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Commission

Officer Induction Kit



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Welcome

Welcome to this Officer Induction Kit. Firstly, we would like to congratulate you on your new appointment, or if you are a returning officer to wish you every success in your ongoing role.

This induction kit has been provided by the Fair Work Commission (the Commission) for use by new and returning officers. It is intended to assist officers to learn their obligations under the *Fair Work (Registered Organisations) Act 2009* (RO Act).

Officers of unions and employer associations are entrusted with guiding their organisations. They do this by making decisions in the best interests of their members. This is at the core of what the Commission's Registered Organisations Governance and Advice Branch (the Governance and Advice Branch) is interested in.

Officers are responsible for ensuring that organisations and their branches comply with the obligations under the RO Act. You need to become familiar with these obligations. For many of you, it will be the first time you have personal obligations and the risk of civil or criminal penalties for not complying with a body of laws that apply to your role as an officer.

How to use this induction kit

This induction kit is not a comprehensive list of the requirements, obligations and responsibilities of officers. It is a beginning. Officers should ensure they review the RO Act, materials on the [Commission's website](#) and their organisation's rules and policies.

The induction kit is not a static document to be downloaded once, printed and handed out to officers as they are elected or appointed into the future. The documents in the induction kit will be altered to reflect any changes to the law, in response to feedback or when more helpful information becomes available.

As such, the bulk of the induction kit is available through the list of hyperlinks in the next section. These hyperlinks will take you to where the most up-to-date document is contained on the



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Commission's website. These documents include fact sheets and tools, like the regulatory timeframes calculator.

The induction kit also contains a number of activities for new officers to complete that will assist in understanding their fuller responsibilities and where information is located.

The Commission's website contains further fact sheets, templates, guidance notes, checklists, tools and webinars, broken down by topic, to assist officers and their organisations/branches to comply with the legislative obligations.

If you have any questions please email the Commission on regorgs@fwc.gov.au or contact us by telephone on 1300 341 665.



Links to resources for officers



Compliance tools

[Compliance calculator](#)

[Book a Governance to You tailored compliance session](#)



Officer duties

[Good governance guide: Officer duties](#)

[Good governance guide: Financial decision making](#)

[Digital classroom: The duties of officers](#)

[ROpod episode 25: Officer duties](#)



Financial reporting

[Digital classroom: Financial reporting](#)

[e-learning module: Financial reporting](#)

[ROpod episode 31: Financial decision making](#)

[ROpod episode 41: Don't miss the deadline](#)



Committees of management and meetings

[Good governance guide: Committees of management](#)

[e-learning module: Meetings and effective minute-taking](#)

[ROpod episode 13: Holding meetings](#)

[ROpod episode 43: Effective minute-taking](#)



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Officer disclosures

[Digital classroom: Officer and organisation disclosures](#)

[ROpod episode 38: Managing your related parties](#)



Whistleblowers and investigations

[Digital classroom: Whistleblowers](#)

[e-learning module Whistleblowers disclosures](#)

[ROpod episode 30: Whistleblower investigations: what you can expect](#)

[ROpod episode 37: The ROC's jurisdiction](#)



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General descriptions of offices in registered organisations

Organisations registered under the RO Act are democratic organisations run by people elected to hold office.

What powers and duties do the offices in my organisation hold? (section 141(1)(b)(i))

The RO Act requires the rules of organisations to provide for the powers and duties of committees and the offices (section 141(1)(b)(i)). To find out the powers and duties of offices in your organisation you must refer to its rulebook.

A general guide about what you might expect in your rulebook

This is a general guide about the types of duties that you might find in your organisation's rulebook for particular offices. Your organisation may have all or some of these offices and they may have the same or different powers and duties.

Please refer to the rules of your organisation for the specific requirements and responsibilities of these offices. If your rules have specific requirements that are different to the general information below, please follow the rules.

President

The President generally provides leadership, vision and direction and ensures that business is properly conducted. The President is required to have sound knowledge of the organisation to ensure regulatory requirements are adhered to and that policy is applied correctly. The President can establish effective procedures within the confines of the rules, delegate responsibilities and supervise the implementation of decisions. The role bears significant responsibility, accountability, governance and authority in accordance with the law and the organisation's rules.



