

10 October 2018

Role of the Union Rep

The following information is a modified version of material sourced from the QTU guide [Back to Basics: TAFE](#) published by the QTU in May 2018. The word TAFE in this article refers to both TAFE Qld and CQU-VET educator members.

Union Representatives are a vital part of the QTU/AEUQ structure. The rules establishing the process for election and the duties of workplace Union Representatives are contained in the [Queensland Teachers' Union of Employees Constitution and Rules](#). Commonly referred to as the Union Rep, the *workplace Union Representative* is the face of the QTU/AEUQ in the workplace and functions as the first point of contact between the members and the Union. They work with the Organiser in a dual role; firstly, as a key recruiter of new members and secondly, as a key support and information source for members in helping resolve workplace issues. The Union Rep is bound to act in accordance with Union policy and the determinations of the decision-making mechanisms of the QTU, being Executive, Council and Conference. The TAFE Division has its own TAFE Council and TAFE Executive, which inform the broader Union mechanisms on TAFE-specific concerns. Union appointees to the local consultative committee or joint consultative committee must be duly elected *workplace Union Representatives*.

Rights and responsibilities

When a member nominates to be a QTU Union Rep, they take on the responsibilities and rights associated with the position. The following responsibilities and rights are included in the QTU Union Representatives Kit.

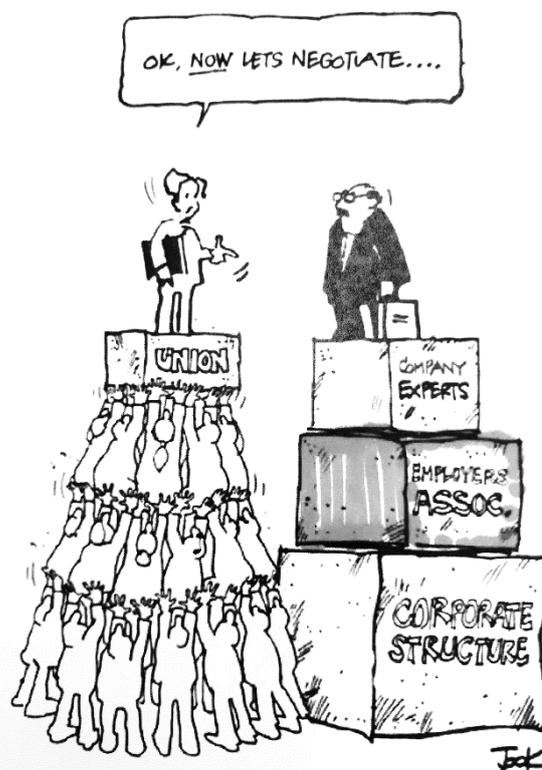
Responsibilities of Union Representatives

- To represent the QTU in the workplace and, when necessary, to be the first point of contact between members at the workplace and the Union, particularly in relation to their issues and concerns.
- To work productively with the TAFE Organiser and officers of the QTU
- To recruit new teachers or other non-members into the Union.
- To encourage members to take the first step in dealing with their issues and problems.
- To publicise Union services, particularly the QTU website and QTAD, in order that members can take the first step in gaining required information and advice.

Rights of Union Representatives

- To carry out their responsibilities without obstruction and to be treated with respect in accordance with relevant legislation, awards, agreements, Union policy and Union decisions.
- To have reasonable access to equipment such as photocopiers, telephones, computers, email, facsimile machines, meeting rooms, notice boards and staff rooms.
- To have access to members to discuss employment-related issues during work hours, mindful of members' employment responsibilities.
- To represent members and to advocate for them to their appropriate supervisor.

- To assist members during meetings related to their welfare, when necessary.
- To organise and lead local campaigns on issues important to members at the workplace, as required.
- To organise and lead membership involvement in QTU campaigns at local and statewide level.
- To conduct workplace meetings, as required.
- To provide members with advice and support.
- To attend an introductory Union Representatives training course and participate in subsequent training.
- To attend their local branch meetings and to encourage other members to attend.
- To represent the Union on the local consultative committee as required, and to work collaboratively with delegates from other unions at the workplace, where appropriate. This includes representing the view of the majority of the QTU membership (despite their own personal views) when making decisions on proposals that impact on the working conditions and workload of members. QTU Representatives should have a process by which to effectively represent these views.
- To work with the QTU LCC representatives and provide them with feedback regarding the views of the membership.
- To interact with other QTU members, members of other unions and employer representatives in a professional manner.
- To act at all times in accordance with the QTU's policies, procedures, priorities, decisions and code of ethics.
- To have timely access to supervisors, to discuss work issues that relate to the welfare of members.
- To, in agreed circumstances, be granted time off work to carry out their Union duties.
- To provide support to beginning teachers and new staff through involvement in the induction process.
- To be given appropriate support by QTU Officers and staff.
- To speak publicly on behalf of Union members at the workplace in relation to workplace Union issues, after consultation with relevant QTU Officers.
- To represent QTU members on the workplace local consultative committee (LCC), as agreed between QTU Representatives at the workplace.
- To have access to paid leave for the purposes of industrial relations education.



