

# KNOW YOUR RIGHTS

## DELEGATES' RIGHTS

August 2024

### Who are 'delegates'?

Recent amendments to the Fair Work Act give new rights to union members who are union delegates. In the IEU context, a delegate is an IEU rep who:

- is elected or appointed to be an IEU rep according to IEU rules; and
- has notified their employer of their election or appointment to the role.

### Rights

Entitlements under the Act	Examples in practice
Reasonable communication with members and potential members (non-members)	<ul style="list-style-type: none"> <li>• Discussing the benefits of IEU membership with colleagues</li> <li>• Discussing IEU campaigns or enterprise bargaining updates (NewsExtras)</li> <li>• Using work email to communicate union issues and campaigns</li> <li>• Distributing membership forms or leaflets</li> <li>• Posting notices on a designated noticeboard</li> </ul>
Right to represent the industrial interests of members	<ul style="list-style-type: none"> <li>• Attending a meeting with the employer about minor disciplinary matters as a support person for a union member</li> <li>• Attending consultation meetings due to a restructure or major workplace change</li> <li>• Participating in enterprise bargaining</li> </ul>
Access to workplace and workplace facilities	<ul style="list-style-type: none"> <li>• Union noticeboard (physical or electronic)</li> <li>• Access to a private and accessible room for a meeting</li> <li>• Use of electronic communications normally used, such as email and access to wi-fi</li> </ul>
Reasonable access to paid training time during working hours for workplace delegate training	Attending IEU Reps' Training session during normal working hours

### Protections

Protections from Adverse Action (for example, dismissal)	Effect
Employers are prevented from unreasonably refusing to engage with the rep	Recognition of the role of the IEU rep or delegate
Employers are prevented from hindering or obstructing exercise of the rep's rights	Ensuring your rights are protected and can be exercised
Employers are prevented from knowingly or recklessly making false or misleading statements to the rep	Ensuring integrity in participation in industrial representation by delegate

**Any questions? Contact your organiser or call the IEU on 02 8202 8900 and ask for the Duty Officer**

Authorised by Carol Matthews, Secretary, IEUA NSW/ACT Branch

