



Delegate Appointment Policy

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Related Documents	Member Code of Conduct Administrative Regulation 9
Person Responsible for Document	National President – on behalf of Member Council
Approved By	Member Council
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1.1 Overview and Purpose

1.1.1 Union delegates are at the heart of the way we work. They are our leaders in their workplace and are the first point of contact for information and advice.

1.1.2 Delegates are trained and supported by the Union to:

- help solve problems at work
- provide information and advice to members
- encourage their workmates to join the union
- support campaigns for fair and safe workplaces represent members

1.2 Workplace Delegates Rights

1.2.1 Under the Fair Work Act 2009 (Cth), workplace delegates have the right to:

- i. Represent workers at their worksite
 - a. A workplace delegate may represent workers in relation to issues in the workplace.
- ii. Communicate with workers
 - a. Delegates can talk to fellow workers during work hours, work breaks and before or after work. They can talk about workplace issues and the value of becoming a UWW member.
- iii. Access to workplace and facilities
 - a. An employer is required to provide delegates with access to the following:
 - A room or area that is private and accessible
 - A physical or electronic noticeboard
 - Electronic means of communication e.g. email and Wi-Fi
 - A lockable filing cabinet

- Office equipment e.g. printers, scanners, photocopiers

iv. Reasonable access to training

- a. An employer must provide a delegate with up to 5 days of paid time during normal working hours for initial training and at least one day each subsequent year to attend related training. Approval to attend should not be unreasonably withheld.

1.3 Becoming a UWU Delegate

- 1.3.1 UWU delegates are elected by workers in the workplace. Depending on the size of the workplace, there may be multiple delegates. The election may be conducted by various means, including by show of hands, secret ballot, online or by any other method determined by the Union. Members may be required to nominate in writing or be endorsed by other members.
- 1.3.2 UWU members in the workplace will meet as soon as practicable to consider the nominations received by members for the position of delegate. The election will be conducted by the Union.
- 1.3.3 A delegate will be elected if the majority of members casting a vote support the appointment. Where there is only one member nominating, a formal election may not be required. At a worksite with multiple delegates, a delegate may be appointed to represent specific groups of members. In these circumstances, only members who are part of the specific cohort may be eligible to vote for the delegate.
- 1.3.4 Any member interested in becoming a delegate should speak to their organiser or contact the Union at: training@unitedworkers.org.au

1.4 Record of delegates

- 1.4.1 The delegate will be recorded by the Union in its membership system. The failure to do so will not invalidate the appointment of the delegate, in the circumstances where the delegate was duly appointed pursuant to this Policy.
- 1.4.2 If at the date of this Policy, a delegate is recorded in the Union's membership system, they are deemed to be validly elected.

1.5 National Executive

- 1.5.1 In addition to the means of appointment outlined above, the National Executive may also appoint a workplace delegate, or endorse the election of the delegate, upon the recommendation of the portfolio Director. This will only occur where the Director provides proof to the National Executive of the support of the workers at the worksite for the appointment.

1.6 Code of conduct

- 1.6.1 All UWU members are required to comply with the Union's Code of Conduct and its Rules. This includes UWU delegates. UWU delegates must at all times, in the performance of their duties as a delegate, uphold the Code of Conduct. In addition, a delegate must act at all times in the interest of members and the Union and must comply with all reasonable and lawful directions from the Union.

1.7 Suspension or Removal of Delegate

- 1.7.1 The National Executive may suspend or remove a delegate where they may have acted in breach of the Code of Conduct, the Union Rules or contrary to a reasonable and lawful direction.
 - 1.7.2 A delegate may be stood down from their role as a delegate where a reasonable belief is held that their conduct may be in breach of the Code of Conduct, the Union Rules or contrary to a reasonable and lawful direction, and while the matter is under investigation or is being considered by the National Executive.
- 1.8 Policy Update**
- 1.8.1 This Policy may be amended by the Member Council from time to time.