

# AUSTRALIAN FEDERATED UNION OF LOCOMOTIVE EMPLOYEES

## POST IN NOTICE CASE



[www.afule.org.au](http://www.afule.org.au)

**CIRCULAR: 40-10**

**Ref: Discipline**

To Councillors / Proxies  
Branch Secretaries/ Chairs

### ABSENTEEISM

#### 1. DISCIPLINE PROCESS, INFORMATION GATHERING AND NOTICE REQUIREMENTS

If you are required to attend an information gathering interview as part of the disciplinary process, your supervisor must give you:

- adequate notice (24 - 48 Hours) in writing including the time and place of the information gathering interview;
- an outline of the allegations against you;
- any relevant documentation;

If your supervisor does not provide you with adequate notice and documentation then you can legitimately refuse to attend the meeting until it is provided.

If you are required to attend an information gathering interview for any reason contact your AFULE Representative to attend that meeting with you.

#### 2. ABSENTEEISM AND DISCRIMINATORY TREATMENT

If you are required to attend a disciplinary process that has originated because you have a legitimate, substantiated illness, injury or other impairment, being put through a process that focuses on the possibility of disciplinary measures is directly discriminatory.

Such treatment is unfair and unlawful. You are protected from this kind of conduct by the Queensland *Anti Discrimination Act*, the Federal Disability Discrimination Act and the *Fair Work Act*.

If you have:

- been absent due to a legitimate and substantiated illness, injury or other impairment
- been through a disciplinary process that has resulted in a detrimental outcome
- been disadvantaged in any way because of an absence due to a legitimate and substantiated illness; then

Please contact the AFULE State Office on (07) 3257 1151 or [statesecretary@afule.org.au](mailto:statesecretary@afule.org.au)

Yours fraternally,

**GREG SMITH  
STATE SECRETARY**

**TRAINCREW REPRESENTING TRAINCREW**

## **AFULE Expectations of the QR Disciplinary Process**

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AFULE members have a right to be treated fairly and equitably and with respect and dignity.

The AFULE will advocate for fairness for our members when they are being investigated or disciplined.

Disciplinary processes should follow procedural fairness, ensuring that employees are not treated harshly. Only then can the duty to ensure procedural fairness in any disciplinary matter be discharged by both the employer and the AFULE.

### **Prior to any meetings involving the disciplinary process**

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When QR requests an employee to attend a meeting during the disciplinary process the AFULE expects QR to:

- Provide reasonable notice in writing of the meeting, including time and location of the meeting, allowing the employee time to prepare for the meeting;
- Provide a written reason for the meeting being held;
- Provide a list of the specific issues (allegations) to be covered in the meeting;
- Provide copies of all evidence that will be used by the employer; and
- Provide copies of all relevant policies and procedures to be referenced.

### **During meetings involving the disciplinary process**

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In disciplinary meetings involving AFULE members, AFULE representatives and/or officials will be entitled to represent and advocate on behalf of the member.

AFULE representatives can:-

- Ask questions of the employer;
- Ask for more information from the employer;
- Put forward suggestions to the AFULE member and the employer;
- Put forward union position and opinion to the employer;
- Guide and advise AFULE member during meeting;
- Suspend meeting to confer with the AFULE member;
- Suspend meeting to obtain further information from employer or AFULE; and
- Record the meeting;

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## **After meetings involving the disciplinary process**

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AFULE members must be allowed the right to respond to any allegations that are considered to have the potential to be substantiated after the investigation process is concluded and before the decision to take disciplinary action is made.

The AFULE representative will assist the AFULE member in preparing their response to the allegations.

The AFULE then expects that all findings and actions from the employer will be provided, in writing, to the member in a reasonable amount of time.

Yours Fraternaly



**GREG SMITH  
STATE SECRETARY**

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