

Constitution of The Australasian Regional Organising Committee of the Industrial Workers of the World as Amended through November 29, 2021

Rules and constitution

1. Name and purpose

1. The name of this organisation shall be the Industrial Workers of the World Australia, Inc (“the IWW”).
2. The purpose of this organisation shall be to advance the interests of workers across the territories known as Australasia and to struggle for a world where human labour is no longer a commodity to be bought and sold, but where workplaces are run and controlled democratically by those who work in them for the benefit of all.

2. Membership

1. Membership of the IWW is open to all workers who accept the organisation’s purpose and agree to abide by its constitution.
2. Membership dues are payable each month. Members whose dues are 2 months in arrears will be in bad standing and will not be entitled to any rights or benefits of IWW membership, or from exercising any IWW office until such dues have been paid. After four months in bad standing (six months in arrears) a member will no longer be considered a member and will have to reapply to join.
3. A new member application can be challenged by any member in good standing on the basis of eligibility for membership or suitability based on past known behaviour. Such challenges will be heard by the branch to which the member application has been made or, if no branch exists, by the Regional Organising Committee (ROC). Acceptance or denial of the application will be made by a majority vote. A branch’s decision can be appealed to the ROC.
4. All members are entitled to the use of facilities and offices of the IWW, and to be informed of, to attend, and to vote at IWW Annual General Meetings.
5. Members may resign the membership by giving written notice to the ROC Secretary-Treasurer.

6. IWW Sole Proprietors:

The ROC will allow self-employed IWW members to be recognised as an IWW sole proprietor business. An applicant for IWW Sole Proprietor Business recognition will fulfil all of the following requirements: not be an employer, have been a member of the IWW for a minimum of six months, operated the business for a minimum of one year, pass a means test, be in good standing, and agree to annual reassessment. A recognised IWW sole proprietor business shall not undermine wages in their industry. Self-employed workers will honour all union boycotts and strikes. Self-employed workers will use union products and services whenever possible and recycle as feasible. IWW sole proprietors will be considered members of the nearest branch in their area.

3. Branches

1. Members of the IWW in Australia may form the following organisations:

a) General Membership Branch – where ten (10) or more members work in different industries in the same locality

b) Industrial Branch – where ten (10) or more members work in the same industry in the same locality

c) Job Branch – where ten (10) or more members work at the same workplace

2. The members of branches shall elect a secretary-treasurer in addition to a branch representative to serve on the Regional Organising Committee (ROC).

4. Regional Organising Committee

1. The Regional Organising Committee (ROC) shall be the coordinating and decision-making body for the IWW across Australia. The ROC will comprise of:

a) Three ROC Officers – a Secretary-Treasurer, an Assistant Secretary Treasurer and a Communications Officer

b) ROC Branch Representatives from each chartered branch

2. The holders of the above positions shall have their roles defined as follows:

a) ROC Secretary-Treasurer (RST) – the Secretary-Treasurer shall be elected by an annual referendum of IWW members in good standing. The RST shall be responsible for providing quarterly and annual financial reports to all IWW members. The RST will be responsible for the custody of membership records, minutes of ROC meetings, and other relevant documents.

The RST shall open and maintain a bank account, receive all moneys paid to or received by the IWW, and issue receipts for those moneys in the name of the IWW. The RST will ensure that all moneys received are paid into the account of the IWW within 5 working days after receipt, and make any payments authorised by the Regional Organising Committee or by an Annual General Meeting from the IWW's funds. The RST must ensure that at least one other ROC member has access to the accounts and financial records of the IWW.

The RST shall have one vote in ROC meetings until such time as there are five (5) chartered branches with elected Representatives. At this time, the RST will become a purely administrative role.

b) ROC Assistant Secretary-Treasurer (Asst-RST) The Asst-RST will assist with any of the tasks and responsibilities belonging to the RST and make reports to committee as appropriate.

In the event that the RST is unable to fulfil their duties the Asst-RST will automatically take their place until such a time as an election can be held to fill the RST permanently.

