



Australian Unemployed Workers' Union
Incorporated Association, ID: A0062673Z

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AUWU Safe Organisation Policies and Procedures

Overview and Scope

These policies and procedures are designed to make Australian Unemployed Workers' Union Incorporated Association (AUWU) a safe and welcoming organisation. A number of these items have been adapted from documents and templates offered by trusted organisations such as Volunteering Australia, NFP Law @ Justice Connect and the Commons Library, but this is a living document that should undergo continuous improvement to better reflect the values of AUWU.

The last revision was 23/09/22 and a review of these policies and procedures should be completed by 28/08/23. Feedback and suggestions are welcome, and please send these to the AUWU wellbeing officers via the internal.welfare@auwu.org.au inbox for consideration.

If you feel these policies have been contravened and the issue is non-urgent, please reach out to the Internal Welfare inbox to raise the issue. If you have an urgent matter requiring formal complaint or grievance processes, please see *Section 2.3* of this document.

AUWU is incorporated in Victoria and is therefore subject to applicable state and federal laws and takes these responsibilities seriously.

Definitions of AUWU personnel:

- An AUWU staff member is a person in an official position recognised by the AUWU constitution, or hired on an employment contract by the Committee of Management.
- An AUWU volunteer is a person holding an official volunteer position recognised by the AUWU Committee of Management.
- An AUWU member is a person holding official membership status approved by the AUWU Committee of Management.
- An AUWU wellbeing officer is a volunteer whose role is to ensure that this is a living document, permeating the Union's activities and instilling a culture of safety and respect.

Section 1. Policies

1.0 First Peoples' Justice

AUWU acknowledges the rightful Custodians of the lands on which it works and organises, collectively the Aboriginal communities of Australia, who share connections to Country maintained over tens of thousands of years. Sovereignty was never ceded, and this always was and always will be Aboriginal land. The ongoing brutality of colonial violence is readily observable in our welfare system, where various government programs precisely target Indigenous communities for surveillance, punishment and austerity. AUWU takes seriously its obligation to centre the lived experience and voices of First Peoples in our fight for better welfare conditions. AUWU pays its respects to Elders past and present, and stands with all First Peoples in their pursuit for justice and self-determination.

1.1 Code of Conduct

This code of conduct applies to all AUWU staff, volunteers and members of the AUWU. It covers behaviour and conduct within and outside of AUWU spaces between AUWU staff, volunteers and members and between these parties with the public at large. The code of conduct is designed to set and maintain the standards of behaviour that will ensure everyone involved in AUWU activities can interact safely and in good faith, and to preserve the trust the Union has earned from the community to provide our vital services.

Breaches of this code of conduct may be considered by the Committee of Management to be a violation of rule 19 of AUWU's Constitution, and could result in disciplinary action, e.g. ranging from cessation of volunteer involvement in a project or as severe as expulsion from the Union.

1. All AUWU staff, volunteers and members are expected to understand and support AUWU's constitutional purposes of association and guiding principles (more information can be found at <https://auwu.org.au/constitution>):
 - a. Purposes of association:

The Australian Unemployed Workers' Union is established to be a charity whose purpose is to advance social or public welfare and to alleviate poverty or disadvantage by:

- *engaging in individual advocacy, including the provision of a free national hotline and other information resources, to assist unemployed workers and welfare recipients to protect their rights and dignity while engaging with the welfare system and in accessing other support services*
- *engaging in systemic advocacy and campaigns to improve the rights and dignity of unemployed workers and of welfare recipients*
- *facilitating the collective action of unemployed workers and welfare recipients to engage with Australian society in advancing and protecting their rights and dignity*

