

# **Written outline of the scheme of amalgamation between the Queensland Public Sector Union of Employees and the Australian Municipal, Administrative, Clerical and Services Union, Central and Southern Queensland Clerical and Administrative Branch, Union of Employees**

## **Introduction**

1. The proposed amalgamation is an amalgamation between the Queensland Public Sector Union of Employees (“the QPSU”), and the Australian Municipal, Administrative, Clerical and Services Union, Central and Southern Queensland Clerical and Administrative Branch, Union of Employees (“the AMACSU”). The amalgamation will bring together two registered organisations whose membership, employers and industries overlap.
2. It will bring together two registered organisations that have been active in organising workers in the public and private sectors in Queensland. Both unions have a long history of involvement in the state public sector, and particularly in Queensland Health and higher education, through co-joint campaigns to secure improvements in wages and working conditions for their members and prospective members.
3. The amalgamation will achieve the bringing together of these two registered organisations to form a structured and cohesive registered organisation designed to ensure the effective, democratic representation of members and potential members across both the public and private sector.
4. The QPSU represents members across the Queensland public sector; health including aged care and pathology; education including higher education; and in the private sector in pathology and health.
5. The AMACSU represents members across the Queensland public sector; health including aged care and pathology; education including higher education; and in the private sector in pathology and health; and general white-collar private sector and utilities coverage.

## **General nature of the amalgamation**

6. The AMACSU is the proposed amalgamated union. This means that the AMACSU acts as the “host” for the amalgamation and is the proposed amalgamated organisation.
7. For the purposes of the amalgamation the QPSU is the deregistering organisation.

## **Members of the proposed deregistering organisation become members of the amalgamated organisation without payment of an entrance fee**

8. As the AMACSU is the host registered organisation for the amalgamation the existing members of the QPSU transfer to the new registered organisation. This transfer does not affect the membership subscriptions that have been paid and there is no requirement for any additional fees, including an entrance fee, to be paid as a result of the transfer.

### **Change to the name of the proposed amalgamated organisation**

9. Sometimes when amalgamations occur a union's name becomes a compilation of the names of the amalgamated unions. This can create an unwieldy union name, often abbreviated to make it easier to refer to, and not actually reflecting the nature of the union.
10. As a result of the amalgamation a new name is adopted. This name reflects the merging of the two unions and the heightened ability those unions will carry into effectively representing the members of the amalgamated union.

### **Amendments to the eligibility rule**

11. It is not proposed to amend the eligibility Rules of the existing organisations. AMACSU will be re-named Unite Queensland, Industrial Union of Employees and its eligibility Rule will reflect the existing eligibility Rules of the QPSU and AMACSU.

### **Amendments to the rules**

12. A new set of Rules for the amalgamated organisation is to be adopted.

### **Property**

13. On the Amalgamation Day all assets of the QPSU shall cease to be assets of that organisation and become assets of the proposed amalgamated organisation.
14. For all purposes and all proceedings the assets of the QPSU existing immediately before the Amalgamation Day are taken to have become the assets of the proposed amalgamated organisation on that day.

### **Liabilities**

15. On the Amalgamation Day all liabilities of the QPSU shall cease to be liabilities of that organisation and become liabilities of the proposed amalgamated organisation.
16. For all purposes and all proceedings a liability of the QPSU existing immediately before the Amalgamation Day is taken to have become a liability of the proposed amalgamated organisation on that day.

### **Other matters**

#### *Interim Executive and Executive*

17. The Executive of the amalgamated organisation will be structured on the basis of directly and collegially elected members from both organisations. In 2011 the Executive, which will be referred to as an Interim Executive, will comprise of 28 members, with all members of the previous organisation's Executives transferring to the new Executive. The former QPSU Executive members will carry two votes each in order to reflect the number of members being represented during this period by individual Executive Delegates.