The Asst-RST will not be entitled to vote in ROC meetings except in the case that RST is unable to attend and there are less than five (5) chartered branches with elected representatives.

c) ROC Communications Officer – the ROC Communications Officer shall be elected by annual referendum of IWW members in good standing. The Communications Officer shall be responsible for the management of the ROC's iww.org.au website and the ROC's social media accounts, the overseeing of branch and ROC officer email accounts attached to the iww.org.au domain, and for compiling a quarterly internal bulletin, to be published in January, April, July and October. The Communications Officer shall send an electronic copy of the internal bulletin to all branches of the ROC. The branches shall be responsible for distributing electronic and paper copies to their members. The Communications Officer shall be responsible for mailing the bulletin to other individual members who request a paper copy, to be reimbursed by the ROC for printing and postage.

The ROC Communications Officer shall have one vote in ROC meetings until such time as there are five (5) chartered branches with elected Representatives. At this time, the Communications Officer will become a purely administrative role.

c) ROC Branch Representatives – an ROC Branch Representative is elected by a branch to be the voice and vote of its members on the Regional Organising Committee. The branch is responsible for electing this representative in accordance with its own bylaws. An ROC Branch Representative is subject to recall only by the members of the branch that elected that representative. It is the responsibility of the ROC representative to consult their branch and receive instructions on how to vote. It is the responsibility of the branch to provide timely and adequate instructions to their elected representative.

3. ROC Officers and Branch Representatives shall provide quarterly reports to IWW

members in the region through the internal bulletin.

4. The ROC will maintain a Manual of Policies and Procedures (MPP) which will be an authoritative record of current policy, procedure and guidance, and which will be made available to all members on request. All language in the MPP will be approved by a majority vote of the ROC.

5. If an ROC Officer vacates their position before the end of their term, either through resignation or recall, an interim replacement officer shall be appointed by other members of the ROC to fill the vacated position until the annual election of ROC Officers is held. The ROC shall inform all IWW members of the vacancy, allow seven (7) days for any member to nominate to fill the vacant position, then appoint a replacement by majority vote of ROC members. If an ROC Branch Representative vacates their position they shall be replaced in accordance with the by-laws of the branch they represent.

5. Regional Organising Committee Officer elections

1. ROC Officers are subject to annual election by the membership of the IWW across Australia. (This does not apply to ROC Branch Representatives, who are elected in accordance with the bylaws of their own branch.)

2. In July of each year, the ROC shall publish a notice in its internal bulletin calling for nominations. All candidates for an ROC Officer post must have been in continuous good standing for at least one year before their nomination, unless there are no other qualified candidates standing. Nominations shall be emailed to the RST and the closing date for submissions shall be the same as the deadline for the October internal bulletin.

3. The election shall take place at the Annual General Meeting.

4. The names and candidate statements of candidates will also be published in the October edition of the internal bulletin.

5. A returning officer will be elected by a simple vote of the ROC. All members in good standing are eligible to act as returning officer providing they are not running for an ROC Officer position. The returning officer will be responsible for counting votes at the AGM. take place no later than seven (7) days after the closing date for the return of completed ballots. The results shall also be published in the next issue of the internal bulletin.

6. The successful candidates shall take office on 1 January and shall serve for one year. No ROC Officer may serve more than three consecutive terms, unless there are no other qualified candidates standing.

9. All ROC Officers, excluding ROC Branch Representatives, are subject to recall by a petition

of 10% of the members in good standing paying dues as of the most recent 1 January. The petition must be delivered to the ROC branch representatives and shared with the officer being recalled. The recall vote must be conducted within forty-five (45) days of receipt of the petition. All parties must have a fair opportunity to publish a statement on the recall ballot.

6. Financing

1. The ROC sets the dues rates as the following. All wages are "Net" (Take home):

1.1 Members residing in Australia (all prices in AUD):

- Hardship: \$0 per month at delegate's discretion
- Sub-minimum: \$1 per month for unemployed workers and pensioners
- Minimum: \$10 per month for workers earning less than \$3500 per month.
- Regular: \$15 per month for workers earning \$3500 and \$4800 per month (inclusive).
- Maximum: \$25 per month for workers earning more than \$4800 per month.