- b. Guiding Principles
 - i. *Solidarity*
 - ii. *Equality*
 - iii. *Social Justice*
 - iv. *Diversity*
 - v. *Democracy*
 - vi. *Independence*
 - vii. *Dignity*
 - viii. *Respect*
2. All AUWU staff, volunteers and members are expected to understand and comply with all other AUWU policies and procedures in this document, and any others found at <https://auwu.org.au/org-policies>.
3. While in AUWU spaces, or while dealing with other AUWU staff, members, volunteers and various parties involved with AUWU activities externally to AUWU spaces:
 - a. All AUWU staff, volunteers and members are obliged to treat others with respect, and must not communicate or behave in any way which constitutes discrimination, bullying, harassment or illegal conduct.
 - b. The above applies to all AUWU staff and volunteers who associate themselves (or may reasonably be associated) with the Union on social media or on other communication channels.
4. All AUWU volunteers must sign a volunteer agreement prior to commencing volunteer activities (or as soon as is practicable if an officeholder grants one-off permission at the start of your volunteering). This agreement can be obtained by emailing secretary@auwu.org.au with a description of the volunteer work you are performing, and the name of the AUWU staff member or volunteer you are working most closely with.
5. All AUWU staff and volunteers in supervisory roles must plan, and dedicate, appropriate time to ensure the care and wellbeing of AUWU persons involved in their work.
6. All AUWU staff, volunteers and members must seek permission from (one of) an AUWU Committee of Management member, Communications Coordinator, or a delegated Media Officer, before communicating to the media as an official representative on behalf of AUWU.
7. All staff, volunteers and members representing AUWU in any public or official capacity must pay particular attention to their conduct with respect to rules 1) and 2) and must also not:
 - a. Misrepresent their role in the union, or their authority to act on behalf of AUWU.
 - b. Provide incorrect or confusing information.

1.2 Access, Inclusion and Affirmative Action

AUWU supports the objectives of all applicable equal opportunity and employment laws that deal with discrimination and harassment, including:

- *Age Discrimination Act (Commonwealth) 2004*
- *Australian Human Rights Commission Act (Commonwealth) 1986*
- *Disability Discrimination Act (Commonwealth) 1992*
- *Racial Discrimination Act (Commonwealth) 1975*
- *Sexual Discrimination Act (Commonwealth) 1984*

Over and above our legal obligations, AUWU is committed to affirmative action to ensure and promote equitable access and inclusion, both in the workplace and in the delivery of its services and projects. We make particular note of the widespread societal discrimination faced by people who are culturally and linguistically diverse, gender diverse, sexually diverse, living with disability, and who are on low incomes.

AUWU is committed to taking steps wherever possible to facilitate the access and inclusion needs of everyone. All AUWU staff, volunteers and members are expected to share a serious commitment to this policy.

1.3 Equal Opportunity

AUWU recognises that discrimination in employment hiring practices has caused harm to many groups marginalised by our society, and that this is a direct cause of long-term unemployment.

AUWU supports the objectives of the *Victorian Equal Employment Opportunity Act (2010)* and all AUWU staff, volunteers and members are also expected to support these objectives in considering and providing opportunities within AUWU.

1.4 Anti-Sexual Harassment

Under the *Victorian Equal Opportunity Act (2010)*, the term 'sexual harassment' means:

- *making an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person, or engaging in any other unwelcome conduct of a sexual nature in relation to another person,*
- *in circumstances where a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.*

The term 'conduct of a sexual nature' can include:

- *subjecting a person to any act of physical intimacy*
- *making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in their presence, or*
- *making any gesture, action or comment of a sexual nature in a person's presence*

Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

Sexual harassment applies to an AUWU context when it happens at an AUWU workplace, at AUWU-related events, between people sharing AUWU spaces, and in certain circumstances between AUWU colleagues outside of the workplace. All persons have the same rights and responsibilities in relation to sexual harassment.

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated. Comments and behaviour that do not offend one person can offend another. All incidents of sexual harassment – no matter how large or small or who is involved – require organisation

personnel to respond quickly and appropriately. This policy requires all AUWU staff, volunteers and members to respect other people's boundaries.

If you have been made to feel uncomfortable in an AUWU space, or by a person involved with AUWU, you can always get in touch with the wellbeing officers via the internal.welfare@auwu.org.au inbox for guidance and help on non-urgent issues which do not pose an immediate risk to your safety, or to the safety of others.

If at any time you believe behaviour covered under this policy has an immediate risk to your safety, or to the safety of others, please use the procedures outlined in *Section 2.3* to make a formal complaint.

1.5 General Anti-Bullying and Anti-Harassment

Bullying and harassment are not tolerated in AUWU's workplace or in any venue where its services are delivered. All staff, volunteers and members share responsibility for ensuring that the AUWU's workplace is free from bullying and harassment. Disciplinary action or termination may result from inappropriate behaviour.

If you have been made to feel uncomfortable in an AUWU space, or by a person involved with AUWU, you can always get in touch with the wellbeing officers via the internal.welfare@auwu.org.au inbox for guidance and help on non-urgent issues which do not pose an immediate risk to your safety, or to the safety of others.

If at any time you believe behaviour covered under this policy has an immediate risk to your safety, or to the safety of others, please use the procedures outlined in *Section 2.3* of this document to make a formal complaint.

1.6 Anti-Spying

Members must not engage with other members for the intended purpose of spying on them.

