



## MACKAY REGIONAL COMMUNITY LEGAL CENTRE Inc.

### **WORKPLACE AND CIVIL LAW SOLICITOR**

#### **Background**

The Mackay Regional Community Legal Centre Inc. (MRCLC) is a charity that provides free and confidential legal advice, information, referrals and ongoing assistance to financially disadvantaged people primarily in the Mackay, Whitsunday and Isaac regions. MRCLC also provides community legal education (CLE) on various topics to organisations and members of the community.

The MRCLC assists in a wide range of civil law areas, particularly family law, residential tenancy and employment, but also consumer protection, debt, domestic violence, mental health, Wills and Enduring Powers of Attorney, tree and fence disputes and motor vehicle accidents. The MRCLC does not provide advice on conveyancing, native title, criminal law and personal injuries.

The current programs operated by the MRCLC are: Queensland Statewide Tenant Advice and Referral Service (QSTARS), Elder Abuse Prevention and Support Service (EAPSS), Mental Health Review Tribunal Representation Service, Domestic and Family Violence Duty Lawyer Service, Family Advocacy and Support Service, Queensland (Workplace) Sexual Harassment and Discrimination Service (QSHADS), as well as a generalist service under the Community Legal Services Program.

The Centre currently has a full-time Manager and Principal Solicitor (1 position), 4 full-time solicitors, 1 part-time solicitor, a full-time as well as a part-time administration officer, and contributions from many volunteers at Legal Advice Evenings.

MRCLC continues to provide a legal advice evening service twice a month through the support of volunteers. The successful applicant may occasionally be required to take part in Legal Advice Evenings (LAEs) on Tuesday and/or Wednesday nights. LAEs end by approximately 8:00pm.

The Centre is regionally focused on providing a service to the residents of Mackay, Isaac and Whitsunday Regional Councils (ie communities 2 hours drive north, 1 hour south and 3 hours west of Mackay).

#### **Vision Statement**

To enable the most disadvantaged in the Mackay, Isaac and Whitsunday regions to understand the legal system, their rights and to enforce those rights by adopting a holistic approach, including incorporating advice, community legal education and to seek legal change where there are inequalities in the law.

## Values Statement

To provide a reliable and accessible legal service primarily for the benefit of the most disadvantaged within the Mackay, Isaac and Whitsunday regions in a manner which respects differences and diversity of each individual.

## Mission Statement

To provide a high quality, accessible and holistic legal service to the Mackay, Isaac and Whitsunday communities within a social justice framework, including by incorporating advocacy, community education and to seek legal change where there are inequalities in the law.

## **Position Context**

Flexible working arrangements will be considered.

A full-time or part-time solicitor is sought to work predominantly under the Queensland Workplace Sexual Harassment and Discrimination program. Under this program, the MRCLC is required to provide regional legal assistance services to address workplace sexual harassment and discrimination until 30 June 2025.

This position is responsible for independently providing legal advice, undertaking casework, development and delivery of community legal education and a small amount of law reform work.

The solicitor will need to provide advice predominantly in relation to matters such as:

- General employment and workplace law, including employment contracts, Modern Awards, unpaid wages, unfair dismissal, general protections, and orders to stop bullying. You will also need to provide advice and assistance with complaints and claims in the Magistrates Court, Fair Work Commission, Queensland Industrial Relations Commission, Fair Work Ombudsman, Federal Circuit and Family Court of Australia and the Federal Court of Australia
- Discrimination, sexual harassment and human rights, including advising and assisting clients with complaints and claims in the Australian Human Rights Commission, Queensland Human Rights Commission, Fair Work Commission (for orders to stop sexual harassment), Queensland Industrial Relations Commission, Queensland Civil and Administrative Tribunal, Federal Circuit and Family Court of Australia and the Federal Court.

You will also be required to provide a small amount of advice and casework assistance in some other areas of law operated by the Centre. This could include debt, consumer disputes, estates, Enduring Powers of Attorney, family law, domestic violence, mental health law, residential tenancy, motor vehicle accidents and neighbourhood disputes. Experience or study relating to family law, mental health law or residential tenancy matters in particular will be beneficial. Consideration will be given to this position providing more legal assistance in these areas of law if requested by the applicant.

This position will include undertaking outreach throughout the Mackay, Whitsunday and Isaac Regional Council areas, as well as attending Legal Advice Evenings approximately once every 2 months. Outreach will occasionally require an overnight stay. The MRCLC has a policy relating to travel expenses. Any time you spend working at the request of the MRCLC, such as at Legal Advice Evenings or outreach, will be paid or allocated towards time in lieu.

## Reports To

The Manager and Principal Solicitor, and the generalist solicitor.

## Duty Statement/Key Responsibilities

### Duties, Outcomes and Accountabilities

Duties and outcomes
<p><b>Leadership</b></p> <ul style="list-style-type: none"> <li>• Demonstrate leadership by undertaking CLE projects with little supervision and by undertaking casework and advice on a fairly independent basis.</li> <li>• Abide by MRCLC’s Code of Ethics and Conduct Agreement</li> <li>• Maintain high ethical and professional standards at all times.</li> </ul>
<p><b>Operations</b></p> <ul style="list-style-type: none"> <li>• May be required to assist the Manager and Principal solicitor with reviewing guidelines, protocols and procedures, particularly those relating to HR and employment law matters.</li> </ul>
<p><b>Service development and delivery</b></p> <p><u>General</u></p> <ul style="list-style-type: none"> <li>• Follow policy and procedural guidelines relating to all operational and program matters.</li> <li>• Attend and participate in team, training, and professional development activities.</li> <li>• Collaborate with other staff members.</li> <li>• Participate in monthly staff meetings.</li> <li>• With the Manager and Principal Solicitor and Management Committee establish and agree to appropriate objectives and performance indicators for your position.</li> <li>• Meet agreed performance indicators</li> <li>• Participate in the review of the Centre’s Strategic and Operational Plan and your individual Work Plan.</li> <li>• Undertake training when requested.</li> </ul>

