

Fisheries branch raises concerns over disciplinary matters

At the most recent meeting of the Fisheries Officers' Vocational Branch at PSA House on 8 November 2018, Delegates raised concerns relating to the handling of disciplinary matters in the workplace by the employer. The following points may assist members in dealing with these issues:

- » Formal allegations should be provided in writing.
- » Allegations should be clear so the employee understands what it is they are required to respond to.
- » Matters should be dealt with in a timely fashion. When an allegation relates to a matter that was a long time ago this may impact on the ability for the member to respond adequately.
- » Correspondence providing allegations should properly refer to the *Government Sector Employment Act 2013* and refer to the clause under which the matter is being dealt with.
- » Whilst correspondence will advise that the employee is to keep these matters confidential, this does not prevent them from contacting their delegate or the PSA if they are a member.
- » The employee is entitled to have a support person at any meeting related to the matter.
- » All of the above are essential requirements to meet procedural fairness.
- » If there is a finding against an employee in a misconduct matter they will receive correspondence from the employer to this effect. This correspondence should advise of the most serious penalty being considered, invite the employee to provide a written response and/or meet with the decision-maker before a final decision is made.
- » Where a decision can be appealed in the Industrial Relations Commission, there are time frames. An Unfair Dismissal Application must be lodged within 21 days of the dismissal.
- » For the PSA to be able to provide the maximum assistance, it is most important that the PSA be contacted in a timely fashion, such as when the allegations are first presented.

The above is provided as a brief guide only. For further information, you can contact the PSA on **1300 772 679**. Not a Member? Join today at www.psa.asn.au/join to ensure your rights at work are protected.

