

Your Issues at Work

When the Union Gets Involved

Though the Union's most obvious role is in representing its members as a body, usually in negotiation or consultation with management; we also work to resolve issues that affect members individually (or in small groups). Often a member will approach the Union for advice and support when, for instance, he or she is:

- unhappy with the outcome of a probationary process or an application for promotion;
- experiencing a conflict with a colleague;
- feeling victimised;
- claiming unfair treatment by a manager;
- claiming that his or her working conditions are unfair
- claiming discrimination or harassment
- the subject of a disciplinary process;
- instituting a grievance procedure
- involved in a mediation process

What the Union Will Do

In many cases a member will simply ask the Union for advice or for information and its involvement quickly ends. But in other cases the Union will work to 'represent' a member. In these cases, you will be assigned a Union member (usually a member of the executive and of a different faculty) to shepherd you through the process. We don't act as a legal representative might; in other words, we don't present your case for you. Rather our role is to: (i) provide you with options; (ii) explain what is involved in each option;

(iii) facilitate a process once an option has been mutually agreed; and (iv) be present at formal meetings involved with certain procedures such as grievances. Bear in mind that whoever works with you is simply another colleague; though he or she is likely to have some experience on which to draw and will have other colleagues as a valuable resource; his or her professional expertise is simply that of an academic. We may need to call on professionals with the appropriate expertise for assistance (see the section below on legal advice).

What the Union Requires of You

Once you've involved the Union in your case this is likely to become common knowledge to the other parties in the dispute. So it will be assumed that your actions are taken in the light of the Union's advice and often with its support; what you do reflects on the Union, which is thus placed in an extremely awkward position if you insist on acting independently and potentially at variance to what the Union would recommend. So please check with the Union before taking any action. It is important that you and the Union work in concert.

We won't view you as a client so we won't simply be instructed by you as to how to proceed; rather our method is to discuss with you what action to take and to agree on a set of steps to be taken. If we cannot arrive at an agreement; then the Union will need to decline assistance.

Use of Professional Expertise

As mentioned, the situation may require input from a relevant professional. Most

often the expertise required is legal. We follow these guidelines in accessing our legal fund ([link to text below](#)).

Guidelines on the use of Union Funds for Purchase of Legal Advice or Representation

Two sorts of case are envisaged: (i) use of funds by officers of the Union in pursuit of Union business (e.g., in the event of a dispute with the University); and (ii) use of funds in relation to the treatment of a member of the Union.

Case (i):

- Approval to be sought in advance from the members of the Union executive (preferably all, but at least two of the office bearers).

- The case should be judged on two criteria:

1. Whether the case is of importance to the Union;
 2. The likelihood of achieving a successful outcome.
- It is envisaged that a preliminary consultation may often be necessary in order to determine whether criterion (2) is satisfied.

Case (ii):

- Approval to be sought in advance from the office bearers (or if this is not possible from the President or Acting President and two members of the executive).

- The case should be judged on three criteria:

1. Whether the case raises general issues of principle or practice of importance to the Union;
2. The severity of the injustice likely to be suffered by the member, unless action is taken;
3. The likelihood of achieving a successful outcome.

Approval may be granted even if the case appears not to satisfy one of the first two criteria.

- It is envisaged that a preliminary consultation may often be necessary in order to determine whether criterion (3) is satisfied.

- The Union must approach and retain its choice of legal representative

- In some cases the Union may agree to share the costs of legal representation with the member concerned.

Notes:

1. The Union will **not** consider requests to defray, either in part or in entirety, any legal costs incurred by a member.
2. The Union will aim to establish a relationship with a particular legal firm and/or practitioner.
3. These guidelines will be published on the Union's website.