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Sent: Tuesday, May 19, 2020 10:25 AM

To: All Branch Presidents <AllBranchPresidents@nteu.org.au>; All Staff <allstaff@nteu.org.au>

Cc: NTEU National Executive <natexec@nteu.org.au>; Peter Summers <psummers@nteu.org.au>

Subject: Use of Union resources in the current debates.

To all staff and Branches

Following from the advice provided at the all Branch Presidents and staff meeting held on Wednesday May 13, it is important that there is clarity about the responsibilities of staff and elected leaders in the current environment.

NTEU has robust democratic processes that have served us well throughout many crises. In bargaining rounds, we have had significant disagreement and debate internally that is then resolved to form union decisions and policy. Once these decisions are made in the union's interest, it is our collective responsibility to abide by those decisions.

Under our Rules (22.1) the National Executive has the power to transact the business of the Union, and to negotiate and enter into industrial agreements on behalf of members. It is our National identity to debate issues to resolution, and it then is the responsibility of everyone to abide by the decisions. Branches of the Union have no separate legal personality and may not overturn the decisions of National Executive.

To be clear, this means that Branch resources including staff should not be used for the circulation of materials hostile to the Union's adopted position. Union members who are not staff are entitled to campaign individually howsoever they wish, but union resources are not to be used to campaign against the Union's own position or decision.

Council members met on April 24 to debate pursuing a strategy of seeking a National Jobs Protection Framework to seek to protect jobs as many jobs as we can in the sector. The decision then became union policy and we have pursued it. The Executive subsequently endorsed in principle the agreement reached.

If the meeting of National Councillors on Wednesday this week overturns the decision of National Executive, the JPF will not be signed by the National Executive and no such variations to Agreements will be sought by the Union.

The Framework agreement is union policy. We are all obliged to act to support the unions' policy. Distribution of material opposing that position is contrary to the unions interests and should not be contemplated. In addition, all requests for access to membership emails from delegates or others must be approved by the Division Secretary before acted on.

Thanks

Matthew McGowan

General Secretary