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A President's role may incorporate the following:

- Senior leadership role
- Overseeing the operation of the organisation
- Ensuring strong governance, in accordance with the law and the organisation's rules
- Possessing sound knowledge of the organisation, its rules, policies and procedures
- Presiding at meetings, ensuring compliance with policy and procedures
- Representing the organisation externally
- Leading on the resolution of any internal disputes
- Acting within the confines of procedure and policy
- Acting as a signatory.

Please refer to your rules to find out about the President's role in your organisation.

Vice President

The Vice President generally supports and assists the President and other officers with their duties to ensure goals are met. They should have a good understanding of the President's role so they can assume the duties and responsibilities of the President in their absence. The Vice President works closely with the President to co-ordinate activities, communicate and implement strategic visions, guide committee members and ensure the efficient management of the organisation.

A Vice President's role may incorporate the following:

- Senior leadership role
- Ensuring strong governance, in accordance with the law and the organisation's rules
- Possessing sound knowledge of the organisation, its rules, policies and procedures
- Providing support to the President and other officers
- Assuming the role of President in their absence
- Performing other responsibilities as assigned by the President



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- Acting as a signatory.

Please refer to your rules to find out about the Vice President's role in your organisation.

Secretary

The Secretary generally manages administrative functions and leads negotiations. The position is often the main contact point and source of information for members. The Secretary deals with correspondence, maintains records, consults with members and convenes events and meetings. They support the office in the management and application of proper work procedures. They are usually the officer responsible for lodged documents and making declarations on behalf of the organisation.

A Secretary's role may incorporate the following:

- Senior leadership role
- Keeping the register of members
- Ensuring strong governance in accordance with the law and organisation's rules
- Possessing sound knowledge of the organisation, its rules, policies and procedures
- Responsibility for the effective administration of the organisation
- Acting as the main point of communication
- Dealing with correspondence
- Convening and attends all meetings of the organisation
- Preparing reports, notices and meeting agendas (in consultation with other officers)
- Distributing full and accurate minutes and papers
- Maintaining an up-to-date copy of the rules
- Arranging for information, membership and financial records to be properly kept
- Lodging documents and applications with the Fair Work Commission (the Commission)
- Ensuring all statutory obligations are met
- Leading negotiations



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- Acting as a signatory.

Please refer to your rules to find out about the Secretary's role in your organisation.

Assistant Secretary

The Assistant Secretary generally provides the Secretary with help and support in the day-to-day running of the organisation. They should be familiar with the Secretary's role so that they can assume the duties and responsibilities of the Secretary in their absence. The Assistant Secretary works closely with the Secretary to co-ordinate the administrative functions, help to deal with correspondence and record keeping, assist in convening events and meetings and ensure generally the efficient management of the organisation in accordance with its statutory obligations.

An Assistant Secretary's role may incorporate the following:

- Senior leadership role
- Ensuring strong governance in accordance with the law and organisation's rules
- Possessing sound knowledge of the organisation, its rules, policies and procedures
- Providing administrative support to the Secretary
- Assuming the role of Secretary in their absence
- Performing other responsibilities as assigned by the Secretary.

Please refer to your rules to find out about the Assistant Secretary's role in your organisation

Treasurer

All officers may have responsibility for spending and expenditure. However, the Treasurer has the overall responsibility of guarding against unwise and improper expenditure. They are responsible for the day-to-day financial management of the organisation and maintaining accurate financial records to ensure compliance with statutory requirements. The Treasurer reports regularly to the organisation, providing the case for responsible expenditure, and updates members periodically on matters related to funds and financial performance.



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A Treasurer's role may incorporate the following:

- Senior governance role
- Ensuring strong governance in accordance with the law and organisation's rules
- Possessing sound knowledge of the organisation, its rules, policies and procedures
- Overseeing the day-to-day running of finances
- Checking accuracy of financial statements, accounts and records
- Managing accounts, financial planning, budgeting and banking
- Overseeing an annual audit of finances and provision of report to members
- Advising the organisation of any or potential non-compliance
- Ensuring members are properly informed of financial performance and financial position
- Acting as a signatory.

