



## Right of entry

**Often United Voice delegates will rely on the support and assistance of union organisers at the workplace. For an United Voice organiser (union official) to enter a workplace, they've got to hold a right of entry permit under the Fair Work Act.**

All United Voice organisers hold right of entry permits under the Fair Work Act for this purpose.

### Under WorkChoices

- Your organiser could only exercise right of entry if United Voice was a party to the award or agreement covering the employees at the workplace.
- There had to be some breach of the agreement or award at the workplace.
- The employer could try to force United Voice organisers to name the worker that invited them to the workplace.

### Under the Fair Work Act

- Your right to discuss union business with your organiser at the workplace has been restored.
- Your organisers right of entry is based upon 'eligibility' of union membership, i.e., if there are workers that are (or are eligible to be members) at the workplace, then the organisers can come to your workplace.
- Your United Voice organiser may exercise right of entry where the union has members or potential members within the union's coverage rules in the workplace.

### Your United Voice organiser can enter your workplace

- To hold discussions with United Voice delegates, members and other eligible employees.
- To investigate a suspected breach of your agreement or award.
- To exercise right of entry under state or federal workplace health and safety laws.



### To hold discussions with employees

Your organiser can hold discussions with United Voice delegates, members or potential members of the union about workplace issues. These discussions are confidential.

United Voice organisers and delegates can negotiate with your employer about where and when the organiser can meet with workers. The Act has some limitations around this that you can discuss with your organiser.

### To investigate a suspected breach

Your organiser can enter your workplace to help you investigate a suspected breach of your agreement, award or the Fair Work Act, that is affecting a union member.

Examples of breaches include non-payment of wages, non-payment of superannuation and not providing breaks.

Your organiser can assist you to inspect work, processes, objects, and can access any document relevant to the suspected breach that is kept on the premises or accessible from the premises.

### To exercise right of entry under state or federal law

Your organiser may enter a worksite under state or federal workplace health and safety laws if there is a workplace health and safety issue affecting employees at the workplace.

They must also hold a right of entry permit under the Fair Work Act in order to exercise state workplace health and safety right of entry.

### Obstruction of right of entry powers

The employer can not obstruct a union official exercising right of entry powers and penalties apply if the employer obstructs the authorised right of entry of a union official.

This information relates to when an United Voice official exercises a right of entry. There is nothing to stop employers inviting officials into your workplace and in many cases your union and employer can agree on mutually acceptable protocols for workplace visits.