All AUWU staff, volunteers and members must refrain from making audio or visual recordings of people involved with the AUWU without their consent. It is generally illegal to do so in most states and territories, but this policy even applies in state or territory jurisdictions where such an act may be legal (the policy does not apply to legal exceptions related to matters of safety and wellbeing).

Communications shared between AUWU members on any platform not open to the general public should be considered privileged communication, and is not to be disclosed to third parties external to the Union or publically, unless:

- the individual has consented.
- the individual would reasonably expect, or has been told, that information of that kind is usually passed on to a given third party (for example, but not limited to, if information is being gathered as part of an investigation and a person has been informed of this).
- it is required by law.
- it will prevent or lessen a serious and imminent threat to somebody's life or health.

1.7 Risk Minimisation

The nature of our work means we will be organising with a significant number of people who are living in vulnerable circumstances. AUWU staff and volunteers in officeholding or supervisory roles are therefore expected to share a commitment to risk assessment and minimisation, and to adhere to the risk management procedures outlined in *Section 2.0* of this document.

1.8 Continuous Improvement

All AUWU staff, volunteers and members are expected to share a commitment to ongoing training and development, including attending provided training whenever possible and especially when advised to do so by team leaders.

AUWU staff and volunteers in leadership positions are expected to provide appropriate and useful training opportunities regularly, and to create these offerings in line with AUWU's policy on *Access, Inclusion and Affirmative Action*.

1.9 Safe Meetings and Decision Making

Meeting spaces of the AUWU must be safe places for all. All AUWU staff, volunteers and members are expected to familiarise themselves with, and make every effort to adhere to, the "Safe Meeting Procedures" outlined in *Section 2.1* of this document.

All decisions in AUWU are encouraged to be made by consensus such that they advance one or more of AUWU's purposes of association, and in accordance with AUWU's guiding principles (found at <https://auwu.org.au/constitution>).

Bodies or working groups of AUWU working together in good faith with mutual understanding and respect will mostly reach consensus decisions informally. Such decisions can be recorded more simply as "by consensus" in the meeting minutes, and formal decision-making procedures will not apply.

Where sustained disagreements occur on a proposed decision, bodies or working groups of AUWU are required to use the procedure outlined in *Section 2.2* of this document to make those decisions [except where this procedure conflicts with decision-making processes to which the AUWU is legally bound by its Constitution and the *Associations Incorporation Reform Act 2012* (Vic)].

Collectively, these procedures are intended to foster a culture of safe and democratic consensus decision-making in our Union meetings.

1.10 Resolution of Internal Grievances

If any AUWU staff, volunteers or members feel they have cause for complaint regarding their treatment within the organisation, they may seek resolution via the formal grievance process outlined in *Section 2.3.2* of this document. Every effort should be made to solve problems cooperatively and informally before escalating them. *Note:* This policy and procedure does not

necessarily apply to issues of harassment, for which formal complaint procedures are outlined in *Section 2.3.1* of this document.

All formal avenues for handling of grievances will be fully documented, and the wishes of the staff, volunteers or members involved will be taken into account in the determination of appropriate steps and actions. All complaints will receive thoughtful consideration in a timely manner. Discussions held are confidential.

Staff, volunteers and members are assured they will not be disadvantaged by the use of these procedures whether decisions are found for, or against, their grievance.

The following formal process outlines how a grievance should be handled procedurally in AUWU. At any time, those engaged in this process are welcome to seek outside assistance to help them undertake this process.

The procedure in *Section 2.3.2* procedure applies to all AUWU members according to the AUWU Constitution, and the mediation portions of this procedure are extended by this policy to apply to all other staff and volunteers who have not yet applied for formal membership.

Section 2. Procedures

2.0 Risk Management Procedures

2.0.1 Risk Management Register

Regular risk assessments of Union activities must be undertaken and entered into the Union's "Risk Management Register". It is the responsibility of the Committee of Management to decide the risk management process so as to minimise administrative burden, and to support staff and volunteers to undertake these processes.

2.0.2 Vetting of Candidates for Authority Positions

Due diligence and vetting of candidates (appointed or elected) must be undertaken for roles recognised by the Committee of Management as officeholding or supervisory roles. Any due diligence process must be designed to minimise any burden on candidates, and be conducted in accordance with AUWU's policy on *Access, Inclusion and Affirmative Action*.

This process can include, but is not limited to, some combination of:

- Application process
- Interview
- Reference check
- National police background check (for senior positions only, e.g. coordinator roles)

In the event that any due diligence process results in the Committee reasonably believing that a given candidate may pose an unacceptable safety risk to others, it must accurately document these reasons in an officially minuted Committee of Management meeting and use appropriate discretion in rejecting the candidate.