Please refer to your rules to find out about the Treasurer's role in your organisation

Committee of Management Member

Committees of Management determine the direction of the organisation. Members of the committee function within a set of objectives and procedures and ensure standards are consistently met. They prepare and monitor the organisation's policies, strategies and plans, and ensure that resources are allocated appropriately within the rules. Members execute strategies in relation to key issues affecting the organisation. The Committee of Management might be referred to in your rules as the Board, Executive or Council.

The role of a member of the Committee of Management may incorporate the following:

- A leadership role
- Ensuring strong governance in accordance with the law and organisation's rules
- Possessing sound knowledge of the organisation, its rules, policies and procedures
- Developing and implement policy
- Overseeing the management of the organisation



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- Keeping members informed
- Considering and making alterations to the organisation's rules.

Please refer to your rules to find out about the Committee of Managements role in your organisation

Acting officers

Assistant Secretaries, Vice Presidents and other officers may from time-to-time as they step up to act more senior role due to a temporary absence To exercise the powers of the role, for instance lodging documents as an Acting Secretary, the rules must provide for the ability to 'act' as the other officer.

Please refer to your rules to find out about the ability to act within another officer's role



Activity: Your officer powers and responsibilities

| | | | |
|--|--|-----------------------|--|
| Your name | | | |
| Name of office | | Name of branch | |
| Organisation | | | |
| Begin to Hold office date | | Term of office | |
| What are the specific duties and responsibilities of your office in your rules? | <p>This may include: Attending governance training, disclosure obligations, loans, grants and donations, approving the financial report, attending meetings, signing cheques and approving expenditure and budgets, submitting documents to the regulator compiling the annual return, managing the register of members, oversight of large purchases, assisting a higher office holder in completing their duties (in which case, what are their duties?)</p> <p>[write your duties here]</p> | | |
| What are your specific duties and responsibilities as an officer under policy? | <p>This may include how you use a credit card, procurement and spending, use of your car or telephone, attendance at meetings, keeping records, training requirements, travel, bullying and harassment, conflict of interest, and claiming expenses.</p> <p>[write your duties here]</p> | | |



As an officer you have certain oversight responsibilities. Even though some things are the responsibility of other officers under the rules you should be generally aware of how they are done, who is responsible and what state they are in.

Below, write which OFFICER/S is responsible for these key functions in your organisation:

| | | | |
|---|--|--|--|
| Financial reporting | | Conflicts of interest | |
| Approving expenditure | | Signing cheques/banking | |
| Purchasing big items | | Budgets | |
| Lodging prescribed information for elections | | Signing the annual return/notifications of change | |
| Employees/staffing | | Keeping records | |
| The register or | | Minutes | |
| Lodging documents with the regulator | | Calling meetings, quorum and notice | |
| Changing the rules of the organisation | | Lodging rule changes | |



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Activity: Important dates for my branch/organisation

The financial year of the organisation or branch will normally be found within the rule book of the organisation or branch. If the rules do not specify, the financial year will end on 30 June in each year. Many dates, like the Annual General Meeting (AGM), may also be determined by the rules.

| | |
|---|--|
| The financial year of my branch is: | |
| The organisation is: | The same financial year A different financial year: |
| My branch's loans, grants and donations form is due 90 days after the end of our financial year: | The due date is: |
| My branch must present its final financial report to a: (insert type of meeting) | |



| | |
|---|---|
| <p>The financial report must go to an AGM or</p> <p>The AGM will be held on:</p> <p>The financial report must go to members after it is audited but no later than 21 days before the AGM:</p> <p>Due date:</p> <p>The financial report must be lodged within 14 days of the AGM:</p> | <p>The financial report can go to a Committee of management meeting</p> <p>The COM meeting will be held on:</p> <p>The financial report must go to members after it is audited but no later than five months after the end of the financial year:</p> <p>Due date:</p> <p>The financial report must be lodged within 14 days of the COM meeting:</p> |
| <p>The annual return (which is different to the financial report) is due on the 31st of March every year</p> | <p>Any time the information in the annual return changes (which includes changes to officers or addresses) the Commission must be notified within 35 days in a Notification of Change declaration.</p> |
| <p>My branch's Officer and Related Party Disclosure statement must be given to members and lodged with the Commission within six months of the financial year ending.</p> | <p>The due date is:</p> |
| <p>I have a WHS/RE permit</p> | <p>It must be returned to the Commission by:</p> |



Activity: Your organisation's meeting procedures

This activity helps you to understand your organisation's meeting rules. You may wish to do the activity several times to learn about the various types of meetings in your organisation.