18. The size of the Interim Executive will be reduced to 24 members in 2012 and then 20 members in 2015.
19. In 2015 the Interim Executive will be referred to as the Executive as all transitional stages will be concluded.
20. The following table identifies the transitional arrangements that will operate for elected Executive members from 2011 through to 2015.

**Table - Transitional arrangements that will operate for elected Executive members from 2011 through to 2015**

<p><b>2010</b></p> <p><b>Queensland Public Sector Union of Employees</b></p> <p>General Secretary Assistant General Secretary President Senior Vice-President Junior Vice-President (3) Honorary Treasurer Assistant Honorary Treasurer Other Executive (9)</p> <p><b>Australian Municipal, Administrative, Clerical and Services Union, Central and Southern Queensland Clerical and Administrative Branch, Union of Employees</b></p> <p>President Vice-President Executive (6)</p> <p><b>Australian Municipal, Administrative, Clerical and Services Union, Central and Southern Queensland Clerical and Administrative Branch, Union of Employees</b></p> <p>Branch Secretary Assistant Branch Secretary</p>	<p><b>2011</b></p> <p><b>Unite Queensland, Industrial Union of Employees</b></p> <p>Secretary Assistant Secretary (no.1) President Senior Vice-President Junior Vice-President (3) Treasurer Assistant Treasurer Other Executive (9)</p> <p>Senior Vice-President Junior Vice-President Other Executive (6)</p> <p>Assistant Secretary (no.2) Deputy Secretary</p>
<p><b>2011</b></p> <p><b>Unite Queensland, Industrial Union of Employees</b></p> <p>Secretary Assistant Secretary (no.1 and no.2) Deputy Secretary President Senior Vice-President (2) Junior Vice-President (4) Treasurer Assistant Treasurer Other Executive (15)</p>	<p><b>2012</b></p> <p><b>Unite Queensland, Industrial Union of Employees</b></p> <p>Secretary Assistant Secretary (no.1 and no.2) Deputy Secretary President Senior Vice-President (2) Junior Vice-President (4) Treasurer Assistant Treasurer Other Executive (11)</p>

2012	2015
<p><b>Unite Queensland, Industrial Union of Employees</b></p> <p>Interim Secretary  Assistant Secretary (no.1 and no.2)  Deputy Secretary  President  Senior Vice-President (2)  Junior Vice-President (4)  Treasurer  Assistant Treasurer  Other Executive (11)</p>	<p><b>Unite Queensland, Industrial Union of Employees</b></p> <p>Secretary  Assistant Secretary (2)</p> <p>President  Senior Vice-President  Junior Vice-President (3)  Treasurer  Assistant Treasurer  Other Executive (10)</p>

21. The progressive changes tied to 2011, 2012 and 2015 accommodates for the mix of election cycles across the two pre-amalgamated unions. The Secretary and Assistant Secretary of the Queensland Public Sector Union of Employees were elected in 2010 prior to the amalgamation. They are recognised as the Secretary and Assistant Secretary (No.1), whose election term will not expire until the 2015 elections.
22. In 2011, two (2) additional positions will be elected being the positions of Assistant Secretary (No.2) and Deputy Secretary, who will be elected from the membership of the General Division of Unite Queensland, Industrial Union of Employees. The term of office shall be until the 2015 elections.
23. In 2012 the positions of President, Senior Vice-President (2), Junior Vice-President (4), Treasurer, Assistant Treasurer and Other Executive members (11); along with the delegates to Council will be elected.
24. In 2015 the Secretary, Assistant Secretary (2), President, Senior Vice-President, Junior Vice-President (3), Treasurer, Assistant Treasurer and Other Executive (10); along with the delegates to Council will be elected.
25. There will be an alignment of the election cycles from 2015 onwards, where all elected positions will be for a quadrennial period. There will, in the period 2012 to 2015, be a triennial election cycle for Council and Executive positions in order to create this alignment for those previous biennially elected positions.
26. The Executive shall have responsibility for the employment of staff and staffing policies and practices for the fair and equitable treatment of Union employees; and developing recommendations to the Council in regard to membership subscription and budget allocation of funds.
27. In between meetings of the Council, the Executive is also responsible for union-wide policy and direction; and asset distribution.

