

Summary of Changes to State Union Rules

Background

Your union consists of two separate entities. One entity called Together Queensland, Industrial Union of Employees ('the state union') operates in the state jurisdiction and is governed by the Industrial Relations Act 2016 and the state union rules. The second entity is a Branch of the Australian Services Union (full name being Queensland Together Branch of the Australian Municipal, Administrative, Clerical and Services Union). The Queensland Together Branch ('the Branch') operates in the federal jurisdiction and is governed by the Fair Work Act 2009, the Fair Work (Registered Organisations) Act 2009 and the Australian Services Union (ASU) rules.

The operations and majority of the assets of our union were transferred from the state union to the Branch on 1 July 2015. This was the final step in the amalgamation process that commenced in 2011.

The state union now has an income of only \$24,000/year. All member subscriptions are collected by the Branch.

The ASU rules govern the functioning of the Branch. The state rules were modified in 2011 to cover the period of transition from the amalgamation in 2011 to our full integration into the ASU on 1 July 2015.

The structures in the state union are largely the same as those in the Branch. Elections are now held for positions in the Branch. Because the structures are largely the same in the two bodies, we can apply for an exemption from elections in the state union and have the same people hold the same positions in both bodies.

Now that our operations are all in the Branch, the state rules needed to be updated to remove some requirements that were no longer applicable. For instance, Branch Conference meets 3 times per year. Under the state rules, the state Conference was required to also meet 3 times per year but this is not necessary since the same group/people meet as the Branch Conference.

Below are explanations of the rules changes that have been adopted.

Rules to be removed

Rules 7, 8 (k), 17, 18, 26, 29, 30 and 47 ceased to operate from Declaration Day in 2015. Rule 52 applied to the transition from 2012 to 2015 and is now irrelevant.

Rule 13 (c) to (h) – members are entitled to legal and industrial assistance under the Branch rules so this provision in the state rules was redundant

Rule 14 – members are entitled to the mortality benefit under the Branch rules so this provision in the state rules was redundant

Rule 15 (d) – the honorariums are set and paid by the Branch. This was removed to ensure the honorariums cannot be paid twice.

Rule 22 – since the state union has almost no income and the operations of our union are under the Branch, the AGM is no longer relevant.

Rule 40 – the Industrial Relations Act covers inspection of books so it is not necessary to include this in the rules.

Clarifying roles of structures and reporting

When we were operating as the state union, the state Council, which consisted of over 200 delegates, had most of the decision-making power.

The changes made in the state Rules clarifies the roles of the Executive, the Council and the Conference in terms of the management of the limited affairs of the state union. Much of the decision making has been transferred to the Executive. This decision making is largely around mirroring decisions that have already been made by the elected structures of the Branch, to ensure consistency between the two bodies. Examples are setting membership subscription rates and determining the subdivisions for the elected structures. Executive, being the smaller body, can meet more easily to make these decisions.

Much of the reporting requirements in the state rules are no longer necessary since this reporting occurs in the Branch. unnecessary reporting requirements were removed from the state rules.

Elections

The process that is followed now for elections is that the Branch sets the sub-divisions for Branch Conference and elections are conducted to fill Branch positions. The state union also makes a decision about sub-divisions mirroring the decision of the Branch. After the elections in the Branch are completed, the state union applies, as allowed in the state rules, to the Qld Industrial relations Commission for an exemption from election for the state positions. If this is granted the same people are declared elected to the mirror positions in the state union. The state rules previously stated time periods and procedures for elections which did not fit with this process of seeking exemption from election after elections in the Branch. Rules changes were implemented to rectify this.