

Know Your Rights: HSU Workplace Delegates

Dear Member,

Workplace Trade Union Delegates are essential to a fair and safe workplace.

HSU Delegates play a vital role consulting with and representing HSU members, resolving workplace issues with management and recruiting new HSU members.

To ensure that Workplace Delegates are able to do this important role, they have legal rights both under the Award and also in policy.

Below is a summary of these rights:

During Paid Time

To be released from the performance of normal duty on paid time:

- To undertake attendance at meetings of the workplace's Work Health and Safety (WHS) Committee and participation in all official activities relating to responsibilities of elected WHS Committee members at a place of work as provided for in the *Work Health and Safety Act 2011* and Work Health and Safety Regulation 2011.
- To attend meetings with workplace management or workplace management representatives.

Also a reasonable period of preparation time by agreement with management for:

- Meetings with management
- Disciplinary or grievance meetings with a union member that requires the presence of a delegate.
- Appearing as a witness before the Industrial Relations Commission.
- Presenting information on the union and union activities at induction sessions for new employees.
- Distributing official union publications or other authorised material at the workplace

While undertaking such activities on a normal rostered day on duty, the trade union delegate will be regarded as being on duty and will not be required to apply for leave.

To access Trade Union Leave

The granting of trade union leave with pay will apply to the following activities undertaken by a trade union delegate:

- Attendance at the annual or biennial conference conferences of the trade union
- Attendance at meetings of the trade union's Executive or Councils
- Attendance at meetings called by Unions NSW involving the union which require attendance of a delegate
- Giving evidence before an Industrial Tribunal as a witness for the union

- Reasonable travelling time to and from conferences or meetings to which these provisions apply.

To attend Trade Union Training Courses

The following training courses will attract the grant of paid trade union leave:

- Accredited WHS courses and any other accredited WHS training for WHS Committee members.
- Courses organised and conducted by the trade union or a training provider nominated by the union. A maximum of 12 working days in any period of two years applies to this training.

Access to Facilities by Trade Union Delegates

The workplace shall provide trade union delegates with reasonable access to the following facilities for authorised union activities:

- a. Telephone, facsimile and, where available, email facilities
- b. A notice board for material authorised by the union or access to staff noticeboards for material authorised by the union
- c. Workplace conference or meeting facilities, where available, for meetings with members.

Management Responsibility

- Not to discriminate against anyone for their trade union activities.
- Release the trade union delegate from duty for the duration of the trade union activity and to allow for sufficient travelling time during ordinary working hours.
- Where possible, provide relief in the position occupied by the trade union delegate in the workplace.
- If a management has any concerns they must consult with the union before taking any action.

More information

Please note that this is a summary of entitlements that apply to workplace delegates. Delegates and members should refer to their Award and relevant policies (such as the Leave Matters Policy) for more complete information.

Does your work area have a workplace delegate? If not and you would like to nominate to be a delegate, email publichealth@hsu.asn.au.

If you are a delegate and you have concerns that you are not being treated fairly, contact your local Organiser or phone 1300 478 679 or email memberservices@hsu.asn.au for advice and representation.

A strong union is built on strong membership. Encourage your workmates to join the HSU today at www.hsu.asn.au/join or phone 1300 478 679.

In unity,



Gerard Hayes
Secretary, HSU NSW/ACT/QLD