2.0.2.1 National police background check (pending vote to approve process)

AUWU acknowledges that the background check measure is imperfect – police records often reflect an unjust society. This measure is in place because of the nature of our work, which interacts with many people who are living vulnerably, and we have a responsibility to ensure persons in positions of greater authority in AUWU will not pose a risk to others. A past offence is not a disqualifier from having a role in AUWU, but the Committee must have considered the offence, have discussed it with the applicant, and be satisfied in light of this context that the applicant will not pose a safety risk to others.

It is the responsibility of the AUWU Committee of Management when this measure is undertaken to ensure appropriate questions only are asked regarding any past offences which may make them unsuitable to hold authoritative power within the Union, and to fairly consider answers rendered by the applicant to explain the circumstances, as well as rehabilitation since the offence.

Note: As agreed at the Special General Meeting of 18/09/2022, police background checks will only be conducted in this manner after an exact process for their handling is presented and voted on by the membership at a General Meeting of the Union.

2.0.3 Committee of Management Candidates

As these policies do not override the current AUWU Constitution, it is expected that candidates for election to the Committee of Management will voluntarily undergo a due diligence process prior to each General Meeting or special Committee meeting where candidates are elected/appointed. The details of this due diligence process must be published by the Committee of Management in the notice of General Meeting or Positions Vacant notice sent to members. Deliberations regarding the outcomes of these processes must be accurately documented in an officially minuted Committee of Management meeting.

Outcomes of “satisfactory” or “unsatisfactory” will be notified to candidates as soon as possible prior to the relevant General or Committee Meeting. These outcomes of “satisfactory” or “unsatisfactory” will be published next to each name on the list of candidates for members to consider when voting. Committee candidates who have not undergone this process will automatically receive an outcome of “unsatisfactory”.

2.0.4 Collaboration with External Organisations

Collaborations with external organisations must occur in line with our safe organisation policies and procedures. Work with other organisations must, in addition to appropriate risk assessment, involve a dedicated AUWU liaison to work with a given external organisation to ensure our personnel are treated well by that organisation. The role of this liaison is to ensure external organisations adhere to our policies in their dealings with persons involved with the AUWU, and to be a contact point for anyone having issues with how they are being treated by that organisation.

2.1 Safe Meeting Procedures

This procedure is intended to ensure AUWU meeting spaces are safe, inclusive and welcoming spaces for all AUWU staff, volunteers and members.

1. Meetings and workshops of AUWU are to be conducted using the following safe meeting procedures, and unless explicitly stated that the meeting is open, are confidential. This includes phone-based meetings and online meetings, and applies to invited guests as well as to members and volunteers of the AUWU.
2. Meeting facilitator standards:
 - a. There should, where possible, always be a facilitator and an assistant to prepare, facilitate and minute the meeting.
 - b. The facilitator should communicate the time, location and the agenda of the meeting with sufficient notice and give appropriate preparation instructions to participants.
 - c. In larger meetings, another assistant should be appointed to keep a timed speaking list, with time limits per contribution clearly stipulated and adhered to;
 - d. The pivotal role of meeting facilitation is the key to the successful functioning of meetings. Ideally, the facilitator will be trained and experienced in meeting facilitation. All AUWU volunteers, staff and members are encouraged to obtain this experience in the regular facilitator training sessions, provided under AUWU’s *Continuous Improvement* policy.
 - e. The facilitator should endeavour to actively listen to, and observe, the meeting and its participants in order to:

