Workplace Relations Policy (MPF1179)

RELEVANT LEGISLATION

*Fair Work Act 2009* (Cth)

SCOPE

This policy applies to all staff at the University.

POLICY

1. Managing change

1.1 The University will seek feedback from and consult with affected staff, in accordance with the University of Melbourne Collective Agreement 2010, when considering a major change which may have significant effects on its staff.

1.2 Nothing in the feedback or consultation processes in this policy or related procedures constitutes a power of veto over the University's decision making process.

2. Industrial action

2.1 Participating in industrial action other than *protected industrial action* under the *Fair Work Act 2009* (Cth) is unlawful.

2.2 Attendance at union meetings, protests or demonstrations during working hours, outside of a lunch break, is considered industrial action and will result in a commensurate salary deduction.

2.3 Staff are expected to attend the University during an external industrial action occurrence unless informed by the head of department that they are not required.

2.4 Action authorised by the University is not deemed industrial action.

2.5 The failure to perform work due to a justifiable and reasonable concern about an imminent risk to health or safety is not deemed industrial action.

RELATED DOCUMENTS

- Workplace Relations Procedure
- HR43 Staff Participation in Industrial Action
- University of Melbourne Collective Agreement 2010
- Change Management Resource Kit

DEFINITIONS

Consultation

Is a bona fide opportunity to influence the decision maker and requires the decision maker to give genuine consideration to, and take account of the views of staff and the relevant unions and any alternatives proposed during the consultation period. It does not give staff or unions a right to joint decision making.

Industrial action

Participating in action as defined by the *Fair Work Act 2009* (Cth).

External industrial action

Industrial action outside the University which affects University staff and the
University’s normal operation, e.g. power, public transport.

Major change
Refers to changes the University is proposing to: the services it provides (including contracting out), administrative methods or structure, the structure of the academic year, the organisation, forms of employment and/or application of technology that may have “significant effects” (as defined on staff).

Significant effects
Significant effects on staff includes: termination of employment; major changes in the composition, operation or size of the University's work force or in the skills required; the elimination or diminution of job opportunities or job tenure; the alteration of hours of work; the need for retraining or transfer to other work or location; and the restructuring of jobs.

Unions
Unions who are party to The University of Melbourne Collective Agreement 2010 who have coverage of the staff referred to in the application of this policy.

RESPONSIBLE OFFICER
The Executive Director, Human Resources is responsible for the development, compliance monitoring and review of this policy and any associated guidelines.

IMPLEMENTATION OFFICER
The Director, Employee Relations and Equity is responsible for the promulgation and implementation of this policy in accordance with the scope outlined above. Enquiries about interpretation of this policy should be directed to the Implementation Officer.

REVIEW
This policy is to be reviewed by 30 June 2015.

VERSION HISTORY

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<tr>
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<td>1</td>
<td>Senior Vice Principal</td>
<td>27 July 2012</td>
<td>27 July 2012</td>
<td>New version arising from the Policy Simplification Project. Loaded into MPL as Version 1.</td>
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<td>2</td>
<td>Vice-Principal Administration &amp; Finance</td>
<td>21 May 2015</td>
<td>4 Jan 2016</td>
<td>Fix broken links in Related Documents section.</td>
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