

THE PHLEBOTOMISTS
COUNCIL OF
AUSTRALIA



PROFESSIONAL
ASSOCIATION & PEAK
BODY FOR
PATHOLOGY WORKERS

Phlebotomists Council of Australia Union V4.0

Constitution and Rules

Article 1: Name and Purpose

Section 1.1: The name of this organisation shall be the "The Phlebotomists Council of Australia Union" (PCA).

Section 1.2: The purpose of the PCA is to protect and advance the rights and interests of phlebotomists and pathology workers, to promote their professional development, and to ensure fair and equitable working conditions within the field of phlebotomy and pathology.

Section 1.3: The PCA commits to empowering their Members by educating them on workplace rights, WHS legislation and Industrial Relations Legislation. The PCA holds strong values in empowering their members through education.

Section 1.4: The PCA is a Peak Body that will support Members' innovations for better support and achieving greater professional careers within the Pathology Sector.

Section 1.5 The PCA will work with our Professional Colleagues to bring HealthCare Innovation Solutions ensuring Pathology plays a greater role in a Patient's Healthcare Team

Section 1.6 The PCA will negotiate with employers or government agencies to secure the best possible healthcare benefits for their members, including lower costs, better coverage, and improved working conditions for healthcare workers.

Section 1.7 The PCA will work towards introducing specialised training programs and certifications that allow individuals to gain advanced knowledge and skills that go beyond the

basics and fundamentals including: certificate programs, completing a degree to enhance their skills and stay current in their field. This can lead to greater expertise, career opportunities, and personal growth. The benefits can be substantial, both in terms of knowledge and career advancement.

Section 1.8 The PCA will make progress in addressing social issues such as equality, inclusivity, and human rights to create an inclusive and equitable working environment for all.

Article 2: Membership

Section 2.1: Membership in the PCA is open to all individuals training and working in the field of phlebotomy and pathology, including but not limited to phlebotomists, scientists, laboratory technicians, couriers, swabbers, specimen reception, pre-analytical, and related professionals.

2.1.1: Membership is open to the above workers in both the Public and Private Sector.

Section 2.2: To become a member, an individual must complete a membership application and pay the required dues as determined by the PCA.

Section 2.3: Members shall have the right to participate in PCA meetings, vote in elections, and enjoy the benefits and protections provided by the PCA. This includes becoming part of the Member Council and/or Bargaining Representative..

Section 2.4: The PCA can act on behalf of a Member for issues and grievances that take place whilst the member is a financial member of the PCA Union. This can be overturned by:

2.4.1 Being eligible for a Class Action and signing up to the PCA under a Class Action campaign.

2.4.2 By requesting representation by writing to the CEO for an exception.

Section 2.5: The PCA shall provide clear and comprehensive information to individuals seeking membership, including eligibility criteria, rights, and responsibilities of members.

Article 3: Governance

Section 3.1: The governing body of the PCA shall be the Member Council, consisting of elected officers, including a President, Vice President, Secretary, and Treasurer.

Section 3.2: Officers shall be elected by the members of the PCA in a fair and transparent election process held at regular intervals, as determined by the PCA bylaws.

Section 3.3: The Executive Council shall be responsible for making decisions on behalf of the PCA, supervising its finances, making comments on employment contracts, and representing the interests of members.

Section 3.4: Requesting of the PCA financial data or operational data must be done so with a written application to The Members Council to be discussed at the next General Meeting. The request must have the reason for the request and what the information will be used for within the request for consideration.

Article 4: Meetings

Section 4.1: Regular meetings of the PCA shall be held at least quarterly. Additional special meetings may be called as necessary.

Section 4.2: Notice of meetings shall be provided to all members in advance, and members may participate in meetings in person or through remote means as determined by the Members Council.

Article 5: Dues and Finances

Section 5.1: The PCA may assess dues and fees from its members to support its activities and cover administrative expenses. The amount and structure of dues shall be determined by the CEO and subject to approval by the Member Council.

Section 5.2: The PCA shall maintain accurate financial records, which shall be made available to members upon request.

Section 5.3: For transparency, The PCA will always have an independent contractor oversee our finances to ensure that funds are managed in the interest of the Association and its members.

Article 6: Collective Bargaining and Advocacy

Section 6.1: The PCA shall have the authority to engage in collective bargaining on behalf of its members to negotiate fair wages, benefits, and working conditions with employers.

Section 6.2: The PCA shall also engage in advocacy efforts to promote the interests of phlebotomists and all pathology workers at the local, state, and national levels.

Article 7: Conflict of Interest:

Section 7.1: The primary duty of the PCA representatives is to act in a manner that prioritises the best interests of the individuals they represent. This means advocating for the rights, benefits, and well-being of the PCA members.

Section 7.2: PCA representatives are expected to identify and mitigate any potential conflicts that may arise among the individuals they represent. Conflict resolution and management are important aspects of their role, ensuring that all members receive fair and equal treatment.