### *Interim Council and Council*

28. A combined Council will operate in 2011. This Council to be known as the Interim Council will comprise of the former QPSU and AMACSU Council delegates. The AMACSU Council delegates will carry four (4) votes each on the basis of the number of members each AMACSU Council delegate represents.
29. The structure of the QPSU Council pre-amalgamation will be adopted in the amalgamation Rules.
30. The current sub-Divisions of the QPSU are on the basis of one Council delegate for each 100 members working in the sub-Division. The sub-Division of Council will be determined in the six months leading up to each election by decision of Council.
31. The delegates for each sub-Division are the union decision making body for all industrial or policy matters relating to that sub-Division.
32. The 2011 Council will determine the sub-Divisions for the Council representatives for the 2012 election. This shall be approved by way of postal ballot.
33. A range of sub-Divisions will operate including various state government departments, and agencies.
34. In addition, it is agreed that the following Council sub-Divisions will be adopted:
  - i. a combined Queensland Health sub-Division for members working in the administrative and operational streams (working in what will be known as EB8);
  - ii. a separate Queensland Health sub-Division for members working as health practitioners (HP) and medical officers;
  - iii. a Private Health and Aged Care sub-Division;
  - iv. a Higher Education sub-Division;
  - v. a Utilities sub-Division including Brisbane City Council (BCC), energy (both public and private), water and local government;
  - vi. an Airlines sub-Division;
  - vii. a Not-For Profit sub-Division; and
  - viii. a General Private Sector sub-Division.
35. The Council shall have the powers and functions for ensuring the efficient and effective industrial representation and service for members of the Union.

### *Council Committees*

36. There are currently a number of committees operating within the QPSU. These committees, which undertake a range of functions, include those dealing with:
  - i. collective issues
  - ii. individual representation
  - iii. finance matters
  - iv. rules

- v. awards
- vi. staffing
- vii. Ombudsman activity
- viii. community engagement
- ix. campaigns leading up to 2012; and
- x. climate change.

37. As part of the amalgamation, those committees will be retained with their membership structure, and two (2) additional members shall be nominated, prior to amalgamation by AMACSU, for inclusion on those committees.

*Subscriptions and Levies*

38. As part of the amalgamation there will be a transfer to a financial year.

39. Union subscriptions shall be agreed for the initial subscription rate as at amalgamation and the increases that will be apply from 1 January 2011 (of 2%); 1 July 2011 (of 4%) and 1 July 2012 (of 4%). The 2010 standard membership subscriptions (excluding discounts) along with the subscriptions up until 30 June 2013 are set out below.

40. The wage rates, where relevant, for determining subscription levels are based on the *State Government Departments Certified Agreement 2009* for the rate effective from 1 August 2010.

## Subscriptions 1/1/11 – 30/6/13

Wage rate (full-time equivalent [FTE] employees) per fortnight as of 1/8/10	Subscription amount (\$) per annum			
	2010	1/1/11-30/6/11	1/7/11	1/7/12
3020.80 and above	503	513	533	554
2632.80- 3020.70	488	498	518	539
1514.20 – 2632.70	473	483	503	524

### Wage rates (less than FTE or under 21 years of age)

Working between 50% and 100% of FTE hours	386	393.50	409.20	425.50
Under 21 years OR Working less than 50% of FTE hours	236.50	241.50	251.50	262
Continuing members	40	40	40	40

41. As part of the transfer to a financial year, members paying full yearly subscriptions by 30 September, or by regular credit card or direct debit payments, will receive a discount of \$22 for fulltime employees or for members who are less than a full-time equivalent (FTE) or under 21 years of age, a discount of \$11.
42. Future increases to membership subscriptions will be based on the wage outcomes in the public sector.
43. A range of additional levies that have been, in 2010, determined by the QPSU and which relate only to QPSU members, will apply to those members from 1 January 2011 through to 30 June 2013.

