

COPYRIGHT POLICY

Policy number	POL020	Version	001
Drafted by	PM	Approved by Branch Executive on	27 August 2013
Responsible person	Business Manager	Scheduled review date	May 2015

INTRODUCTION

The Union is responsible for managing its assets, including its intellectual assets, in a way that maximises their contribution to the goals of the organisation.

Subject to these responsibilities, the Union is committed to the widest possible dissemination of its ideas and findings where these may assist others.

PURPOSE

The purpose of this policy is to clarify the status of material subject to copyright used by the Union, and to remove any possible misunderstandings about ownership of copyright.

POLICY

Production of copyright material

Material created by Union staff entirely on their personal time and not involving the use of the organisation's facilities or materials shall be the property of the creator.

An individual's 'personal time' shall mean time other than that for which they receive salary (in the case of staff) or perform assigned functions (in the case of volunteers).

Staff or volunteers who claim that material was made or created on personal time have the onus of demonstrating this proposition. Staff engaged in work during personal time where later confusion may possibly occur are encouraged to discuss this with their supervisors.

With the exception of material created on personal time, all materials that result from activities carried out at the Union or developed with the aid of the Union's facilities or staff, or developed through funds administered by the Union shall be the property of the Union, except by specific prior written agreement.

Works by independent contractors shall be owned in accordance with the contract under which the work was created. The Union shall ensure that there is a written contract for work by an independent contractor specifying ownership.

Any dispute between the Union and its staff or between staff, on issues of copyright ownership shall be determined by the Staff Dispute Resolution Policy.

Any dispute between the Union and its members or between members, on issues of copyright ownership involving the Union shall be determined by the Member Dispute Resolution Policy.

Use of copyright material

Staff and volunteers of the Union are required to observe all applicable copyright laws and regulations.

The Executive Officer/Business Manager is required to institute procedures that will ensure:

- a) that all uses of copyright materials are recorded, and that
- b) all compensable uses of copyright material are appropriately processed.

Copyright Union materials

All materials produced by or on behalf of the Union are copyright. Permission to reproduce such materials depends on the category into which they fall.

All materials produced by or on behalf of the Union will be classified by the Business Manager into one of the following classes.

1. Those materials that are copyright and that cannot be reproduced by any process other than for the purposes of and subject to the provisions of the Copyright Act and any licensing agreement between the user and the Union.
2. Those materials that are copyright and that may nonetheless be circulated and/or reproduced as long as any reproduction features specified credits and disclaimers.
3. Those materials that are copyright and that may nonetheless be reproduced without conditions.
4. Those materials that are not copyright.

The copyright policies of the Union are binding on all staff, whether paid or voluntary. The copyright policies of the Union as amended from time to time, shall be deemed to be a part of the conditions of employment of every employee and shall be included in the orientation material given to every volunteer.

AUTHORISATION

Secretary
AEU ACT Branch

COPYRIGHT PROCEDURES

Procedures number	PROC020	Version	001
Drafted by	PM	Approved by Branch Executive on	27 August 2013
Responsible person	Business Manager	Scheduled review date	May 2015

RESPONSIBILITIES

It is the responsibility of the Secretary to ensure that:

- Staff, volunteers and contractors are aware of this policy;
- Any breaches of this policy coming to the attention of management are dealt with appropriately.

It is the responsibility of all employees, volunteers and contractors to ensure that they comply with this policy.

PROCEDURES

Production of copyright material

A statement of this copyright policy shall be included in the Union's terms and conditions of employment.

The Union will keep records of any agreement made with any staff member regarding the copyright status of any material.

Contracts made by the Union with third parties shall specify in writing the copyright status of any material produced under that agreement.

Any dispute between the Union and its staff or between staff, on issues of copyright ownership shall be determined by the Staff Dispute Resolution Policy. Any dispute between the Union and its members or between members, on issues of copyright ownership involving the Union shall be determined by the Member Dispute Resolution Policy

Use of copyright material

The Business Manager shall institute procedures to ensure

- a) that all uses of copyright materials are recorded, and that
- b) all compensable uses of copyright material are appropriately processed.

RELATED DOCUMENTS

- Contracts of Employment
- AEUACT Officer and Employee Enterprise Agreement 2011-2014
- Member Dispute Resolution Policy (POL036)
- Staff Dispute Resolution Policy (POL052)

AUTHORISATION

Secretary
AEU ACT Branch

