

# Australian Paramedics Association Queensland

## Bylaws

Current as of 25 November 2020

### 1. THE ASSOCIATION

#### 1.1 *The Association Concept*

- a) Persons employed in the Emergency Services Industry as Ambulance Officers are frontline in emergency situations which can be difficult and dangerous. Ambulance Officers can be accused of negligence or even criminal behaviour by fellow employees, personnel of allied/associated organisations and members of the public.
- b) The Australian Paramedics Association (also referred to herein as "the Association" and "the APA Qld"), is a not-for-profit incorporated association, incorporated under the Associations Incorporation Act 1981. The Association rules are registered with the Queensland Office of Fair Trade.
- c) The Association, through its membership fees, is primarily a pooled financial resource which can be utilised to provide financial assistance for legal representation to fee-paying members who are implicated or charged with an offence which occurs whilst on duty as a Queensland Ambulance Service Officer Or as a Privately Employed Paramedic in the State of Queensland. Please refer to Association Rule 32 for further details of financial assistance for legal representation.
- d) The membership consists of employees and former employees of the Queensland Ambulance Service, Privately Employed Paramedics with their Primary Worksite in the State of Queensland, and University Student Paramedics. Please refer to Section 3 for further details of membership classes of the Association.

#### 1.2 *Administration of the Association*

- a) The administration of APA Qld is to be conducted under the Association Rules and these Bylaws, which are to be considered in conjunction with each other.
- b) The administration of the APA Qld and its associated funds will be conducted by the Management Committee.
- c) The Management Committee is formed as per Rules 16 and 28 of the Association rules.



- d) The Management Committee is to operate within the boundaries of the Association rules, bylaws and appropriate legislation.
- e) As the APA Qld is a not-for-profit incorporated association, all members involved in its operation do so on a volunteer/honorary basis, with the exception of Secretary and external professional services such as legal and accounting.
- f) Members will receive reimbursement for costs such as travel, accommodation, postage, stationery etc. incurred in the performance of duties on behalf of the Association. Financial reimbursement is by approval of the Management Committee upon completion of the appropriate reimbursement claim form.
- g) Voting on all matters will be as per Association rules and bylaws.
- h) Due to the geographical spread of the Management Committee, an emphasis is to be placed on efficient time management and cost to the Association. Therefore, APA Qld meetings will be held via electronic media, however the management committee must meet face to face at least twice per financial year.
- i) The management committee may:
  - i. Approve and organise legal assistance for members for employment-based reasons as per Rule 32 of the Association Rules;
  - ii. Manage general daily operations of the Association.
  - iii. Vote to change these Bylaws by way of committee vote
- j) All other matters must be voted on by the membership at General Meetings:
  - i. Articles of Association rules;
  - ii. The Association's financial structure
  - iii. Members' rights and entitlements
  - iv. Management and representative powers

### *1.3 Business Premises*

- a) The association's registered business premises are:

n/a

n/a

n/a

- b) The Association's fixed mailing address is:

PO BOX 6531

MACAKY MC

Qld 4741



- c) The post office box and registered business can change as required, decided by the management committee.

## **2. FINANCIAL ASSISTANCE FOR LEGAL REPRESENTATION**

Financial members of APA Qld may be represented as per Rule 32 of the Association Rules. Items to be assisted with need to occur at a workplace within Queensland.

## **3. MEMBERSHIPS**

### *3.1 Ordinary Membership*

- a) Any person who is employed on a permanent basis as an Officer of the Queensland Ambulance Service (QAS), or Privately Employed Paramedic in the State of Queensland may apply for ordinary membership of the APA Qld. (Full Time or Part Time employment applies to this category)
- b) Ordinary members have voting rights at all APA Qld meetings as described in the Association bylaws and rules.
- c) As per Rule 8 of the Association rules, full membership fees are set at \$22 (\$20 + \$2 GST) and are required to be paid via Direct Debit or to the APA Qld bank account on a fortnightly basis.

### *3.2 Casual Membership*

- a) Any person who is employed on a casual basis as an Officer of the QAS, or a casual basis as a Privately Employed Paramedic in the State of Queensland may apply for casual membership of the APA Qld. Casual membership status is classed as 20 hours per fortnight or less total, averaged over a 12-month period across all of the members employers.
- b) Casual members have voting rights at all APA Qld meetings as described in the Association bylaws and rules.
- c) Casual members pay fees of sixteen dollars fifty cents (\$15 + \$1.50GST). This fee structure ensures that the APA Qld's casual members have access to full financial assistance if required. Fees are required to be paid via Direct Debit or to the APA Qld bank account on a fortnightly basis.

### *3.3 Honorary Membership*

- a) Any person who was previously employed as an Officer of the QAS or a Privately Employed Paramedic in the State of Queensland may be nominated for honorary membership of the APA Qld as per Part 3.1.a. of the Association bylaws.



- b) Any person deemed by APA Qld members to be beneficial to the Association may be nominated for honorary membership of the APA Qld as per Part 3.1.a. of the Association bylaws.
- c) Honorary membership applications are to be nominated by a member at the next applicable General Meeting as per Rule 6 of the Association rules.
- d) Nil membership fees are applicable for honorary membership.
- e) Honorary members do not have voting rights, nor are they able to access any form of financial assistance from the APA Qld.
- f) Honorary membership is viewed ideally for persons who would develop a mutually beneficial relationship between the person and APA Qld members.

