

Our Ref: 2-1-1/018VO3

Enquiries: Susi Di Martino

CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 7 OF 1994

TRADE UNION TRAINING LEAVE

Reference is made to Circulars to Departments and Authorities No. 9 and 18 of 1986 relating to the conditions governing the granting of leave for government employees to attend trade union training courses.

Circular No. 9 of 1986, Clause 1, provides for paid leave for employees to attend courses conducted by the Trade Union Training Authority (TUTA), as well as other courses or seminars as approved by agreement between the parties.

Circular No. 18 of 1986 states that courses or seminars conducted by the Trade Union Training Authority are approved courses, for the purposes of Trade Union Training Leave, and applications to attend those courses may be considered by Departments and approved at the discretion of the Chief Executive Officer subject to departmental convenience. All non-TUTA conducted courses currently require referral to DOPLAR for assessment as to eligibility for Trade Union Training Leave.

Both Circular No. 9 and No. 18 of 1986 are now replaced by Circular No. 7 of 1994.

The Government's policy on trade union training leave has been reviewed and it has been agreed that applications for paid leave are to be assessed by the Chief Executive Officer and no longer need to be forwarded to DOPLAR. Leave provisions have not been increased or reduced.

Chief Executive Officers are now responsible for determining the appropriateness to the workplace of TUTA conducted courses, TUTA registered/recognised courses and any other union courses that employees or unions may make application for.

Award clauses generally provide paid trade union training leave for TUTA conducted courses. It is important to note that TUTA registered or TUTA recognised courses do not constitute courses that are **conducted** by TUTA.

All non-TUTA conducted courses should be examined thoroughly and assessed both before and after the course according to the following criteria:

- the extent to which the course contents benefit the employment relationship in the agency,
- the content of the course is clearly defined as training and not union administration,
- whether the course speakers are representative of the relevant parties; for example, the Government as the employer, the union representing employees and independent speakers such as academics where appropriate,
- the proposed venue, and the type and number of attendees are clearly specified and meet the policy guidelines and,
- the application has been submitted a month in advance of the course date.

Some award clauses provide scope for leave to be agreed for courses endorsed by DOPLAR. This discretion will not be exercised by DOPLAR, and Chief Executive Officers now have absolute responsibility for determining the appropriateness of applications to attend such courses subject to award provisions. Agencies are further reminded that Trade Union Training Leave is a matter which can be raised in workplace bargaining.

DOPLAR will continue to provide advice as required in relation to the administration of the policy. Agencies can provide feedback and make enquiries regarding Trade Union Training Leave to Georgina Shepherd on 222 7671 or Susi Di Martino on 222 7672.

STEPHEN HOME
A/CHIEF EXECUTIVE OFFICER

15 July 1994

While we endeavour to provide accurate and up-to-date information, DOPLAR is not responsible for the results of any actions taken or not taken based on the information provided.