1.2 Members residing in New Zealand (all prices in NZD):

- Hardship: \$0 per month at delegate's discretion
- Sub-minimum: \$1 per month for unemployed workers and pensioners
- Minimum: \$10 per month for workers earning less than \$3500 per month.
- Regular: \$15 per month for workers earning \$3500 and \$4800 per month (inclusive).
- Maximum: \$25 per month for workers earning more than \$4800 per month.

1.3 Members residing in Singapore (all prices in SGD):

- Hardship: \$0 per month at delegate's discretion
- Sub-minimum: \$1 per month for unemployed workers and pensioners
- Minimum: \$10 per month for workers earning less than \$3500 per month.
- Regular: \$15 per month for workers earning \$3500 and \$4800 per month (inclusive).
- Maximum: \$25 per month for workers earning more than \$4800 per month.

1.4 Members residing in Thailand (all prices in THB):

- Hardship: ฿0 per month at delegate's discretion
- Sub-minimum: ฿15 per month for unemployed workers and pensioners
- Minimum: ฿60 per month for workers earning less than ฿11000 per month.
- Regular: ฿90 per month for workers earning ฿11,000-฿15,000 per month (inclusive).
- Maximum: ฿150 per month for workers earning more than ฿15,000 per month.

1.5 Members residing in Malaysia (all prices in MYR):

- Hardship: \$0 per month at delegate's discretion
- Sub-minimum: RM2 per month for unemployed workers and pensioners
- Minimum: RM8 per month for workers earning less than RM1400 per month.
- Regular: RM12 per month for workers earning RM1400 and RM2000 per month (inclusive).
- Maximum: RM20 per month for workers earning more than RM2000 per month.

Incarcerated members will pay no dues.

2. The ROC has the ability to set dues schedules for members in other countries via a majority vote. This should be decided in collaboration with members in these countries and reflect factors such as minimum wages and cost of living. Wherever possible members should be able to pay dues in the official currency of their country of residence.

3. Membership dues shall be collected by the ROC through recurring electronic payments, and then distributed 50% to the branch the member belongs to, and 50% to the ROC. All dues collected from members who do not belong to a chartered branch will go to the ROC, unless voted otherwise by the ROC. Dues shall be remitted from the ROC to chartered branches on a monthly basis.

4. The ROC shall be responsible for distributing its funds and making monetary decisions by a majority vote of ROC members.

5. A three - (3) person audit committee shall be elected from a chartered branch of the ROC. The ROC shall appoint a branch to host the audit committee on a rotating basis, through all branches of the ROC. The committee shall audit and annually report the accounts of the ROC and responses to member questions in the October issue of the internal bulletin.

7. Regional Organising Committee meetings

1. The ROC shall conduct its daily business by email list. The email list will serve as a permanent standing meeting of the committee, with motions able to be made, discussed and decided. Any IWW member in good standing affiliated with the ROC may subscribe to this list. The Secretary-Treasurer will act as chair of the ROC email list.

2. All formal business and resolutions placed before the Committee will be made in the form of motions by individual Committee members. Each motion will have a voting life of 60 days, or until such time that a majority of voting Committee members has passed or defeated a motion. Vote changes will be allowed within the life of the motion.

3. It is strongly suggested that every motion be submitted to the Committee for discussion at least 48 hours before it is formally proposed.

4. Each Committee member shall be expected to record a vote of "Yes", "No", or "Abstain" on every motion. This may be done by e-mail over the ROC list, or during a quarterly meeting.

5. A majority of ROC members must vote in the affirmative to pass a motion. Should the ROC be reduced to below five members three members will be required to vote in the affirmative to pass any motion.

6. All expenditure must be approved by a motion of the ROC. The Secretary-Treasurer is responsible for distributing these funds and will provide relevant receipts to the ROC.

