



# CONSTITUTION

## Prisons Division

(Formerly the Correctional Industry Branch)

Of the Community & Public Sector Union

SPSF Group, Victorian Branch

### 1. Title and commencement

- 1.1 The Title of the Branch Section shall be the PRISONS DIVISION, and the Prisons Division shall come into operation on the date this constitution is approved by the Branch Council.

### 2. Membership

- 2.1 The membership of the Prisons Division shall be all CPSU/SPSF Group Victoria members employed in Corrections Victoria Prisons division and/or Correctional facilities operating in Victoria, and as listed at 5.1 of this constitution.

### 3. Prisons Division Committee and Executive

- 3.1 The Prisons Division shall be managed by a committee as prescribed below:

- a) The Prisons Division Executive comprised with the following officer bearers:
  - 1 - Secretary
  - 1 - President
  - 2 - Vice Presidents and
- b) Any member of the Prisons Division who is a member of the Branch Council and
- c) One representative of each Sub Section/Local Group established under this Constitution, being the President of the Local Group elected by and from the membership of the respective Sub Section/Local Group, or a representative of the President, appointed from the elected Local Group or Local Group Executive.
- d) Such other members of the Branch Section/Sub Section, as determined by the Prisons Division Committee.

- 3.2 The Prisons Division Executive shall be determined as follows:

- a) Nominations for executive will be called for from all members of the Prisons Division.
- b) The Prisons Division Committee will conduct determination of executive positions.

- 3.3 The members of the Prisons Division Executive shall hold office for a term of 2 years, with each term commencing on the 1<sup>st</sup> July in an odd numbered year. Providing that the initial term shall expire on 30<sup>th</sup> June 2007.

#### **4. Functions of the Prisons Division committee.**

##### **4.1 The functions of the Prisons Division Committee shall be;**

- a) To perform such acts and to deal with matters referred to it by the Branch Council, the Branch executive, the Branch Secretary or the Sub Section/Local Groups.
- b) To deliberate, make decisions and take action on matters, which concern the Prisons Division only.
- c) To make recommendations as appropriate to the Branch Council, the Branch Executive, or the Branch Industrial Committee.
- d) To receive reports from and to liaise with Industrial Staff assigned to areas covered by the Prisons Division.
- e) To hold and/or be involved in Negotiations and/or Meetings, with Department of Justice, or Corrections Victoria management, Human Resources or Industrial Relations staff, or the designated management of any contracted prison service provider as per part 2A of the Corrections Act 1986, on behalf of the CPSU/SPSF Group Victoria membership of the Prisons Division.
- f) Any meeting, decision making or consultative forum, which has an affect on more than one Sub Section/Local Group of the Prisons Division, will, to be valid, have in attendance, not less than the following representatives from the Prisons Division and/or CPSU:
  - Two (2) office bearers of the Prisons Division Executive, or
  - One (1) office bearer of the Prisons Division Executive and Two (2) members of the Prisons Division Committee, or
  - The CPSU/SPSF Group Victoria, Branch Secretary, or Assistant Branch Secretary or assigned Industrial Officer and one (1) Prisons Division Sub Section/Local Group member.
- g) To establish, vary, or abolish any sub section/local group. Any decision to vary or abolish a sub section/local group made by the Prisons Division Committee must be agreed by a two thirds majority of the Prisons Division Committee.
- h) To establish rules, policy and procedures for the operation of the Prisons Division in relation to matters not covered by this constitution.
- i) To ratify, vary, or quash decisions or agreements of the Prisons Division Executive, or any Prisons Division sub committee, or Sub Section/Local Group, which in the view of the Prisons Division Committee, would prove detrimental to the Prisons Division membership.
- j) The CPSU/SPSF Group Victorian Branch rules will prevail over any inconsistency with this constitution.