- i. monitor the flow of speaking and the general atmosphere of the meeting;
 - ii. facilitate decision making;
 - iii. maintain equitable input as much as possible while encouraging wide ranging discussion.
 - f. Good facilitation means that everyone can participate safely, and that clear decisions are reached.
 - g. The meeting facilitator should:
 - i. foster a friendly, open, and participative culture by welcoming people to the meeting with an Acknowledgment of Country and First Nations Elders, and conducting an introduction round that gives everyone the opportunity to establish their pronouns and acknowledge the Rightful Owners of the Land on which they meet;
 - ii. draw all participants' attention to these meeting procedures at the beginning of each meeting;
 - iii. inform participants with plenty of notice if a meeting is to be recorded;
 - iv. ensure that all those in attendance are either AUWU members, volunteers or invited guests;
 - v. prepare for the meeting by familiarising themselves with the agenda;
 - vi. anticipate the need for refreshments and breaks;
 - vii. make sure the room is set up so that all participants can see and hear each other easily;
 - viii. make sure that all other accessibility needs of participants have been facilitated as best they can;
 - ix. sit at the end of the table in in-person meetings so that all attendees can see the facilitator, and they can see everyone present;
 - x. make space for anyone in a supporting role to sit near the facilitator in an in-person meeting;
 - xi. encourage all participants to feel acknowledged, safe, and comfortable to contribute
 - xii. explain processes and procedures whenever doubts or concerns arise;
 - xiii. not give speaking rights to individuals who have previously contributed on a topic ahead of others who have not yet spoken but indicate they wish to speak;
 - xiv. ensure that participants are aware that speaking list privileges are progressive - that is, where discussion topics relate to a person's lived experience and expertise that their speaking time is prioritised and larger than that of others;
 - xv. schedule at least a 10-minute break every hour in meetings which run longer than one hour;
 - xvi. monitor tension/tiredness/hunger levels and call extra breaks as necessary;
 - xvii. only continue meetings longer than an hour by reaching consensus with the meeting participants after the scheduled break.
 - h. When significant discussions take place around a matter in which the facilitator wants to play a major role, or if the facilitator has an actual or perceived conflict of interest in a matter, the assistant will become the facilitator until discussion of that matter is finished.
 - i. Where sensitive discussions have taken place, it is the role of the facilitator and any assistants to debrief/evaluate after (or if appropriate, during) the meeting and ensure the welfare of all participants.
3. Decision-making procedures:

- a. Where possible, decisions made in meetings of AUWU bodies should be reached by consensus according to the AUWU *Decision Making* policy.
 - b. A meeting participant may ask the facilitator to consider leading a consensus decision-making process on any item, and if this request is rejected the meeting facilitator or their assistant must record the request and the reason for why it was rejected (e.g. determined to be discretionary or not requiring collective assent because [reason]).
4. Meeting participants and attendees are expected to:
- a. come in good faith;
 - b. come to make decisions in the best interests of the AUWU;
 - c. have the intention of reaching consensus in all decisions and talking through all substantive issues prior to taking votes;
 - d. have goodwill and respect towards all participants and their contributions;
 - e. not conflate debate with personal grievances;
 - f. be honest;
 - g. refrain from verbal interjections;
 - h. leave the meeting space (in online meetings turn off camera and/or microphone) when undertaking any activity which could distract the meeting;
 - i. inform the meeting facilitator if someone who is not a recognised AUWU member, volunteer or invited guest can hear or see the meeting (this can be done privately in sensitive situations).
5. Meeting safety can be maintained by:
- a. adhering to the AUWU *Code of Conduct*, and all other policies included in this document;
 - b. fostering a participative culture by welcoming people to the meeting with a meaningful Acknowledgment of Country and First Nations Elders, and conducting an introduction round that gives everyone the opportunity to establish their pronouns and acknowledge the Rightful Owners of the Land on which they meet;
 - c. keeping and respecting a clear and accessible progressive speaking list which:
 - i. gives increased priority and share of speaking time to people speaking about their lived experience or expertise on an issue;
 - ii. gives increased priority and share of speaking time generally to people in more marginalised groups;
 - d. respectful interactions between participants;
 - e. avoiding aggressive verbal or non-verbal interactions;
 - f. separating the person from the problem at hand;
 - g. preparing for the meeting as instructed in the meeting notice sent by the facilitator;
 - h. ensuring contributions made in good faith are valued;
 - i. listening actively;
 - j. contributing new information or considered opinions;
 - k. all participants being encouraged to contribute;
 - l. participants addressing the issue at hand;
 - m. participants speaking with brevity.
6. Meeting safety can be breached by:
- a. breaking the AUWU *Code of Conduct*, or any other policies included in this document;
 - b. participants speaking over each other;
 - c. participants requesting repeated opportunities to speak to the exclusion of others and/or in violation of the progressive speaking list policy;
 - d. distracting or derailing the meeting from its agenda;
 - e. explicit or implicit acts of intimidation towards other participants;
 - f. disrespectful or abusive language;