7. All motions put before the ROC, and the votes of each ROC member, will be recorded in the quarterly IWW bulletin.

8. In addition to the above, the ROC will also hold meetings in person or by electronic communication interface at a regular quarterly interval that is mutually agreed upon by the ROC. Seven days' notice shall be provided once a meeting time has been determined.

a) At the quarterly meetings, committee members are expected to task each other with various facets of assisting the ROC throughout the next quarters. This includes, but is not limited to: Assigning branch contacts, reviewing the current fiscal budget, addressing administrative issues between the ROC and various branches, etc.

b) Prior to quarterly meetings, a proposed meeting agenda must be prepared and circulated by the RST. Committee members may add items to the agenda.

c) Minutes of the meeting proceedings, including motions passed and discussion relating to all agenda items, will be kept by the RST, and these minutes must be approved by a motion of the ROC no later than 30 days after the conclusion of the meeting. Minutes will be made available to the membership on the ROC email list and via link in the quarterly internal members' bulletin.

d) A special meeting may be called at the request of two IWW branches.

8. Annual General Meeting

1. The ROC will convene an Annual General Meeting of the IWW to take place in November of each year following the publication of the October bulletin. The date and location of the Annual General Meeting will be determined by a majority vote of the ROC.

2. The Annual General Meeting will be open to all members in good standing. All members

shall have voting rights, and those unable to attend may nominate a member a proxy to act on their behalf by emailing the Regional Secretary Treasurer.

3. The purpose of the Annual General Meeting will be to review the operations of the IWW and assess organising efforts over the previous 12 months, to allow members to share skills, and to pass resolutions for the upcoming 12 months, including special resolutions to vary the rules of the IWW.

4. IWW members shall be given 21 days' notice of the date, time and place of the Annual General Meeting by email from the Regional Secretary-Treasurer, including proxy-voting forms.

5. Quorum for the Annual General Meeting will be ten (10) members in good standing.

6. Motions to the Annual General Meeting:

a) All resolutions to be discussed and voted upon at the AGM must be submitted to the RST by the deadline for the October edition of the internal bulletin.

b) Members shall be given at least 21 days' notice of all resolutions that have been proposed for the AGM, including special resolutions to vary the IWW's rules, via email from the RST. The notice shall provide the full text of all proposed resolutions, a statement of intention from the motion's proposers, and it shall restate the date, time and place of the AGM at which these motions will be discussed and voted upon.

c) Special resolutions to vary the rules of the IWW shall require a minimum of 75% of votes cast in order to pass. All other motions shall require a majority of votes cast in order to pass.

7. Procedure at Annual General Meetings:

a) The ROC will develop an agenda for proceedings at the AGM by majority vote and will publicise this to all members at least 21 days before the AGM. The agenda will include resolutions and time for strategic discussions.

b) The AGM shall be called to order by the RST. Members present shall then nominate and elect two people to chair the AGM and one to take minutes.

c) The chairs shall then facilitate an orderly working through of the agenda for the AGM

9. General matters

1. Subject to any exemption granted under s 59A of the Act, any member may, at a reasonable time and free of charge, inspect the register of members.

2. Members may, on request and at a reasonable time, inspect free of charge: the rules of the IWW; the minutes of ROC meetings; the financial records, books, securities and any other relevant document of the IWW, except where the ROC may refuse to permit a member to inspect records of the IWW that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the IWW.

3. The ROC must on request make copies of its constitution and rules available to members and applicants for membership free of charge

10. Winding up and cancellation

1. The IWW Australia may be wound up voluntarily by special resolution at an Annual General Meeting requiring at least 75% of votes.

2. In the event of the winding up or the cancellation of the incorporation of the IWW, the surplus assets must not be distributed to any members or former members of the Association. The surplus assets must be given to a body that has similar purposes to the IWW and which is not carried on for the profit or gain of its individual members. The body to which the surplus assets are to be given must be decided by an AGM special resolution.

