



## Victorian Ambulance Union Incorporated – Membership Policy

### Purpose

1. The purpose of this Policy is to:
  - a. assist the Committee of the Victorian Ambulance Union Incorporated (VAU) when considering whether to accept or reject applications for membership under Part 3, Division 1 of the VAU Rules; and
  - b. establish the basis upon which Industrial Assistance will be provided to Members by the VAU in a manner consistent with the approach that would be adopted by an independent legal practitioner engaged by a person.
2. This Policy is to be read in conjunction with the VAU Rules as amended from time to time. To the extent of any inconsistency, the VAU Rules prevail.

### Membership

#### *Admission to membership (see Rule 10 of the VAU Rules)*

3. When considering applications for membership (Application), the Committee may reject an Application in the following circumstances:
  - a. the application does not comply with the rules;
  - b. the applicant has conducted themselves in a manner contrary to the terms of the application; or
  - c. the applicant is of general bad character.
4. Prior to rejecting Application on any of the grounds listed in clause 3, the Committee may provide the individual concerned with written notice of the proposal to reject their Application and invite a response.
5. No reason for the rejection of an Application need be given to the individual pursuant to rule 10(4) of the VAU Rules.

### Industrial Assistance

6. The VAU is committed to providing the highest quality advice, advocacy and professional representation in industrial matters on an equal basis to members of the VAU in accordance with this Policy.

#### **Eligibility for Industrial Assistance**

7. To be eligible for Industrial Assistance, members of the VAU must be Financial Members within the meaning of this Policy.
8. Industrial Assistance may be provided for an issue that first arose when they were a Financial Member.
9. Where a member experiences an industrial problem while they were a Financial Member of the VAU but is no longer eligible to be a member of the VAU, the member will continue to receive Industrial Assistance in relation to that industrial problem.
10. Except as provided in clause 9, no Industrial Assistance will be provided to an Unfinancial Member or Non-Member or to a Financial Member in respect of an issue that first arose prior to them becoming a Financial Member.



11. Notwithstanding the conditions of eligibility for Industrial Assistance in this Policy, the Secretary and/or the Executive may at his/her/their discretion:
  - a. grant a special exemption pursuant to which the restrictions upon the provision of Industrial Assistance contained in this Policy may be waived in whole or part;  
or
  - b. place conditions and/or limits upon the provision of Industrial Assistance.

### **Conditions of Industrial Assistance**

12. If a member is eligible to receive Industrial Assistance under this Policy, the member must:
  - a. tell VAU or its nominated representative openly and honestly everything relevant to their matter or issue, and any material change in their circumstances that might impact on their matter while the VAU acts for or represents them; and
  - b. fully co-operate with the VAU and do everything that the VAU reasonably asks in the conduct of their matter and in a timely manner, including giving the VAU all information necessary to provide them with Industrial Assistance.
13. The VAU may stop, or limit or impose conditions upon providing the member Industrial Assistance if it considers it appropriate, including but not limited to the following circumstances:
  - a. if they have not performed the obligations set out in paragraph 12 of this Policy;
  - b. if they have not given adequate instructions to enable the VAU to assist them within a reasonable time of being asked to do so;
  - c. if, in the VAU's reasonable opinion it appears that mutual trust and confidence no longer exists between the member and VAU;
  - d. if, in the VAU's reasonable opinion, continuing to represent them may breach practitioners' obligations governing legal practice or industrial representation;
  - e. further evidence, assessment or analysis of their matter indicates that it should no longer be progressed;
  - f. the member harasses, bullies or is aggressive or rude towards VAU employees;
  - g. there exists a conflict of interest or duty;
  - h. the member does not accept or fails to act according to the advice provided by VAU officers or employees;
  - i. to represent them or to continue to represent them would be contrary to the interests of the VAU; or
  - j. the costs and extent of the resources required to continue to represent the Member is in VAU's reasonable opinion disproportionate to the reasonable interests of the Member and the use of VAU's resources.
14. In accordance with normal legal principles, VAU will cease to act for members if they choose to engage independent legal practitioners to assist them.



## Definitions

For the purposes of this Policy:

- a. **Committee** means the Committee as defined in the VAU Rules;
- b. **Financial Member** means a person who is a member of the VAU and has paid the joining fee and all annual or periodic fees in accordance with the VAU Rules;
- c. **Industrial Assistance** means the provision of legal and industrial advice and assistance by VAU in relation to workplace and employment related issues, including but not limited to the preparation of correspondence on behalf of Members, the provision of advocacy and representation for members and/or the referral of a Member to external lawyers for assistance. It also includes instigation of and assistance with proceedings in courts and tribunals on behalf of members where this is considered appropriate by the Secretary or official with delegated authority. Referral to external lawyers will be on the basis that the member meets their own costs unless VAU approves some other arrangement in writing;
- d. **Independent legal practitioner** includes any legal practitioner commissioned directly by a member to assist them in relation to the particular issue about which assistance had been sought from the VAU;
- e. **Member** means a member of the VAU as defined in the VAU Rules;
- f. **Policy** means Victorian Ambulance Union Incorporated Membership Policy;
- g. **Unfinancial Member** means a person who is in arrears 3 months' worth of payments of membership fees.
- h. **VAU** means the Victorian Ambulance Union Incorporated (No. A01070431);
- i. **VAU Rules** mean the Incorporation Rules of the Victorian Ambulance Union Inc. as amended from time to time.

## Policy Version Control

Date	Author / Department	Version #	Summary of Changes
14/10/2020	Committee of Management	1.0	Original

**\*END POLICY\***