### Legal Services including QSHADS

- Provide high quality legal advice and casework assistance to Centre clients via appointments at the centre's office and outreach locations. This will include in person, phone, video conferencing and written advice and documents. This may lead to representation in a small number of matters. Outreach may require you to stay overnight.
- Provide legal information to community workers and organisations, when appropriate, about options for their clients and related legal remedies.
- Provide educative programs for members of the community with a view to raising public awareness of the law and the legal system.
- Assist with research, production and maintenance of resources required for community education.
- Engage in systemic advocacy and law reform projects, as identified.
- Undertake outreach throughout the Mackay, Whitsunday and Isaac regions. This will include staying overnight outside of the Mackay area will be required from time to time in order to provide face to face advice throughout the Mackay, Whitsunday and Isaac regional council areas.
- Attend Legal Advice Evenings when required. This is anticipated to be once every 2 months.
- Promote the QSHADS program and MRCLC generally throughout MRCLC's service area
- Attend interagency meetings and events.
- Assist and attend community events where MRCLC has a stall.

### **Communications & Reporting**

- Report to the Manager and Principal Solicitor as required and take part in monthly file review meetings.
- Ensure the MRCLC is compliant with reporting requirements contained in its QSHADS Service Agreement and meets legislative requirements in relation to the QSHADS program.
- You must maintain a current Practising Certificate.
- Engage in regular communication with other legal service providers and government and non-government organisations.
- Assist with the creation of partnerships to progress and promote the Centre's strategic objectives.

### **Delegations**

1. You may be provided with a debit card. If so, it must only be used within the limits set by the Centre's policies and in accordance with directions of the management committee and the Manager and Principal Solicitor.

## **Requirements**

### Essential

At all times you must:

- have a current open driver licence and preferably the use of a personal car. A driver licence must be maintained throughout employment as you will be required to attend meetings, training and provide assistance at outreach locations, such as Neighbourhood Centres. A hire car will be used when attendance is required outside of Mackay.
- Hold a current practising certificate.
- Demonstrate a strong commitment to social justice.
- Have excellent written and oral communication skills.
- work well in a small team.
- work independently with minimal supervision.
- have proficiency in computer skills (as admin support is limited).
- interpret instructions quickly, prioritise conflicting work demands, meet deadlines and work under pressure to ensure tasks are completed within given time frames.
- accept appropriate direction.
- deliver services in a culturally sensitive manner to all sections of the community.
- have a high level of accuracy, personal organisational skills and time management.
- relate to clients and other stakeholders with dignity and respect.
- think and act calmly and deal sensitively with distressed people.
- maintain knowledge and uphold ethical behaviour and anti-discriminatory practice.
- understand the principles of duty of care, rights to privacy, confidentiality and legal professional privilege.
- have effective listening skills, communication skills and empathy.
- help clients link in with other relevant community resources and to promote the rights, responsibilities and wellbeing of clients.
- have a commitment to professional development and willingness to participate in training as required.
- work independently and within a team, seeking assistance when required.
- communication, problem solving and organisational skills.
- work with service providers, government agencies and community services.
- have a current Positive Notice Police Check or capacity to attain a Positive Notice Police Check. Agreement for the MRCLC to conduct this check is required.
- promptly learn appropriate referral pathways in the Mackay, Whitsunday and Isaac regional council areas.
- have a commitment to the principles of equity, access and social justice.
- have a knowledge of and commitment to workplace health and safety.

Location	Based at Suite 9 The Dome, 134 Victoria Street, Mackay in Queensland.
Commencement Date	As soon as possible
End date	30 June 2025, subject to funding. Current Service Agreement for QSHADS is in place until 30 June 2025.
Accountable To	Manager and Principal Solicitor, and ultimately the Management Committee
Conditions	<p>Full time - 38 hours per week.</p> <p>(Part-time will be considered)</p> <p>This position is subject to a probationary period of three (3) months and is further dependant on the MRCLC receiving continued funding from this and other current funding sources.</p>
Award	This position is entitled to the provisions contained in the Social, Community, Home Care and Disability Services Industry Award 2010 (SCHCDSI)
Classification Salary	<p>Level 4.1 up to 5.1 Social, Community, Home Care and Disability Services Industry Award 2010 depending on experience.</p> <p>This is paid at the ERO preserved rates of pay, being \$41.52 to \$47.50 per hour. This is approximately \$82,000 - \$93,800 (pro rata), plus leave loading and superannuation.</p> <p>Salary sacrifice arrangements are available after 3 months.</p>
Driver Licence	A current open Queensland Driver Licence is essential and must be maintained throughout employment due to travel requirements of the position.

**Application Process: Applications should address the key selection criteria.**

To apply please lodge your application on Ethical Jobs, Seek or email [jessica@mrclc.om.au](mailto:jessica@mrclc.om.au) or forward your application to:

Miss Jessica Brake  
 Manager and Principal Solicitor  
 Mackay Regional Community Legal Centre  
 P.O. Box 995  
 MACKAY QLD 4740

Closing date is 9am on Monday 27 May 2024 or until the position is filled.  
 Applications will be considered upon receipt.

For more information please contact the Mackay Regional Community Legal Centre on 07 4953 1211 or email your queries in confidence to [jessica@mrclc.com.au](mailto:jessica@mrclc.com.au).