Appendix I – Safer spaces policy

- 1.** The events, lists and social media pages of the Australian IWW are safer spaces. Violence, harassment and abuse will not be tolerated in any form. This can be based on gender, sexual preference, race, socio-economic status, political beliefs, physical abilities, class, age, physical appearance, religion, and a myriad of other factors. There can be no definitive list of behaviours / comments / situations which make people feel uncomfortable. The main thing is to concentrate on how actions are affecting others, and modify behaviour as appropriate.
- 2.** Racism, as well as ageism, homophobia, sexism, transphobia, ableism or prejudice based on ethnicity, nationality, class, gender, gender presentation, language ability, employment or lack thereof, asylum status or religious affiliation is unacceptable and will be challenged.
- 3.** Members should respect each other's physical and emotional boundaries and always get explicit verbal consent before touching someone or crossing boundaries.
- 4.** Members should be aware of the space they take up and the positions and privileges they bring, including racial, class and gender privilege.
- 5.** Assuming the opinions, experiences, lifestyles and identifications of other participants should be avoided.
- 6.** Members should try not to judge, put each other down or compete.
- 7.** Members should be aware of the language they use in discussion and how they relate to others. Try to speak slowly and clearly and use uncomplicated language.
- 8.** The Australasian ROC endeavours as much as is feasible to ensure that meeting spaces are as accessible as possible to the widest range of people.
- 9.** The ROC strives to foster a spirit of mutual respect, listens to the wisdom everyone brings to the group and encourages members to avoid speaking in a condescending manner.
- 10.** Each person should be given the time and space to speak. Interrupting, talking over others, and dominating conversation should be avoided. In large groups, or for groups using facilitation: participants should raise their hand to speak.
- 11.** Respect the person; challenge their behaviour.
- 12.** If a discussion topic may potentially be triggering, a warning should be given beforehand.
- 13.** Whilst ground rules are a collective responsibility, in the end everyone is personally responsible for their own behaviour. Members should keep the following in mind: Members should pay attention to body language, as people often use non-verbal clues to communicate a

lack of consent (e.g. not making eye contact, making excuses to move away, not responding to physical advances). Members must take responsibility for their own actions, and consider how their behaviour and speech affect others. Remember that not everyone reacts the same way. There may be certain situations when members feel comfortable using language which some may find offensive or derogatory. Branch meetings and forums are not an appropriate space for this. One does not know who will overhear, and how they will react to this. Members should look out for others, and try not to leave anything around that may endanger physical safety. Removing oneself physically from a situation can be a great help.

Appendix II - Complaints

1. Grounds for complaint

1. Complaints shall be related to matters which impact the IWW. A complaint should be directly related to the IWW's affairs and the rights of its members. Among the offences for which remedial actions, discipline and penalties may be imposed against any member, or branch or other grouping are:

a) wilfully failing to comply with the IWW rule book and constitution, including its safer spaces policy

b) engaging in corruption or other financial malpractice in respect of the funds or property of the IWW

c) acting in a manner that is against the IWW's interests or causes reputational harm

d) bringing false charges with malicious intent against a member, officer, or grouping of the IWW e) bullying, abuse, harassment, discrimination, disruptive or uncomradely behaviour, or other misconduct.

2. Submission of complaint

1. Complaints should be submitted in writing or by email to the Regional Secretary-Treasurer (secretary@iww.org.au) with the subject header "Complaint". If the complaint concerns the RST or the complainant has concerns about the neutrality of the RST, the complaint can be sent to another ROC officer.

2. The recipient of the complaint will become the Receiving Officer, who will be responsible for the complaint and for ensuring that the complaints procedure is followed.

3. The Receiving Officer will determine if the complaint relates to any of the criteria for complaints set out above in "Grounds for complaint" (Section 1 Clause 1 subsections a) to e)). If the complaint relates to any of these criteria the complaints process will proceed. The Receiving Officer will notify the intended complainant of this decision in writing. This must occur within three (3) days of receipt of the complaint.

