

*Fair Work (Registered Organisations) Act 2009*

Fair Work Commission Registry

**NOTICE OF PARTICULARS OF ALTERATION TO RULES OF AN ORGANISATION**

On 22 December 2020 the National Council of the Transport Workers' Union of Australia unanimously approved the following alterations to the Rules of the Transport Workers' Union of Australia.

A notice that this Notice has been lodged will appear on the Union's website from 22 January 2021

**PROPOSED RULES CHANGES**

**25. National Council Powers**

Delete sub-rules 25(2)(i) and 25(2)(j).

**29. National Committee of Management Powers**

Delete sub-rule 29(2)(d) and replace with:

- (d) determining the remuneration and other entitlements, including termination and severance payments, of Officers and employees of the Union employed at the National Office of the Union in accordance with applicable legislation and/or industrial instruments;

**31. Branch Committee of Management Powers**

Delete sub-rule 31(2)(i)

Delete sub-rule 31(2)(j) and replace with:

- (d) determining the remuneration and other entitlements, including termination and severance payments, of Officers and employees of the Union employed at the Branch in accordance with applicable legislation and/or industrial instruments;

**33. National Secretary**

Insert new sub rule 33(2)(q);

- (q) ensuring that, at all times, an appropriate number of persons are employed to assist in carrying out the work of the National Office of the Union;

Insert new sub rule 33(2)(r);

- (r) employing suitably qualified persons in the National Office of the Union to assist in carrying out the work of the Union;

Insert new sub rule 33(2)(s);

- (s) remunerating persons employed in the National Office of the Union in accordance with the relevant determination made by the National Committee of Management relating to employee remuneration and other entitlements;

Insert new sub rule 33(2)(t);

- (t) terminating the employment of any persons employed in the National Office of the Union who, in the opinion of the National Secretary:
  - a. do not satisfactorily perform their duties; or
  - b. are found guilty of serious misconduct; or
  - c. have abandoned their employment; or
  - d. are employed in a role which is no longer required to be performed in carrying out the work of the Union.

Insert new sub rule 33(2)(u);

- (u) paying any termination or severance payments in accordance with the relevant determination made by the National Committee of Management relating to such payments; and

Insert new sub rule 33(2)(v);

- (v) reporting any decision made by the National Secretary to employ a person or terminate a person's employment to the National Committee of Management at its next meeting.

### **37. Branch Secretary**

Insert new sub rule 37(3)(m);

- (m) ensuring that, at all times, an appropriate number of persons are employed to assist in carrying out the work of the Branch;

Insert new sub rule 37(3)(n);

- (n) employing suitably qualified persons at the Branch to assist in carrying out the work of the Branch;

Insert new sub rule 37(3)(o);

- (o) remunerating persons employed at the Branch in accordance with the relevant determination made by the Branch Committee of Management relating to remuneration and other entitlements;

Insert new sub rule 37(3)(p):

- (p) terminating the employment of any persons employed at the Branch who, in

the opinion of the Branch Secretary:

- a. do not satisfactorily perform their duties; or
- b. are found guilty of serious misconduct; or
- c. have abandoned their employment; or
- d. are employed in a role which is no longer required to be performed in carrying out the work of the Union.

Insert new sub rule 37(3)(q);

- (q) paying any termination or severance payments in accordance with the relevant determination made by the Branch Committee of Management relating to such payments; and

Insert new sub rule 37(3)(r);

- (r) reporting any decision made by the Branch Secretary to employ a person or terminate a person's employment to the Branch Committee of Management at its next meeting.

### **39. Branch Organisers**

Delete sub-rule 39(1) and replace with:

- (1) Each Branch must have a number of Branch Organizers to be determined by the Branch Secretary.

### **Annexure F, (12).**

Delete sub-rule 12 and replace with:

"The New South Wales Branch Committee of Management may appoint Branch Organizers for a period not exceeding four years. It may decide how many, if any, Branch Organizers shall be elected at any general election. In any such election all Members of the Branch otherwise eligible shall be entitled to nominate and vote.