ACTIVITY: what do your rules require?

| Meeting considerations | Rule No. | Comment |
|---|----------|---------|
| If a decision is to be made, is a meeting required? | | |
| If a meeting is required, what type of meeting – special meeting, general meeting, a committee meeting: | | |
| Is it a requirement to attend the meeting in person or can it be by electronic or other means of interaction: | | |
| What is the process for determining that a meeting is to held – e.g. decision, request, vote, matter of course: | | |
| Who must give notice of the meeting: | | |
| How much notice must be given: | | |
| Does the notice need to contain particular information: | | |



| Meeting considerations | Rule No. | Comment |
|---|----------|---------|
| Is there a particular form of notice and manner of delivering notice – e.g. in writing, by post, hand delivery: | | |
| Who chairs the meeting: | | |
| Are there any rules that set out responsibilities of the chair: | | |
| Who is responsible for minute taking: | | |
| What, if anything, needs to be presented to the meeting – e.g. an agenda: | | |
| Are there limitations on what the meeting can consider: | | |
| Is there a quorum requirement, and what happens if a quorum is not achieved: | | |
| Can proxies be used, and if so, are they included in the quorum requirement: | | |
| What are the speaking rules: | | |



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| Meeting considerations | Rule No. | Comment |
|--|----------|---------|
| How are motions put to the meeting? | | |
| How is a vote undertaken – e.g. ballot, show of hands: | | |
| How is a motion carried – e.g. majority of people who vote, majority in attendance, special types of majority: | | |
| What are the chair’s voting rights: | | |
| Are there any post-meeting requirements: | | |



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Common acronyms

| Abbrev. | Entity/Organisation |
|-------------|--|
| AASB | Australian Accounting Standards Board |
| ABN | Australian Business Number |
| ABS | Australian Bureau of Statistics |
| ACCC | Australian Competition and Consumer Commission |
| ACTU | Australian Council of Trade Unions |
| AEC | Australian Electoral Commission |
| AFP | Australian Federal Police |
| ALERA | Australian Labour and Employment Relations Association |
| APS | Australian Public Service |
| APSC | Australian Public Service Commission |
| AR | Annual return of information under s 233 of the RO Act |
| ASA | Australian Auditing Standards |
| AWRS | Australian Workplace Relations Study |
| CA | Chartered Accountants Australia and New Zealand |
| CEO | Chief Executive Officer |
| Cwlth, Cwth | Commonwealth |
| CPA | CPA Australia |
| DP | Deputy President of the Fair Work Commission |
| FOI | Freedom of information |
| FOI Act | <i>Freedom of Information Act 1982</i> |
| FR | Financial Report |
| FW Act | <i>Fair Work Act 2009</i> |
| FWC | Fair Work Commission or the Commission |
| FWCFB | Fair Work Commission Full Bench |
| FWO | Fair Work Ombudsman |



| Abbrev. | Entity/Organisation |
|----------------|---|
| GST | Goods and Services Tax |
| ICT | Information and Communications Technology |
| ILO | International Labour Organization |
| IPS | Information Publications Scheme |
| KPIs | Key Performance Indicators |
| LGD | Loans Grants and Donations Statement under s 237 of the RO Act |
| MYEFO | Mid-Year Economic and Fiscal Outlook |
| NES | National Employment Standards |
| NMW | National Minimum Wage |
| ORP | Officer and related party disclosure statement under s 293J of the RO Act |
| PSA | Public Service Act 1999 |
| RO | Registered organisation |
| RO Act | <i>Fair Work (Registered Organisations) Act 2009</i> |
| SDP | Senior Deputy President of the Fair Work Commission |
| SME | Small and medium-sized enterprises |
| TURC | Royal Commission into Trade Union Governance and Corruption |
| VP | Vice President of the Fair Work Commission |
| WHS | Work Health and Safety |
| WHS Act | Work Health and Safety Act 2011 |



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Organisations

A full list of registered organisations (and organisations deregistered since 2017) and their acronyms is available from the Commission's Registered Organisations Governance and Advice Branch [website](#).

