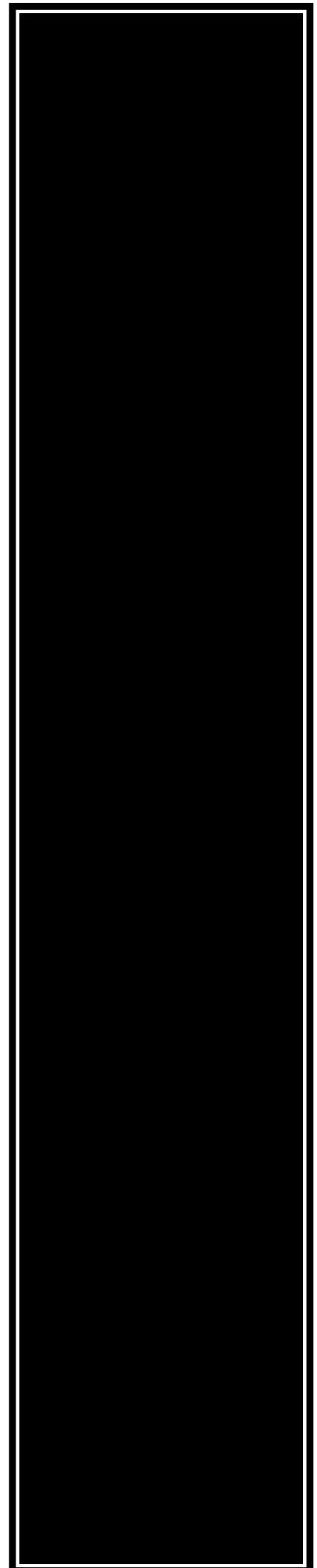


HEALTH WORKERS  
UNION EMPLOYMENT  
POLICY  
2015



## **EMPLOYMENT POLICY**

**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.**

### **1. RECRUITMENT AND TERMINATION OF EMPLOYMENT OVERVIEW**

- 1.1 The Union's State Secretary (with human resources responsibilities) is responsible for overseeing all aspects of the HWU recruitment and termination of employment process.
- 1.2 All employed organisers must comply with the legislative requirements to have a current workplace permit.
- 1.3 All job vacancies will be posted on the Union's website, and copies of the selection criteria will be made available to prospective applicants.

### **2. RECRUITMENT**

- 2.1 All recruitment and selection will be based on merit.
- 2.2 Ordinarily, the HWU will not employ close friends or persons directly related to any official or employee of the Union. However, it must be acknowledged that all Australian citizens have the right or equal opportunity to apply for all advertised positions within the HWU and for that matter, all positions advertised within Australia.

#### **2.2.1 Definitions**

- Closely related for the purpose of this policy refers to people who are close friends or relatives.
- Close friends-refers to friends who an official or employee knows personally and meets with socially on a regular basis.
- Relatives for the purposes of this policy are people that are related by blood, marriage or civil partnership, residing together, or dependants of such people.

### 2.2.2 Intent

- The intention of this policy is to minimise the likelihood of any embarrassment, accusations of favouritism, or any other potential conflict of interest occurring.
- It is not being suggested that individual employees would allow themselves to be influenced by personal relationships, however, it is sound operational policy to avoid circumstances in which such practice might be alleged or inferred.

### 2.2.3 The evolving nature of relationships within the workplace

- It is quite common or natural for co-workers to become work-mates, friends or even develop intimate relationships. It is important to recognise that employers cannot develop workplace rules or policies that prevent the evolution of workplace relationships. After all, this type of behaviour is consistent with human nature and our disposition to empathise and socialise within groups.
- Should a relationship change or develop between two existing employees, the HWU expects both employees to continue to work together in a professionally manner and adhere to the HWU Employment rules and the provisions of the Fair Work Act 2009 and Fair Work (Registered Organisations) Act 2009.

2.3 No person on the selection panel may be close friends or closely related to the applicant.

2.4 If an applicant recommended by the selection panel is closely related or associated with an official or an employee of the Union, it is proposed that the recommendation for employment must be approved by the HWU Branch Committee of Management in writing.

## 3. STAFF INDUCTION

3.1 When a new employee commences with the Union, an induction program will provide the necessary information, orientation and training so that he or she can enjoy a smooth integration into the workplace. Much of the

structured induction will occur within the first four weeks of an employee's commencement.

- 3.2 Each new employee will be required to sign a declaration that she or he has read, understood and agreed to observe the Union Rules, policies and procedures.
- 3.3 For new staff, the induction period will run concurrently with and support his or her probation period.

#### **4. STAFF PROBATION**

- 4.1 Unless otherwise agreed in writing, all new employees (excluding casual staff) will be on probation for six (6) months. This period is used to determine whether employees can satisfactorily carry out the duties and functions associated with the position.

During the probationary period the following should occur:

- 4.1.1 The employee will meet with her or his supervisor to establish a work plan and develop strategies to carry out his or her duties in accordance with the job description;
  - 4.1.2 The employee will participate in an induction program;
  - 4.1.3 The employee will discuss with his or her supervisor any issues that may affect the employee's performance; and
  - 4.1.4 The employee will gain access to training and development, mentoring and coaching, to help her or him meet the established goals.
- 4.2 During the probationary period, two written formal review assessments will occur (during weeks 10-12 and week 20), and there may also be an informal assessment. The formal assessments will be completed by the supervisor with input from the employee. The employee will be provided with the review assessment report prior to the review by the manager.

- 4.3 Once the probation period has concluded at 24 weeks, the review assessment reports will be reviewed by the Manager and the employee will be notified in writing of the outcome.