## 5. Sub Section/Local Groups

5.1 There shall be sub section/local groups established within the Division as follows:

- a) Ararat Prison
- b) Barwon Prison
- c) Beechworth Prison
- d) Clinical Services
- e) Court Services (MAP)
- f) Dame Phyllis Frost Centre
- g) Dhurringile Prison
- h) Fulham Prison
- i) Head Office
- j) Health and Safety
- k) Judy Lazarus Centre
- l) Langi Kal Kal Prison
- m) Loddon Prison
- n) Marngoneet Correctional Centre
- o) Melbourne Assessment Prison
- p) Metropolitan Remand Centre
- q) Non Custodial
- r) Port Phillip Prison
- s) Prison Transport, GSL
- t) SESG
- u) Tarrengower Prison

5.2 The filling of Sub Section/Local Group Executive positions for Clinical Services, Health and Safety, Non Custodial and SESG will be as follows:

- a) Nominations will be called for from all members of the Sub Section/Local Group.
- b) The Prisons Division Committee will conduct determination of these executive positions.

5.3 Sub Section/Local Groups can be varied in accordance with 4.1 (g).

5.4 Each Sub Section/Local Group shall elect a Sub Section/Local Group Executive and committee to deal with local matters. The members of the Sub Section/Local Group Executive and Committee shall hold office for a term of 2 years, with each term commencing on 1<sup>st</sup> July in each even numbered year. Provided that the initial term shall expire on the 30<sup>th</sup> June 2008.

5.5 The Sub Section Local Group shall be made up of an Executive and a Committee, which will support the Executive.

5.6 A sub section/local group executive will have not less than two (2) office bearer positions, those being Secretary and President, and may apply to the Prisons Division Committee for a variation to this arrangement.

5.7 The sub section/local group committee will be determined by the sub section/local group members at a general meeting of the sub section/local group or may be established through a sub section/local group constitution. This constitution and rules and policy or the Prisons Division Committee will prevail over any inconsistency of a sub section/local group constitution or sub section/local group membership determination.

5.8 The Executive of the Sub Section/Local Group will be responsible to make representations to the local Management and take actions in accordance with Prisons Division policy and rules to resolve matters affecting members in their sub section/local group workplace.

- a) Any meeting or formal gathering of an elected Sub Section/Local Group with their sub section/local group workplace Management, shall consist of not less than;
- Two (2) elected members of the Sub Section/Local Group Executive, or
  - One (1) elected member of the Sub Section/Local Group Executive and Two (2) other Sub Section/Local Group ordinary members, or
  - The CPSU/SPSF Group Victoria Branch Secretary, or Assistant Branch Secretary, or Industrial Officer and One (1) elected member of the Sub Section/Local Group Committee, or
  - The CPSU/SPSF Group Victoria Branch Secretary, or Assistant Branch Secretary, or Industrial Officer and Two (2) other Sub Section/Local Group ordinary members.

5.9 The further functions of the Sub Section/Local Groups shall be as follows;

- a) To promote the objects of the Union in their area of coverage.
- b) Hold meetings of members in the workplace to discuss matters of common interest, and to refer matters arising, to the Prisons Division Committee or Division Industrial staff as appropriate.
- c) To liaise with and to provide assistance to Division Industrial Staff assigned to their area of coverage.
- d) To distribute written material authorised by the Branch Secretary, Assistant Branch Secretary or Prisons Division to members in the workplace, and to promote Knowledge and understanding of Union policies and activities.
- e) To recruit potential members with the aim of achieving 100% financial membership of those eligible to join.
- f) To perform such other functions as determined by the Branch Council or the Prisons Division Committee.

## **6. Prisons Division Committee Meetings**

- 6.1 A meeting of the Division Committee shall be convened each month or on the basis of,
- a) Direction from the Branch Council, the Branch Executive or the Branch Secretary or,
  - b) A resolution of two thirds of the members present and eligible to vote at a meeting of the Prisons Division committee, or as per the CPSU/SPSF Victoria Branch rules.