4. If this decision is contested the intended complainant can stipulate that they wish to appeal to the Regional Organising Committee. The Receiving Officer shall forward the complaint to the ROC, which must vote on whether the complaint may proceed within five days of receipt. The vote of the ROC will be final.

5. Where the decision is made to proceed with the complaint, the Receiving Officer will contact the member against whom the complaint is made (the respondent), introduce themselves, outline the complaint made against the member, provide a copy of the complaint procedure, and inform the respondent of whether they will be provisionally suspended (see below) or whether the complainant wishes to undertake mediation (see below). They will then inform the respondent of how the complaints process will proceed.

6. Once the complaints process has started there should be no communication between the complainant and respondent. All communications must go via the Receiving Officer. If one party contacts the other they should inform the Receiving Officer immediately and any such communication can be entered as evidence.

7. At the request of the request of the complainant, the complaint, response and all other evidence may be treated as confidential and will not to be revealed to or discussed with people who are not directly involved with the complaint – that is the complainant and respondent, Receiving Officer, and the complaints panel – until the complaint process is completed.

3. Provisional suspension

1. Where a complaint is of a serious nature and the respondent is accused of behaviour that could cause harm to the IWW, or where the respondent may be a threat to the safety and wellbeing of other fellow workers, or where their behaviour could cause disruption to any part of the IWW, the Receiving Officer can implement an immediate provisional suspension. The complainant does not need to have called for suspension for this to happen. The provisional suspension will last until the complaints process has been completed.

2. Where a complaint concerns sexual offences, assault, fraud or theft from the IWW, the Receiving Officer will invoke automatic provisional suspension.

3. Suspension should not be regarded as prejudging the outcome of the complaint but as a neutral act which protects the suspended member, the complainant, other members and the IWW itself.

4. Where a member has their membership suspended they are not allowed to participate in any aspect of the IWW's work (formal or informal, business or social) or discussions or forums. The member should not be in communication with any other member on any aspect of IWW business, including the complaint, for the duration of their provisional suspension, other than to communicate with the Receiving Officer regarding the complaints process and to hand over any ongoing work or documentation, contacts and correspondence to a designated member (provided by the Receiving Officer) to allow the IWW to take over any ongoing work and put in place a replacement where a specific duty was undertaken.

5. Where a member is suspended, they must immediately hand over to a member nominated by the Receiving Officer any casework files, documents, copies of communication and contact details for any ongoing IWW work they are involved with. They must also hand over any IWW property and monies in their possession to a member designated by the Receiving Officer.

6. Any member under any suspension will serve that period of suspension as a fully paid up member. Any cessation of dues payments will be regarded as an act of bad faith and an unwillingness to comply with the complaints process.

7. Any breach of the terms of suspension will be notified to the Receiving Officer and may result in sanctions which will be further to any sanctions should the complaint be found against the respondent. A breach of suspension will be treated as a serious matter and any breach may result in a lengthy suspension or expulsion from the IWW.

8. A decision as to whether to provisionally suspend the respondent must be made by the Receiving Officer within seven (7) days of receipt of the complaint.

4. Mediation

1. The preferred method of conflict resolution in the IWW, where appropriate, is mediation.

2. Unless the complaint is particularly serious, affects the IWW on a regional level, is a financial matter, or there are safety concerns, mediation should be attempted.

3. The final decision on whether mediation is the best way forward will be made by the complainant. However both complainant and respondent will need to give their consent for mediation to proceed. If consent is not given by both parties then the complaints procedure will be followed. Both parties must indicate their willingness to undertake mediation within 14 days of receipt of the complaint.

4. The Receiving Officer shall act as the mediator. The role of the mediator is to listen to both parties, gain a better understanding of the conflict, identify whether it is related to the IWW, search for alternative ways to view the conflict, and assist the parties in identifying ways to resolve the conflict.

5. The mediator and parties shall take no more than 30 days from the initial receipt of the complaint to conduct the mediation and report results to the branch or branches involved.