Those levies are as follows:

**Levies 1/1/11 – 30/6/13**

<b>Area</b>	<b>Amount \$</b>		
	<b>1/1/11 – 30/6/11</b>	<b>1/7/11</b>	<b>1/1/12</b>
Health*– professional indemnity	15	30	30
Corrections - Custodial Officers legal insurance	104	104	104

\*The Health area is Queensland Health (including Mater Misericordiae) employees (except for administration staff, doctors, dentists and corporate office) plus all therapists working in Housing (within Department of Communities), Education Queensland or the private sector; along with some workers in Disability Services Queensland (DSQ).

*Rules*

44. For the purposes of the amalgamation a new set of Rules outlining the rights and responsibilities of the union's members, along with the structures that enable union members to actively participate in their union, are provided for.
45. The new union is obliged to set out the types of workers that can become members of the union. That is referred to as the union's eligibility. For the purposes of this amalgamation, it is not proposed to amend the eligibility Rules of the existing organisations. AMACSU will be re-named Unite Queensland, Industrial Union of Employees and its eligibility Rule will reflect the existing eligibility Rules of the QPSU and AMACSU.
46. In 2011 any decisions of the Interim Council which are determined by postal ballot shall be conducted in accordance with the Rules except that the method for counting the postal ballot will be in accordance with the following formula:

$$(a/b)+(4*c/d)$$

Where:

a is the total number of ballots cast in favour of the proposition by Interim Council delegates from AMACSU

b is the total number of ballots returned by Interim Council delegates from AMACSU

c is the total number of ballots cast in favour of the proposition by Interim Council delegates from QPSU

d is the total number of ballots returned by Interim Council delegates from QPSU

*Structure*

47. The structure of the amalgamated organisation will provide for two key periods –
  - i. the first between Amalgamation Day and the elections in 2015,
  - ii. the second post the elections in 2015.

48. Across both periods, the structure of the union will include an Executive of elected officers and a Council of elected officers.

*Officers – 2011 - 2015*

49. The Senior Officers are the Secretary, Assistant Secretary (No.1 and No.2) and the Deputy Secretary.

*Officers – 2015 onwards*

50. The Senior Officers are the Secretary and the Assistant Secretary (2).

*Duties of Officers*

51. The duties of officers are provided for in the Rules. In addition to those duties, some specific duties are allocated to respective offices in the period 2011-2015.

*Duties of Secretary and Assistant Secretary (no.2) – for the period 1 January 2011 up until the 2015 election*

52. The Secretary and Assistant Secretary (no.2) will be jointly responsible for developing and implementing the industry direction in the public health and higher education (University) areas: and that development and implementation will be by consensus. Where consensus cannot be reached, the development and implementation will be referred to the Council sub-Division Delegates in accordance with the Rules for determination.

53. The Secretary and Assistant Secretary (no.2) will also be jointly responsible for any staff disciplinary processes.

54. The Secretary will be responsible for, amongst other things, ensuring that the decisions of Executive and Council are implemented.

*Duties of the Interim Assistant Secretary (no.2) and Interim Deputy Secretary - for the period 1 January 2011 up until the 2015 election*

55. The Assistant Secretary (no.2) will be responsible for:
- i. the industrial direction of the General Division of Unite Queensland, Industrial Union of Employees, excluding the public health and higher education (Universities) areas as provided for above;
  - ii. any liaison between the Union and the Federal Organisation; and
  - iii. any activities relating to external entities to which the Union is affiliated, including the determination of delegations or representatives to such entities.

56. The Deputy Secretary will be responsible for assisting the Interim Assistant Secretary (no.2).

**Dated this 1<sup>st</sup> day of September 2010.**

