



Membership Service Agreement

The power of the FBEU lies with the membership. Part of the work of the union is to support members with their individual and collective issues. The Union will endeavour to ensure that each individual member receives the assistance and representation required from the staff at the Union office, however the time and the resources of the staff are finite and the leadership will determine how resources are allocated. Priority will always be given to the collective needs of members.

The Union Office is made up of several teams, one being the Industrial Team. The Industrial Team is made up of several Industrial Officers (IOs). It is part of the job of Industrial Officers to advise and represent members when they are having industrial issues in the workplace.

These guidelines are designed to assist members and the Industrial team to best service members when they need industrial support and representation.

Matters the Industrial team can assist with

An industrial issue mainly pertains to problems arising out of a member's employment, which is governed by the three Awards, the Commissioner's Orders and other FRNSW policies, procedures and guidelines. Industrial issues vary greatly but a few examples would be:

- Disciplinary matters;
- Termination of employment;
- Underpayments;
- Bullying and harassment; and
- Accessing entitlements (such as leave, allowances, etc...) under the Awards or FRNSW policies.

Matters the Union cannot assist with

The Union cannot provide support for the following types of matters that are outside an employment/industrial context:

Criminal proceedings
Actions by members for damages
Defamation
General civil proceedings

If you have a non-employment related legal matter, however, we are able to refer members to recommended law firms.

Worker's Compensation matters

The Union staff do not generally handle worker's compensation claims. However, we can refer you to our preferred worker's compensation solicitors, Masselos & Co, who exclusively deal with worker's compensation matters.



Expectations

In order for industrial matters to be effectively dealt with, it is important that both member(s) and the staff have a clear understanding of how matters are dealt with and what we can expect of each other.

Industrial Officers commit to:

- Triage all industrial enquiries that are made by members and make contact within 1 working day.
- Listen and explore the matter with the member thoroughly.
- Ensure each matter is allocated to the person best placed to assist the member.
- Maintain confidentiality on all matters dealt with – and only make representations on behalf of members with their consent.
- Research all available documentation and resources in order to provide a response.
- Communicate with the member on a regular basis providing weekly updates.
- Pursue the matter until a reasonable conclusion has been reached.

Members commit to:

- Take all reasonable steps to try and resolve their matter before submitting an industrial enquiry to the Union. For example:
 - o If you believe you have been underpaid, first contact Payroll and seek further clarification before contacting the Union Office.
 - o If appropriate, consult with Station Delegate, SCOM representative or Organiser.
- Have collated all relevant documentation pertaining to the matter. For example:
 - o Payslips
 - o Time sheets
 - o Correspondence from FRNSW
- Preferably provide a detailed description of their matter via the industrial enquiry as to ensure the Industrial Officer assigned to your matter has as much information as possible from the beginning.
- Providing truthful information to the Industrial Officer throughout the duration of your matter.
- Once a course of action is agreed, follow the verbal and/or written advice the Industrial Officer provides
- Understand the Industrial Officer is dealing with other member issues and refrain from excessive contact. Industrial Officers will contact the member directly with at least weekly updates.

Discontinuance and Cessation of Support

The Union will carefully assess each matter on its individual merits. After discussion with the member, we will advise of the appropriate course of action in relation to the matter. However, there may be situations in which the Union will discontinue its service to the member including:

Frivolous or unlawful matters:

The Union reserves the right to determine the level and extent of the services that will be provided in respect of each individual case. As such, the Union reserves the right to not pursue any matter which we believe to be damaging to the broader membership and union, unwinnable, unreasonable, lacking in substance, unlawful, frivolous or vexatious.



Respectful behaviour

The Union reserves the right to withdraw or limit representation of members whose behaviour makes it difficult or impossible for the Union to effectively handle the matter. Examples include but are not limited to:

- Not providing the Union with all relevant information (including lying or omitting important information).
- Seeking alternative advice and representation simultaneously to receiving assistance from the Union and/or failing to disclose legal advice prior to approaching the Union for assistance.
- Refusing to accept a reasonable offer of settlement to resolve a matter
- Being abusive to union staff or officials.
- Ignoring or acting contrary to the advice provided to the member.
- Making unreasonable demands or expectations on Union staff.

Member complaints

Members have the right to make a complaint about the way in which their matter has been dealt with. Should members have concerns about the way in which any matter has been dealt with they can make a complaint to the State Secretary at office@fbeu.net. All complaints will be considered and responded to within 14 days.