6. The mediator shall first meet separately or speak by telephone with each party to listen to each member's concerns. During these conversations, the mediator shall ask each party what they see would resolve the conflict and whether each party would be willing to meet with the other party in the presence of the mediator.

7. Based on these conversations, the mediator will identify the next step, which could include, but not limited to, the following: a second round of mediator-party conversations, a planned meeting of the two parties with the mediator, or the closure of mediation.

8. If either party refuses to attend the meeting, or conciliation is not reached, this process can move to the complaint procedure.

9. At the conclusion of mediation, whether successful or not, the mediator shall provide a written report to the branch or branches involved, as well as to the ROC. This report shall describe briefly the mediator's efforts, a summary of what the mediator learned in discussions (while respecting each party's privacy), the result of the mediation and, if necessary and at the mediator's discretion, any recommendations for action.

5. Complaints procedure

1. If mediation is unsuccessful or is not undertaken, the complaints procedure will be initiated.

2. If mediation is not attempted this will be happen within no more than 14 days of the initial receipt of the complaint. If mediation occurs and is unsuccessful the complaints procedure will be initiated within no more than 30 days of the receipt of the complaint.

3. Upon initiation of the complaints procedure, the respondent will be required to respond in writing to the complaint against them and to provide supporting material, including names of witnesses. The complainant will also be asked to submit any additional evidence and the names of witnesses. The Receiving Officer will invite the witnesses to provide statements. This statement and supporting material will be taken as evidence for the proceedings.

4. All evidence and witnesses must be forwarded to the Receiving Officer by the parties within 14 days of the initiation of the complaints procedure.

5. The Receiving Officer will contact the secretary of a neutral branch, of which neither party are members, and request the branch elects a complaints panel consisting of three (3) members. Where the complaint concerns a matter relating to gender or gendered discrimination, the Receiving officer will, if the complainant wishes, contact an IWW branch with a Gender Equity Committee and the complaint panel will be elected from among that branch's Gender Equity Committee.

6. Before electing the complaints panel, the branch secretary should be informed if the Receiving Officer believes that the nature of the complaint is sensitive or potentially triggering. However at this stage no further details should be given.

7. The branch secretary should consult with branch members and respond to the Receiving

Officer within 14 days of the initiation of the complaints procedure. It is expected that any branch chosen will accept the responsibility of dealing with a complaint unless there are good reasons not to do so, such as capacity or doubts about neutrality.

8. The Receiving Officer will inform both parties of the names of complaint panel members as soon as they are known. Either party can veto one individual only. Both parties will have three (3) days to request a veto.

9. Once the complaints process has started there should be no communication between the complainant and respondent. All communications must go via the Receiving Officer. If one party contacts the other they should inform the Receiving Officer immediately and any such communication can be entered as evidence.

10. The complainant will be asked to provide the Receiving Officer with any additional evidence they might have to support their complaint, including names of witnesses who will be asked to provide statements.

11. The Receiving Officer will ask the complainant to state their preferred outcome and this will be relayed to the complaints panel. However the complainant should also be informed that the complaints panel will make the decision and that the process may have a different outcome.

12. The Receiving Officer will then submit both parties' evidence to the complaints panel, as well as provide the complainant with the respondent's evidence, and the respondent with the complainants'.

13. The complainant can request anonymity at this stage but their identity will become known to the respondent three (3) days prior to their interview hearing unless the Receiving Officer agrees there are compelling reasons for remaining anonymous through the process. The Receiving Officer will then need to consider how best anonymity can be ensured.

6. Hearing

1. Upon receipt of all relevant evidence and the names of witnesses, the complaints panel shall review evidence and organise interview hearings for the complainant, respondent, and witnesses.

2. The interviews may be conducted by the complaints panel in person or via Skype. The interviews will proceed as follows in the following order, however they may take place on separate days:

a) The complainant will make a statement, followed by questions from the panel.