### *3.4 Student Membership*

- a) Any person who is enrolled as a student at any Australian University and undertaking any degree that allows entry into a Graduate Paramedic Position within QAS or employment as a Privately Employed Paramedic may apply for student membership of the APA Qld.
- b) Student members do not have voting rights, nor are they able to access any form of legal or financial assistance from APA Qld.
- c) Student members do not pay fees.
- d) Student members are not considered financial members of APA Qld and have no voting rights.
- e) The goal of this membership criteria is to introduce student members to the role of an industrial association for ambulance employees.

### *3.5 Membership Rejection or Termination – Special Circumstances*

- a) Membership rejection or cessation is subject to the conditions of Rules 11, 12 and 13 of the Association Rules.

### *3.6 Management Committee minimum membership requirements*

- a) *Positions on the Management Committee dictated in the Association Rules require that a person up for nomination has attained a minimum 2 years of Association membership to be valid for election.*

## **4. EMPLOYEE ADVOCACY**

- a) All QAS employees are entitled to the same entitlements under current legislation and Department of Health (QHealth) / QAS Policies (EPA, Code of Conduct etc.) regardless of their affiliation to any organisation.



- b) Members are required to be proactive and remain contemporary on issues in relation to staff rights and privileges resulting from legislation, policies and procedures.
- c) It is recognised that members of the Association may not have any other form of information or advice on such matters. Therefore, the Association, through members and industrial specialists, undertakes such research and provides consultation and advice to Association members as required from time to time.

#### *4.1 Member Liaison Officers*

- a) Member Liaison Officers (MLOs) are presently appointed by the Management Committee. At the AGM in 2020, the appointment of MLOs will occur by nomination and a vote open to all members. The term of an MLOs appointment will be 1 year.
- b) MLOs are utilised throughout the State as contact points for members. The duties of the MLOs include assisting the Management Committee where required in the provision of industrial support to members and to be Case Managers for members who have active cases.
- c) The Management Committee position of State Liaison Officer is the main point of contact for MLOs. The SLO may delegate case management duties from time to time.
- d) The Industrial Advisor and the SLO will assist the MLOs with their duties as Case Managers where required.
- e) Presently there are 5 MLO positions that form the Member Liaison Committee (MLC). The number of MLOs required to facilitate support across the State may increase in the future.
- f) The MLC will from time to time meet with the Management Committee to further the cause of APA Qld.
- g) The role of the MLO is not presently geographically based however, in the future MLOs may be assigned geographical areas of responsibility.

## **5. NATIONAL COOPERATION**

If Cooperation is sought at a national level with other APA state level associations for advancement of the APA cause, the President will be the representative to that cooperative committee. If two representatives are required the Vice President will also participate.

## **6. PROFESSIONAL INDEMNITY INSURANCE**

Professional Indemnity Cover was established by the Association in July 2018. This was prior to the National Registration of Paramedics in Australia in late 2018. This membership benefit was to allow current and future Members to be assured that their professional practice is insured, and to ensure the longevity of the Association by offering this protection.

### **6.1 Coverage**



- a) It is the obligation of the Management Committee to ensure that the Association maintains this policy with the insurer so that members are not at any time during their membership uncovered and uninsured.
- b) As Professional Indemnity Cover is a regulation of National Registration, it is determined that the Member will be made immediately aware of any changes to the policy, and likewise that Members are required to notify the Management Committee of any change in their membership status or any change in their National Registration immediately.
- c) Members must remain financial to maintain coverage under the policy.
- d) Members cannot have their membership status placed on hold.
- e) Members who let their membership fees lapse will have 30 days to remedy before cancellation of their Policy. (This involves removal of their name from the financial membership registrar that is provided and updated with the insurer).
- f) Members who have been suspended from their employment or have lost employment due to a discipline matter, and the matter is being assisted with by APA Qld, and at the discretion of the Management Committee the member will have their Policy maintained if they are financially unable to pay members fees, or are in arrears as an act of good faith that the member will rectify their account after the matter is settled.
- g) Any refunds due to cancellation are deposited into the bank account of APA Qld.
- h) Members who resign their membership must ensure that if they continue to remain Registered as a Paramedic that they seek out their own professional indemnity insurance in line with the National Regulation. It is advised that Members take up insurance with a different policy before ceasing their current policy. (Leaving the Association.)
- i) Members who state they are cancelling membership to the Secretary or Treasurer, will have their Policy cancelled within 7 days of Membership cancellation.

## 6.2 Run Off cover

- a) The National Registration Standard for Professional Indemnity Cover states that Paramedics require appropriate run off cover if they cease to be Registered under the National Law.
- b) The Management Committee was advised that a run-off period of 2 years is an appropriate length of cover.
- c) Members have two options if they cease their Paramedic Registration.
  - i) Continue to be a financial Member of APA Qld for this 2 year period and remain a financial member and therefore be insured under the Associations Policy.
  - ii) Or, Purchase their own Run-off cover policy.



