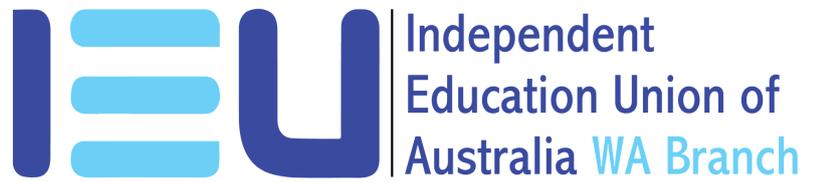


INDUSTRIAL ASSISTANCE POLICY



1. The Independent Education Union of Australia WA Branch (IEUA WA Branch) is a collective member organisation. Industrial advice and assistance is only provided to members.
2. The IEUA WA Branch aims to provide the highest quality advice, advocacy and professional representation in relation to industrial (work-related) matters that occur at the workplace on an equal basis to all IEUA WA Branch members.
3. The resources of the IEUA WA Branch are limited and decisions as to the level of resourcing provided to an individual member or group of members will be made in the context of what is also reasonable in balancing the needs of the membership as a whole.
4. Ordinarily the IEUA WA Branch industrial staff will provide advice and assistance. External advisers may be utilised at the Branch Secretary's discretion.
5. Should a member choose to not follow the advice given, or choose separate representation, they will bear their own legal costs for that separately sourced advice and/or representation.
6. As a general legal principle, the IEUA WA Branch will cease to act where a member engages independent legal counsel.
7. The IEUA WA Branch does not provide legal advice or support in civil or criminal proceedings in any circumstances.
8. Membership does not automatically entitle a member to legal representation in the Fair Work Commission, Western Australia Industrial Relations Commission or other jurisdiction. Each case is assessed on its merits by the Branch Secretary, taking into account the:
 - a) prima facie evidence presented;
 - b) reasonable prospect of success; and
 - c) complexity and gravity of the matter.
9. Where external legal representation is engaged to conduct a matter the following rules apply:
 - a) The IEUA WA Branch maintains decision making power over the conduct and direction of the matter, including the decision to withdraw or discontinue the matter in proceedings;
 - b) Should a member choose to not follow the advice given, or choose separate representation, they will bear their own legal costs and the IEUA WA Branch and the external legal representation acting for the IEUA WA Branch will withdraw;
 - c) The IEUA WA Branch may cap the costs of legal representation, beyond which the member will bear the legal costs.
10. The Branch Secretary may determine that the IEUA WA Branch will cease providing support and assistance in circumstances where the Branch Secretary considers it appropriate, including, but not limited to, circumstances where the member:
 - a) harasses, bullies or is rude or aggressive towards IEUA WA Branch staff;
 - b) fails to provide information reasonably requested; or
 - c) does not accept or fails to act according to the advice provided.
11. When a member has a workplace issue that has developed since the member became a financial member, they shall be entitled to support, advice and assistance.
12. When a financial member has a workplace issue, which caused the member to no longer be employed in the non-government education or training sector, the member must maintain their financial membership and they will continue to be provided with advice and assistance in relation to that matter.
13. Subject to Clause 15 below, when a member seeks advice and/or assistance with a workplace issue that arose prior to them becoming a financial member of the IEUA WA, limited verbal advice only will be provided in relation to that issue.

Independent Education Union of Australia WA Branch

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INDUSTRIAL ASSISTANCE POLICY

14. Non-members who phone or email the IEUA WA Branch requesting advice may be provided with limited information on one occasion, at the discretion of the Branch Secretary.

15. If the Branch Secretary decides that a member who joined with a pre-existing issue be provided with advice and/or assistance in relation to that issue, prior to that advice and/or assistance being provided, the member shall pay to the IEUA WA Branch a minimum three months' union fees in arrears. The Branch Secretary will determine the extent of advice and/or assistance, any conditions and the amount of fees in arrears on a case-by-case basis.

16. There is an expectation that new members who join with a pre-existing issue and are provided with advice and/or assistance are advocates for their union.

17. Clause 13 does not apply to a member in their first three months of the profession. In other words, advice will be provided to a member who joined with a pre-existing issue in their first three months of the profession.

18. Members who have become temporarily unfinancial must pay all outstanding fees due before industrial advice and assistance will be provided.

Definitions

Advice and Assistance

This means advice on workplace industrial issues; assistance with preparation of correspondence, advocacy and representation in workplace negotiations; and legal proceedings where it is considered appropriate.

Limited advice

This means the advice is limited to verbal advice. No written advice, representation or advocacy will be provided.

Financial member

A person who has joined IEUA WA Branch and has paid all membership fees in accordance with the Rules of the IEUA WA Branch.

Non-member

A person who has not joined or has ceased to be a member of the IEUA WA branch.

Unfinancial member

A person whose membership fees have not been paid.

Your Union negotiates on your behalf to improve your salaries and working conditions.

We employ expert industrial officers who:

- assist with collective bargaining for improved salaries and conditions;
- provide confidential advice – your union office handles a large number of industrial queries on a daily basis; and
- offer representation – professional representation on any matter pertaining to your employment.

Union delegates, organisers and industrial officers empower workers to act collectively to build power and use it to improve working conditions and salaries and advocate for workers in the area of health and safety at work.

Being a union member gives you access to expert and timely industrial advice and support through our industrial officers and industry partners.

JOIN TODAY: ieuwa.org.au/join-now

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