Section 7.3: When multiple PCA members are involved in the same incident or dispute, the representatives should address and manage each case individually. This may involve providing legal advice, negotiating on behalf of the members, or assisting with grievances.

Section 7.4: The PCA prioritises support for individuals with the least amount of resources. In most cases, this would be the workers, as they may have fewer resources and bargaining power compared to employers. The PCA role is to level the playing field and ensure that all members have access to representation and support.

Section 7.5: The PCA representatives are committed to protecting the rights and interests of their members, especially those who may be in a more vulnerable position due to limited resources or other factors. It emphasises the importance of fairness, conflict resolution, and advocacy on behalf of the association's members.

Article 8: Grievance Procedures

Section 8.1: The PCA shall establish grievance procedures to address workplace disputes and concerns of its members. These procedures shall be fair, impartial, and transparent.

Article 9: Amendments

Section 9.1: Amendments to this constitution and rules may be proposed by any member and shall be voted on by the membership. A two-thirds majority vote of members present and voting shall be required for an amendment to be adopted.

Article 10: Dissolution

Section 10.1: In the event of the dissolution of the PCA, any remaining assets and funds shall be distributed to charitable organisations or causes related to healthcare or labour, as determined by the Member Council and approved by the membership.

Section 10.2: PCA shall not be dissolved so long as there are two Executive Committee Members and there are not less than 50 members. The question of dissolution shall be determined by a national plebiscite in accordance with these rules. The provisions of this clause shall not apply to any amalgamation with any other Trade Union or organisation.

Article 11: Adoption

Section 11.1: This constitution and rules shall become effective upon approval by a majority vote of the membership of the PCA.

Section 11.2: Amendments to this constitution and rules for operational reasons will be made by the PCA Executive Team. All other amendments to this constitution shall become effective upon approval as specified in Article 8.

Section 11.3: This constitution and rules shall be made available to all members and maintained for reference via our website.

Article 12: Fees

Section 12.1: PCA Memberships are yearly memberships. These can be paid in arrears fortnightly, 3 monthly or 6 monthly.

Section 12.2: Fees are paid through the authorised payment system and are automatically charged to a credit/debit card that is required to have stored on file in accordance with your agreed payment plan.

Section 12.3: It is the member responsibility to ensure that the card on file is current and has available funds.

Section 12.4: The PCA reserves the right to charge failed payments to your saved payment method on file. If PCA is required to manually charge payments then we reserve the right to charge an administration fee. The PCA will request Members to pay their fees in advance if there are more than one instance of failed charges with the Square System.

Section 12.5: The PCA reserves the right to cancel a Member's Membership if fees are not able to be deducted when due via the payment platform without reasonable explanation or response to communication from The PCA. If your membership is cancelled due to this, you will need to pay a sign up fee and will be required to pay your membership fees in advance.

Section 12.6: Members may request to pause their membership fees in the event of reduced income or unforeseen personal circumstances. During a pause period, members will retain access to the community benefits of the PCA, including member email updates and the members-only Facebook Group. However, they will not be eligible for individual representation, workplace advice, or referrals to our associated services.

Section 12.7: Membership can be paused for a maximum of three (3) months within a calendar year. Requests must be submitted **prior to the due date of the next membership payment**.

Section 12.8: The PCA reserves the right to charge a minimum of 3 months of memberships to members who sign up purely for workplace representation

ARTICLE 13: Representation

Section 13.1: Independent Representation is available to all Financial PCA Members. Representation is valid on incidents that happened whilst you are a financial PCA Member. If the incident happened prior to becoming a member, it is at the discretion of the Member Rights team, CEO and/or Legal Team if PCA fees will cover the cost of your representation.

Section 13.2: Joining the PCA purely for workplace representation is discouraged. In some cases, a prepayment of 3 months fees may be requested.

ARTICLE 14: Early Cancellation

Section 14.1: PCA fees are structured as fortnightly payments over a year, similar to monthly car insurance premiums instead of an upfront annual payment. PCA memberships are fully tax-deductible, meaning you can claim back the full amount at the end of the financial year, increasing your tax return.

Section 14.2: If you have left the industry and can provide supporting evidence, such as a separation certificate or a final payslip, an early cancellation of your membership may be granted subject to approval by the CEO.

SECTION 14.3: Under the Rules and Constitution of The Phlebotomists Council of Australia, memberships can only be cancelled after completing a minimum of one year.

Latest update on 21/05/2025



Signature of Founding CEO:

Signature of Secretary: _____
(original document have signatures on and is held at The PCA Headquarters)

This constitution and rules serve as the foundational framework for the Union for Phlebotomists Council of Australia (PCA Union). It is essential to periodically review and update these rules to ensure that the union effectively represents the interests of its members in the ever-evolving field of phlebotomy and pathology.