## **OBLIGATIONS OF EMPLOYEES**

- 5.1 Employees will:
- 5.1.1 Perform their duties to the best of their abilities and knowledge;
  - 5.1.2 Comply with the codes of conduct;
  - 5.1.3 Use all reasonable efforts to promote the interests of the Union;
  - 5.1.4 Act in the Unions best interest;
  - 5.1.5 Comply with Union policies and procedures;
  - 5.1.6 Not engage in any activity that is in conflict with their employment;  
and
  - 5.1.7 Disclose in detail if they cannot comply with aforementioned obligations.
- 5.2 Employees will not be penalised if during the course of carrying out their duties their Workplace Permit is cancelled if they were acting within the direction of their supervisor.
- 5.3 Employees need to be aware of the Union's policy in relation to workplace privacy and the conditions imposed in relation to the non-disclosure of information to third parties, use of email, the internet and social media. Employees' access to personal data is subject to audit.
- 5.4 As an individual member of the community, an employee has the right to enter into public debate on political and social issues, but it must be made clear that the employee's view is not the Union's view.



## **6. CONSULTATION**

- 6.1 The Union is committed to consulting employees about achieving the Union's goals and objectives, as well as workplace changes in line with the relevant EBA.
- 6.2 Following Branch Committee meetings, the State Secretary (or a nominee) will report to employees about any workplace issues.

## **7. THE RIGHTS OF WORKPLACE REPRESENTATIVES**

- 7.1 The Union recognises the critical role of workplace representatives to assist and protect the interests of members.
- 7.2 The rights of workplace representatives include:
  - 7.2.1 The right to perform their role as workplace representatives without any discrimination in their employment from management;
  - 7.2.2 The right to speak on behalf of employees in their workplace;
  - 7.2.3 The right to bargain collectively on behalf of employees;
  - 7.2.4 The right to consult and access reasonable information about the workplace;
  - 7.2.5 The right to access union facilities to distribute Union material and request feedback;
  - 7.2.6 The right to reimbursement for expenses incurred in representing the interest of members in the workplace and other Union Branches; and
  - 7.2.7 The right to call meetings with members and management in the workplace.
- 7.3 Workplace representatives should ensure that they comply with the Union Rules and the policies of the workplace when acting on behalf of members.

## **8. PERFORMANCE MANAGEMENT**

- 8.1 Employees are critical to the success of the Union in meeting its objectives and goals. The elected leadership is accountable to the membership for setting and meeting these goals and objectives.
- 8.2 The Union will ensure that employees have:
  - 8.2.1 A clear goal plan and that the tasks to be performed are realistic for the expected timeframe and outcome; and
  - 8.2.2 A clear direction on how the work is to be done and to what standard.
- 8.3 The Union will assist employees by:
  - 8.3.1 Communicating their needs effectively;
  - 8.3.2 Providing training; and
  - 8.3.3 Recognising an employee's good performance.
- 8.4 Managers and supervisors are responsible for reviewing performance regularly and providing training where needed.
- 8.5 Where managers and supervisors identify unsatisfactory performance or conduct, clause 9 of this policy will apply.

## **9. UNSATISFACTORY PERFORMANCE OR CONDUCT**

- 9.1 The following steps specify the process for identifying and managing unsatisfactory performance or conduct.

### **STEP 1**

The employee's supervisor will arrange a meeting and give at least 24 hours written notice to the employee, including details of the place and time of the meeting and the unsatisfactory performance or conduct and any supporting documentation.



The employee may elect to have a representative present. A record of the meeting will be issued to each party and the employee's supervisor will specify what action needs to be taken, which may be:

- No further action
- Verbal warning (extinguished after 12 months)

## **10. SERIOUS MISCONDUCT**

10.1 Serious misconduct could result in dismissal and may include, but is not limited to:

10.1.1 Theft;

10.1.2 Negligently endangering the health and safety of another person;

10.1.3 Assault;

10.1.4 Criminal activity;

10.1.5 Improperly accessing personal information about members or employees of the Union;

10.1.6 A serious breach of trust;

10.1.7 Failure to follow a reasonable direction; and

10.1.8 An employee who acts in a manor that may have negative ramifications for the Union.

10.2 Notwithstanding the above, the HWU State Secretary has the authority to deem what actions constitute serious misconduct and therefore issue a summary dismissal.

10.3 If a serious disciplinary matter is identified, the Secretary must be informed immediately and a meeting called, giving the employees notice of the meeting and the opportunity to bring a representative. A written record of the meeting should be made.





- 10.4 All copies of documentation must be retained on the employee's personnel file.
- 10.5 The employees should be given an explanation for the reason of the dismissal by the Secretary or delegate, if this cannot be done immediately, the employee may be suspended with pay until a written document is provide.

## **11. DISPUTE RESOLUTION**

- 11.1 It is the responsibility of the Union and employees to take reasonable and genuine steps to prevent or settle disputes as soon as possible as per the relevant EBA.
- 11.2 If a safety matter is involved, such as that employees and the work environment are deemed unsafe, suitable alternative work should be found until the issue is resolved.

## **12. PROCEDURE FOR REQUESTING ANNUAL LEAVE AND ADO'S**

- 12.1 Applications for leave will be considered against operational requirements. In the interests of operating efficiency, employees should give fourteen days' notice of intention to take periods of extended leave.
  - 12.1.1 Wherever possible, efforts will be made to approve requests for leave. However, approval is subject to operational requirements.



## Health Workers Union-EP 2015

This version of the HWU Employment Policy 2015 can be altered or amended with the approval of the HWU State Secretary and the HWU BCOM.

### Version History

<i>Version</i>	<i>Effective date</i>	<i>How made</i>	<i>Section(s) affected</i>
2.0	1 <sup>st</sup> /06/2015	Developed by Research Officer (Kamal Bekhazi)- Presented to and adopted by HSU Vic. Branch 1 BCOM	Multiple