch Secretary any complaint from a Member in their workplace or any breach or suspected breach of any Agreement or Award which is occurring or is suspected of having occurred in their workplace;
- Report to the Branch Secretary on any matter concerning their workplace as directed by the Branch Secretary or Branch Committee of Management;
- Take any reasonable action which is authorised or directed by the Secretary or the Branch Committee of Management;
- Report to the Workplace Committee and Members' meetings on all relevant Union matters;
- Represent and assist all relevant Branch members, irrespective of their gender, ethnicity, sexual orientation or vocation for example, in a manner that is fair and equitable;
- Generally act as a spokesperson for the Branch and Union on workplace-based matters.

It is a goal of the Union that its Workplace Delegates reflect the diversity of its membership and all possible steps should be taken to encourage the inclusion and participation of minority groups.

It is expected that in carrying out their duties, Delegates will behave in a way that upholds the Union's values and the integrity and good reputation of the Union.

3. Workplace Delegate Training

The Union is cognisant of the challenges associated with the delegate role. As such the Union will endeavour to provide as much support and training to Members in these roles as is practicable.

All new Delegates should attend Delegate Training within three (3) months of commencing the role. Experienced Delegates are expected to attend Delegate Training on an annual basis and to work towards increasing their level of knowledge and skill so as to best represent Members.

4. Removal and Termination of Workplace Delegates

Should the Secretary become aware that any Delegate is not performing such duties or responsibilities as set out in clause 2 or is reported by a Member or Members at their

workplace for dereliction of these duties, the Secretary shall report same to the Branch Committee of Management who shall have the power to investigate such reports.

Should such allegations be substantiated, the Branch Committee of Management shall have the power to dismiss any Delegate and cause another election to take place within twenty-eight (28) days of the dismissal.

The appointment of a person as a Workplace Delegate shall automatically terminate if:

- They resign their membership of the Union or are expelled therefrom in accordance with the Union Rules; or
- They cease to be employed in the workplace or workplace area of which they were elected to represent.

5. Policy review

The Workplace Delegate Policy can be amended by an ordinary resolution of the Branch Committee of Management.

6. Dissemination of policy

A copy of this policy will be published on the VAHPA website.

End of Policy