- b)** The respondent shall make a statement, followed by questions from the panel.
 - c)** Witnesses of both parties will make statements, followed by questions from the panel.
- 3.** The Receiving Officer will explain the hearing process to both parties and to witnesses before interviews take place, and act as a minute-taker and facilitator during interviews.
- 4.** Both complainant and respondent have the right to be accompanied by a person of their choice. The companion does not have to be a member of the IWW.
- 5.** Interviews must take place within 14 days of the final receipt of all relevant evidence and the names of witnesses. The complainant and respondent are expected to make themselves available to be interviewed, and both have the right to three (3) days' notice of the time and date of their interview hearing.
- 6.** The panel must decide whether the complaint is upheld within no more than seven (7) days of the final interview, and if upheld they must decide on a sanction. The complaints panel has a duty to make a decision on the case in good faith and based on reasonable balance of probability. In making their decision the panel will try to reach unanimity, however if necessary the decision will be made by majority vote.
- 7.** The Complaints panel can impose the following sanctions and measures, alone or in combination or / plus impose any alternative sanction that they deem appropriate to the case:
- a)** Banned for life from membership of the IWW
 - b)** Suspension of IWW membership for a defined period
 - c)** Suspension from IWW office (local and regional) for a defined period
 - d)** Suspension of the right to run for positions in the IWW for a defined period
 - e)** Suspension of voting rights for a defined period
 - f)** Suspension from IWW duties such as casework or delivery of training for a defined period
 - g)** Suspension from email lists and other official electronic communication for a defined period
 - h)** Suspension of access to membership database for a defined period
 - i)** Rehabilitative measures such as training or other forms of engagement

j) Apology to the complainant

k) Apology to the IWW

8. If a complaint is not upheld and the panel considers it trivial, vexatious or malicious, action may be taken against the complainant. The respondent can request the complaint to be considered as trivial, vexatious or malicious but the decision to take action is at the discretion of the complaint panel.

9. The decision of the complaint panel will be announced by the Receiving Officer. This can be done verbally but should be followed by a formal written announcement.

10. The Receiving Officer will forward the outcome to the ROC and to relevant branch secretaries.

11. The complaint panel will decide whether the upheld complaint merits announcement more widely in the IWW, and whether this will be with or without respect for anonymity of respondent.

12. A record of the outcome will be kept by the Regional Secretary-Treasurer.

13. Following the hearing, the complaint panel should submit a report to the ROC on how the procedure itself went so that any procedural problems can be addressed.

7. Key time-sensitive components relating to complaints

1. Complaint is received

2. Within three (3) days of receipt of complaint: Receiving Officer will inform complainant whether the complaint relates to any of the "Grounds for complaint" in Section 1 Clause 1 subsections a) to e) and informs complainant of decision

3. Within seven (7) days of receipt of complaint: Receiving Officer will decide whether or not to provisionally suspend respondent and inform both parties of this choice.

4. If mediation is not undertaken:

a) Within 14 days of receipt of the complaint: Receiving Officer will initiate complaints procedure (Section 5)

b) Within 28 days of receipt of complaint: both parties will submit all relevant evidence and names of witnesses to Receiving Officer; complaint panel will be elected from a neutral branch

c) Within 42 days of receipt of complaint: complaint panel interviews with both parties and relevant witnesses will be completed

d) Within 49 days of receipt of complaint: complaints panel will determine whether the complaint is upheld and, if so, impose a sanction

5. If mediation is undertaken:

a) Within 30 days of receipt of complaint: mediation will be completed and the results reported to the relevant branches

b) Within 44 days of receipt of the complaint where mediation is unsuccessful: Receiving Officer will initiate complaints procedure (Section 5)

c) Within 58 days of receipt of complaint where mediation is unsuccessful: both parties will submit all relevant evidence and names of witnesses to Receiving Officer; complaint panel will be elected from a neutral branch

d) Within 72 days of receipt of complaint where mediation is unsuccessful: complaint panel interviews with both parties and relevant witnesses will be completed

e) Within 79 days of receipt of complaint where mediation is unsuccessful: complaints panel will determine whether the complaint is upheld and, if so, impose a sanction