- g. unauthorised recording or filming any part of a meeting for later broadcast without the consent of the participants;
 - h. using online media to breach the confidentiality of the meeting or otherwise contravening the AUWU *Anti-Spying* policy;
 - i. briefing the media (unless explicitly authorised to do so).
7. It is the responsibility of the meeting facilitator and their assistant(s) to determine whether these safe meeting procedures (or other AUWU policies and procedures) have been breached. If a breach is missed by the facilitator or their assistant(s), then it is incumbent upon the participants to inform the facilitator, who will address the issue (and possibly the meeting attendees) as soon as possible.
 8. Responses within a meeting to breaches of safe meeting procedures or other AUWU policies and procedures rest at the discretion of the meeting facilitator, and include but are not limited to:
 - a. Asking the person to stop the inappropriate behaviour;
 - b. Asking the person to leave the meeting;
 - c. Allowing a right of reply to the subject of the inappropriate behaviour;
 - d. Stopping the meeting until respectful interactions are maintained (this can be requested of the facilitator by participants);
 - e. Strongly recommending the person refrain from attending future meetings;
 - f. Requesting the relevant body of the AUWU to consider the suitability of the person as a delegate to future meetings and report back to next meeting their decision;
 - g. The person being informed they are not welcome at future meetings;
 - h. Referring the matter to the Committee of Management for consideration.
 9. Should a grievance result from a breach of these procedures, parties involved are encouraged to engage with the *Resolution of Internal Grievances* policy.

2.2 Consensus Decision-Making Process

In line with the AUWU policy on “Safe Meetings and Decision Making”, bodies or working groups of AUWU are required to use this procedure to resolve any sustained disagreements requiring a decision.

Glossary of terms

Consensus: A state of general agreement among a group of people.

Proposed decision: Any proposal brought to the meeting which the meeting facilitator determines is non-discretionary, and will require use of this process to resolve disagreements and obtain the collective assent of that body or working group.

Meeting facilitator: The person leading the meeting to engage in discussion and make decisions.

Officeholder: A person recognised by the AUWU Committee of Management as having an officeholder position with the union.

Reaction: A meeting attendee’s opinion of the proposed decision. There are four categories of reaction for the purpose of this process:

- a. *Full support*: No significant issues which may impact your support for the proposal.
- b. *Neutrality*: You neither support nor object to the proposal.
- c. *Reservation*: You support the proposal in general, but have one or more significant issues that you would like to be addressed, and revised in the final proposal. Should your reservation not be addressed however, it is not significant enough that you would object to the proposal.
- d. *Objection*: You oppose the proposal fundamentally, or due to one or more major unaddressed issues that must be revised in order to gain your support.

1. **Facilitate:** Decision-making processes should be lead, wherever possible, by a trained and experienced facilitator in accordance with AUWU's *Safe Meeting Procedure* policy.
2. **Observe quorum:** At least three people involved with that body or working group of the Union must be present, including (if applicable) at least two officeholders. If there is no quorum, then the proposed decision can be discussed and revised to be determined at the next meeting where quorum occurs.
3. **Introduce:** The facilitator will briefly outline this procedure, and then present a summary of the proposed decision. A sample brief explanation is as follows:

"I will present an outline to introduce the proposed decision, and then open a speaking list with a brief time limit to hear and record your reactions to the proposal and your reasons. You can indicate whether you a) support the proposed decision, b) are neutral towards the proposal, c) have significant reservations you would like addressed but would still support the proposal even if unaddressed, or d) have an objection to the proposal, either on a fundamental level or by having major reservations that must be resolved in order for the proposal to gain your support.

Once I've recorded your reactions and reasons, I'll find our points of agreement and disagreement, and then lead a discussion to incorporate suggestions for improvements and revisions into the proposal.

I'll then record whether any reservations and objections remain unresolved. If we have reached consensus (no outstanding objections), then I'll record any unresolved reservations that we can hopefully continue to work on after the meeting, and consider the proposal agreed by consensus. If any objections remain, then we'll [table the discussion for next meeting/it will go to a $\frac{2}{3}$ majority vote because it is urgent]."