Activity: Where do I find the information I need?

Part of being an officer involves knowing what your obligations and responsibilities are. While you may not know all of them, it is good to know where you can find the information if you need it. Take the time to complete the below table. Some have been filled in for you.

| Where do I find? | Location |
|--|---|
| The legislation | The <i>Fair Work (Registered Organisations Act) 2009</i> or RO Act is available online: www.legislation.gov.au |
| General information on elections, annual returns, financial reporting, disclosures, corrupting benefits and information about the role of the Commission. This includes template documents and fact sheets. | On the Commission's Registered Organisations Governance and Advice Branch website: regorgs.fwc.gov.au |



| Where do I find? | Location |
|--|--|
| General information on agreement making, right of entry, disputes, industrial relations and information about the role of the Commission | On the Commission's website: www.fwc.gov.au |
| The duties for my specific office | The rules of your organisation or branch. |
| The rules of my organisation/branch | www.fwc.gov.au |
| Past elections, annual returns or financial reports | regorgs.fwc.gov.au |
| Information on credit cards, expenditure, reimbursement and travel as an officer | The rules or internal policies: List the policies here: |
| Minutes of meetings I've attended | |
| Financial records of my branch, like budgets, statements and purchases | |
| Branch policies | |
| My branch email inbox and log on details | |
| A conflict of interest/related party register | |
| A timetable of compliance dates for things like elections or financial reporting | |



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| Where do I find? | Location |
|---|----------|
| Dispute resolution procedures for issues between me, the branch, other officers and members | |
| Information of any payments or honorariums I get as an officer | |
| Important notices to members or officers | |
| Newsletters or other circulars | |
| Notice and details of upcoming meetings | |
| Organisation wide policies | |
| Decisions/minutes of national bodies | |
| The names and contact details of other officers | |
| A branch or officer calendar | |
| Forms or other branch materials | |
| Financial Disclosures I and other officers have made to the organisation/branch | |
| The branch website (internal and public) | |



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| Where do I find? | Location |
|--|--|
| The Register of members and historical copies | |
| Advice or help with interpreting the rules | |
| General information on elections, annual returns, financial reporting, disclosures, corrupting benefits and information about the role of the Commission. This includes template documents and fact sheets. | On the Commission's Registered Organisations Governance and Advice Branch website: regorgs.fwc.gov.au |
| General information on agreement making, right of entry, disputes, industrial relations and information on the Commission | On the Commission's website: www.fwc.gov.au |

Entry permits and rules

Entry permits and rules are dealt with by the Commission. Officers of registered organisations may have entry permits and must comply with the rules of the organisation.



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The Commission's areas of responsibility:

| Fair Work Commission | |
|---|---|
| <ul style="list-style-type: none">• Registration, amalgamations and deregistration• Rules (including eligibility rules)• Approval of Right of entry training• WHS permit applications• Right of entry permits• Disputes• Appeals (including appeals from ROC decisions) | <ul style="list-style-type: none">• Elections• Annual returns• Financial reports and loans, grants and donations statements• Inquiries and investigations• Education• Statutory Governance training• Officer and related party disclosures• Registration of auditors |

If you would like information on **entry permits**, please see the [Commission website](#) which contains a great deal of helpful information, including:

- Who can and how to apply
- How to use an entry permit
- When entry permits expire
- How to return your entry permit
- The law relating to right of entry permits generally

www.fwc.gov.au/registered-organisations/entry-permits

If you would like information on the **rules of registered organisations**, please see the [Commission website](#) which contains useful information, including:

- What must be in rules



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- How to change rules including eligibility rules
- Copies of all registered organisations rules (under find a registered organisation)

www.fwc.gov.au/registered-organisations/find-registered-organisation

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This induction kit is not intended to be comprehensive. It is designed to assist in gaining an understanding of the Fair Work Commission and its work. The Fair Work Commission does not provide legal advice.