Accessing leave

TAFE educators in TAFE Queensland and CQU are entitled to access a range of absences which can be scheduled through out the year. These include annual leave, long service leave, sick leave and special leave. There are other types of leave available under the applicable industrial instruments.

It is worth noting that annual leave is often referred to as recreation leave, but in both the federal and state jurisdictions the term is properly annual leave.

TAFE QLD educators have access to non-attendance time (NAT) and CQU-VET educators have access to reflection and professional planning (RPP). The following is a brief outline regarding the scheduling of annual leave and NAT or RPP time under the two different industrial systems and instruments.

Please note that this advice is general and the industrial instruments and legislation are the absolute source of fact regarding these entitlements.

TAFE Queensland

- [TAFE Queensland Educators Certified Agreement 2016](#)
- [TAFE Queensland Award State 2016](#)

Entitlements:

Jurisdiction: [Industrial Relations Act 2016](#)
(state)

Annual leave: 4 weeks

NAT: 5 weeks

Mandatory closure: Must use one week recreation leave Christmas /New year

Programming the time

The scheduling of annual leave is required to be done in advance in the yearly programming process. The conditions re educator annual leave-taking are found in the award at sections 21.5 and 21.6. There is no capacity described in the industrial instruments to direct the taking of recreation leave unless the balance has exceeded 26 days.

However under the industrial relations act at clause 33 there is the capacity for an employer to direct an employee, where they can not otherwise agree, to take annual leave with eight weeks notice.

The scheduling of NAT is also typically done in advance in the yearly programming process. Full lists of conditions regarding NAT are available in both the Award at clause 19 and the Certified Agreement at clause 29. However, educators can be directed to take NAT with four weeks notice. NAT cannot be taken in blocks of less than one week.

Annual leave and NAT should both be planned for in advance and be identified on the yearly plan for the team. It is reasonable that managers keep an eye on the accumulation of leave and should

Central Queensland University

- [CENTRAL QUEENSLAND UNIVERSITY ENTERPRISE AGREEMENT 2017](#)

Entitlements:

Jurisdiction: [Fair Work Act 2009](#)
(federal)

Annual leave: 5.4 Weeks

RPP: 15 days

Mandatory closure: three paid working days at Christmas/New year.

Programming the time

The scheduling of annual leave is required to be done in advance in the yearly programming process. The conditions re annual leave taking are found in the EA at clause 40 (table 15). It states that employees may be directed to take annual leave if more than eight weeks annual leave has been accrued, in which case CQU will require one quarter of the amount of annual leave credited at that time be taken.

The Fair Work Act states at clause 88 that the employer must not unreasonably refuse to agree to a request by an employee to take paid annual leave.

The scheduling of RPP should also be done in advance in the yearly programming process. The full list of conditions regarding RPP are available in the EA at clause 16.11. RPP is to be taken in three blocks in the calendar year unless otherwise agreed. RPP is normally taken in blocks of five days.

A maximum of five days RPP may be deferred, by agreement, from one calendar year to the next. Deferred RPP is to be taken within six months of the commencement of the teaching year, and will otherwise lapse.

manage leave-taking in the interests of the employees' wellbeing.

Notwithstanding that the Union supports employees accessing their full year's recreation leave entitlement within the calendar year to ensure wellbeing, it is wisest for employees to avail themselves of their NAT in the first instance, as it does not roll over automatically and requires prior approval to extend two weeks into the following calendar year. In the event that time available for taking approved absences such as NAT and recreation leave is limited (due to either planned and emergent activities), annual leave will accumulate if not used, NAT will not – so use NAT first. If that is not possible, request that the NAT be extended into the following year at the first available opportunity - don't leave it until the last minute.

Employees can access leave balances in advance and accrue a negative balance. This also applies to NAT.

Annual leave and RPP should both be planned for in advance and be identified on the yearly plan for the team. It is reasonable that managers keep an eye on the accumulation of leave and should manage leave taking in the interests of the employees' wellbeing.

Notwithstanding that the Union supports employees accessing their full year's recreation leave entitlement within the calendar year to ensure wellbeing, it is wisest for employees to avail themselves of their RPP in the first instance, as it does not roll over automatically and requires prior approval to extend one week into the following calendar year. In the event that time available for taking approved absences such as RPP and annual leave is limited (due to planned or emergent activities), annual leave will accumulate if not used, RPP will not – so use RPP first. If that isn't possible, request the extension of the RPP into the following year at the first available opportunity - don't leave it until the last minute.

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