4. **Record reactions:** The facilitator will open a speaking list with a brief time limit; attendees can then express their reaction to the proposed decision, and an outline of the reasons for that reaction. This is not a venue for back-and-forth or new proposals/amendments. Record the reactions of all attendees on the speaking list in the meeting minutes.
5. **Clarify:** The facilitator will then find the points of agreement and difference in the reactions of the group. If no points of difference exist, then the facilitator may proceed directly to steps 8 and 9.
6. **Revise and improve:** The facilitator will lead the group to make revisions and improvements to the proposed decision based on reservations and objections expressed, and record them in the minutes. If these revisions require significant time to draft, then it is at this point that the procedure can be paused and deferred to the next meeting, pending these agreed revisions.
7. **Check reservations:** The facilitator will then ask the group if any reservations remain with the decision. The facilitator will record these reservations as "not yet agreed".
8. **Check objections:** The facilitator will then ask the group if any objections remain to the decision being made. If objections remain, the facilitator should attempt to repeat steps 4-8.
9. **Decide by consensus:** In order for a decision to be considered made by consensus, a final objections check should result in "no objections".
10. **Resolve gridlock:** If it is apparent that a repeat of steps 4-8 cannot result in a "no objections" consensus agreement, then the facilitator is encouraged to defer the proposed decision for the next meeting. Those concerned with the decision should work amongst themselves before that next meeting to resolve the recorded reservations and objections, and present a revised decision to be considered.
11. **Decide by $\frac{2}{3}$ majority:** If, at the discretion of the facilitator, a decision must be made urgently (e.g. a deadline exists before the next meeting, or step 10 still results in gridlock at the next meeting), then a simple vote on the proposed decision should be held,

requiring at least $\frac{2}{3}$ of votes in favour for the decision to be made. A $\frac{2}{3}$ majority decision should only be employed as a last resort, and the facilitator must record their reasoning for why the measure was necessary and any lessons learned which will result in consensus being reached in future decisions.

- 12. Finalise:** Once a decision has been adopted by consensus or by $\frac{2}{3}$ majority, it cannot be changed without reaching a new consensus or $\frac{2}{3}$ majority. If a new consensus or $\frac{2}{3}$ majority cannot be reached, the previous decision stands.

2.3 Complaints Procedures

2.3.1 Procedure for Making a Harassment Complaint

Note for Association Members: This procedure is offered in addition to, and is not a replacement of, the formal grievance and appeal process outlined in 2.3.2

AUWU takes seriously its positive duty and reporting obligations under the *Victorian Equal Employment Opportunity Act* (2010). Confidential disclosures can be made to the AUWU Committee of Management inbox, com@auwu.org.au or individually to any member of the Committee of Management, all of whom are listed at <https://auwu.org.au/constitution>.

The AUWU Committee of Management will ensure that all complaints are dealt with promptly and effectively on a case-by-case basis in line with our positive duty and reporting obligations, and with respect to the wishes of any victim-survivors. Action must be taken to ensure affected parties are safely supported through this process to minimise harm, to avoid victimisation, and to ensure that perpetrators are properly held accountable.

If your complaint is regarding one or more person(s) on the Committee, you can submit your complaint to the AUWU wellbeing officers via internal.welfare@auwu.org.au, who will refer the matter to the Committee on your behalf and ensure that the person(s) you have identified are not notified about, nor involved in any way in the handling of, your complaint.

2.3.2 Grievance Resolution Process for Association Members

The following table outlines the process of how grievances and appeals are resolved between Members and the Committee per the AUWU Constitution's Rules of Association.

Trigger	Action	Responsibility
<p>Per rule 25 of AUWU Constitution: an issue exists between a member and:</p> <ul style="list-style-type: none"> a) another member; b) the Committee; c) the Association. <p>Note: This trigger does not apply if the grievance is in relation to a matter which is already the subject of a formal disciplinary procedure.</p>	<p>Per rule 26: The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.</p>	<p>Involved parties</p>

Trigger	Action	Responsibility
Involved parties cannot resolve the issue amongst themselves.	Per rule 27(1)(a) and 27(1)(b): The parties must inform the Committee of Management via email to com@auwu.org.au of the dispute within 10 days, and request the appointment of a mediator by the Committee.	Involved parties Committee of Management
Committee of Management receives notification of dispute from involved parties.	Per rule 27(2)(a): Committee works with involved parties to select an agreeable mediator within 10 days. Per rule 27(3)(a) and 27(3)(b): A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who has a personal interest in the dispute or is biased in favour of or against any party.	Involved parties Committee of Management
Per rule 27(2)(b)(i): Agreement on a selection of mediator cannot be reached between parties not involving the Association itself or its Committee of Management.	The Committee appoints a mediator of its choosing. Per rule 27(3)(a) and 27(3)(b): A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who has a personal interest in the dispute or is biased in favour of or against any party.	Committee of Management
A mediator is selected.	Per rule 28, the Committee will ensure the mediator is informed that, according to the AUWU Constitution, in conducting the mediation they must give each party every opportunity to be heard, allow due consideration by all parties of any written statement submitted by any party, and ensure that natural justice is accorded to the parties throughout the mediation process. The mediator must not determine the dispute.	Committee of Management
Mediation instructions received by mediator.	Mediator works with all parties to agree a reasonable time for the mediation. If one or more parties does not engage in good faith, the mediator may choose a time which suits parties which have engaged in good faith.	Mediator Involved parties
The scheduled time for mediation arrives.	The mediator works with the involved parties to try to resolve the dispute. Per rule 27(1)(c), all involved parties must attempt to engage with the mediator's efforts in good faith.	Mediator Involved parties

