



# Workplace Relations procedure

## Section 1 - Preamble

(1) This Procedure is effective from 18 December 2018.

## Section 2 - Purpose

(2) This Procedure supports the effective resolution of workplace relations matters in accordance with the [Deakin University Enterprise Agreement 2017](#)(EA) and relevant policies and procedures.

## Section 3 - Scope

(3) This Procedure applies to all staff of the University unless otherwise excluded in the [EA](#).

## Section 4 - Policy

(4) This Procedure is pursuant to the [Workplace Relations policy](#).

## Section 5 - Procedure

### Staff consultation (major workplace change)

(5) All major workplace change will be conducted in accordance with clause 58 of the [EA](#).

(6) Where a manager is considering major workplace change (see clause 58.2 and 58.3 of the [EA](#)), the manager must first consult with their Head of Organisational Unit and seek advice from the Human Resources Division (HRD).

(7) Major workplace change proposals require the endorsement of the Head of Organisation Unit and the approval of the Vice-Chancellor (or nominee).

(8) Following approval of a major workplace change proposal, the manager, in consultation with HRD, will arrange to consult with staff members likely to be affected by the proposed change and with the National Tertiary Education Union (NTEU) as per clause 58.5 of the [EA](#).

(9) Affected staff will be provided with relevant material and documentation and given an opportunity to provide feedback to the proposed major workplace change in accordance with clauses 58.6-58.9 of the [EA](#).

### Protected industrial action

(10) The University acknowledges that staff may participate in protected industrial action in accordance with the [Fair Work Act 2009 \(Cth\)](#).

(11) Staff must notify their managers prior to their absence to participate in protected industrial action to enable

arrangements to be made to meet the operational requirements of their work area.

(12) Staff who are absent from work to support protected industrial action will have their pay deducted for the time they are absent.

(13) Staff who attend a meeting coordinated by a staff representative group during working hours will have their pay deducted, except where they attend such meetings during their lunch break, or where the Executive Director, Human Resources has notified staff they may attend a meeting on a paid basis.

(14) During protected industrial action, staff members must behave reasonably and in accordance with the [Code of Conduct](#).

(15) Staff will report inappropriate behavior during any period of protected industrial action to their manager. Such reports may result in disciplinary action in accordance with the [Staff Discipline policy](#).

(16) Where staff are unable to enter the campus or University buildings due to protected industrial action, they must contact the relevant manager, who will provide them with appropriate advice.

(17) Staff may call the police to deal with incidents where an unlawful action has occurred, or has been alleged to have occurred.

### **Independent reviews of decisions to demote or terminate employment**

(18) Where the University has made a decision to terminate or demote a staff member (under clause 65 or 66 of the [EA](#)), or in the case of an Academic staff member a decision to not confirm probation, the staff member may seek a review of the decision in accordance with clause 67 or clause 22.9-22.15 (respectively) of the [EA](#).

## **Section 6 - Definitions**

(19) For the purpose of this Procedure:

- a. major workplace change: changes in organisation, structure or technology that are likely to have significant effects on staff.

## Status and Details

|                               |  |
|-------------------------------|--|
| <b>Status</b>                 | Current  |
| <b>Effective Date</b>         | 18th December 2018   |
| <b>Review Date</b>            | 18th December 2021   |
| <b>Approval Authority</b>     | Vice-Chancellor  |
| <b>Approval Date</b>          | 18th December 2018   |
| <b>Expiry Date</b>            | To Be Advised  |
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