Trigger	Action	Responsibility
The involved parties consider their dispute resolved by agreement with the mediator.	Mediator submits report of the mediation to Committee of Management detailing outcomes of the mediation, and any recommendations (note: this does not include a determination of the dispute). Committee acts on recommendations of report and debriefs with involved parties to ensure the resolution is safely facilitated.	Mediator Committee of Management Involved parties
The involved parties cannot resolve their dispute with the mediator.	Mediator submits report of the mediation to Committee of Management, detailing any outcomes of the mediation, and any recommendations (note: this does not include a determination of the dispute). Committee acts on recommendations of report and considers whether any disciplinary action under rule 19 of the Constitution might be pursued.	Mediator Committee of Management
The involved parties cannot resolve their dispute with the mediator.	As per rule 29, involved parties may seek to resolve the dispute in accordance with the <i>Associations Incorporation Reform Act 2012</i> (Vic), or otherwise at law.	Involved parties.

2.3.3 Grievance Resolution Process for non-member Staff and Volunteers

The following procedure is an amended version of the process laid out in *Section 2.3.2*, and only applies to grievances involving AUWU staff and volunteers who are not Association members. This process is not covered by the AUWU Rules of Constitution, and is offered in addition to that offered by the Association Rules.

Trigger	Action	Responsibility
AUWU committee, staff, volunteer, or member, has an issue with a non-member who is serving in an AUWU staff or volunteer role. This also applies in reverse (that is, it is the non-member who has an issue to raise). Note: This trigger does not apply if the grievance is in relation to a matter which is already the subject of a formal disciplinary procedure.	The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.	Involved parties
Involved parties cannot resolve the issue amongst themselves.	The parties must inform the Committee of Management via email to com@auwu.org.au of the dispute within 10 days, and request the appointment of a mediator by the Committee.	Involved parties Committee of Management

Trigger	Action	Responsibility
Committee of Management receives notification of dispute from involved parties.	<p>Committee works with involved parties to select an agreeable mediator within 10 days.</p> <p>A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who has a personal interest in the dispute or is biased in favour of or against any party.</p>	<p>Involved parties</p> <p>Committee of Management</p>
Agreement on a selection of mediator cannot be reached between parties not involving the Association itself or its Committee of Management.	<p>The Committee appoints a mediator of its choosing.</p> <p>A mediator appointed by the Committee may be a member or former member of the Association but in any case must not be a person who has a personal interest in the dispute or is biased in favour of or against any party.</p>	Committee of Management
A mediator is selected.	<p>The Committee will ensure the mediator is informed that in conducting the mediation they must give each party every opportunity to be heard, allow due consideration by all parties of any written statement submitted by any party, and ensure that natural justice is accorded to the parties throughout the mediation process.</p> <p>The mediator must not determine the dispute.</p>	Committee of Management
Mediation instructions received by mediator.	Mediator works with all parties to agree a reasonable time for the mediation. If one or more parties does not engage in good faith, the mediator may choose a time which suits parties which have engaged in good faith.	<p>Mediator</p> <p>Involved parties</p>
The scheduled time for mediation arrives.	The mediator works with the involved parties to try to resolve the dispute. All involved parties must attempt to engage with the mediator's efforts in good faith.	<p>Mediator</p> <p>Involved parties</p>
The involved parties consider their dispute resolved by agreement with the mediator.	Mediator submits report of the mediation to Committee of Management detailing outcomes of the mediation, and any recommendations (note: this does not include a determination of the dispute). Committee acts on recommendations of report and debriefs with involved parties to ensure the resolution is safely facilitated.	<p>Mediator</p> <p>Committee of Management</p> <p>Involved parties</p>

Trigger	Action	Responsibility
The involved parties cannot resolve their dispute with the mediator.	Mediator submits report of the mediation to Committee of Management, detailing any outcomes of the mediation, and any recommendations (note: this does not include a determination of the dispute). Committee acts on recommendations of report and considers whether any disciplinary action might be pursued.	Mediator Committee of Management
The involved parties cannot resolve their dispute with the mediator.	Involved parties may seek to resolve the dispute in accordance with the <i>Associations Incorporation Reform Act 2012</i> (Vic), or otherwise at law.	Involved parties.