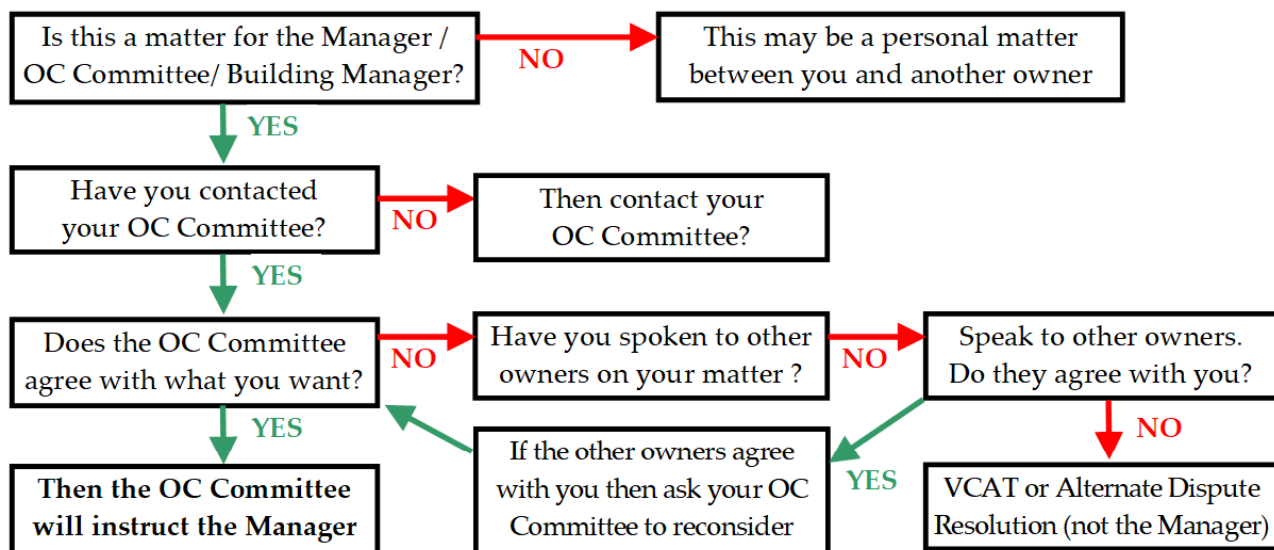


Logic diagram - Communicating with your Manager



Levels of expectation (after the Committee instructs the Manager)

<u>Emergency</u>	<u>Urgent</u>	<u>Non-Urgent</u>
<u>PHONE</u> your Strata Manager. ie fire, major water leaks, etc. <u>ALWAYS</u> call emergency services first if appropriate Fire, Police, Ambulance, <u>Response is immediate</u>	<u>EMAIL</u> - as 'urgent' matter. <u>INCLUDE</u> photos + details. ie lift outages, hot water failure, security issues, minor water leaks, etc. <u>Response in 1-2 days</u>	<u>EMAIL</u> - most matters. <u>INCLUDE</u> photos + details. ie account enquiries, access device orders (fobs), cleaning, gardening, etc <u>Response 3-7 days</u>

Purpose – This Communications Guide is in the interest of each party's well-being and mental health, and in order to help prioritise your matter, so that it can be attended to as quickly and efficiently as possible.

Background - Managers will often manage up to 60 schemes, comprising hundreds of owners, tenants and other service personnel **which can generate over 300 emails daily for a single Manager**. Your email is important to your Manager and they will respond.

However, each day Managers encounter emergencies and these matters will always be given priority.

It is useful to remember **all strata decisions are made by the elected Committee** of the Owners Corporation and not independently by your Manager, unless delegated to the Manager.

Managers carry out the decisions of the Committee, and deal with the administration ie paying bills, tax, sending out work orders and communications. After receiving your detailed email, your Manager is likely to liaise with the Committee for approval before further action can be taken.

Your Manager will always try and resolve all matters as quickly as possible for you but will prioritise the hundreds of emails they receive, based on urgency.

Email Content

- Problem** - What the problem or issue is + include photos and location
- Action** - The response or action that you would like, include access details
- Time** - Likely timeframe (Emergency - phone is better; Urgent - 2 days, Non-urgent - 7 days)
- Review** - to ensure no bullying, harassment or defamation

Helpful Tips

A good mnemonic is **H A L T**. That is, do not write when you are **Hungry, Angry, Lonely or Tired**.

Avoid	Reason
aggressive, patronising, or abusive language	Can become ineffective
over-communication	Can confuse the issues and priority May lead to the issue not being addressed
sending daily emails or a stream of emails	Could be viewed as harassment or bullying
writing angry	Misdirects the focus of what response is needed Less likely to be successful Puts people off side
Do	Reason
Attach the previous email or use the same email chain.	Saves Strata Manager's time in researching More efficient to resolve your matter Catalogues a history trail of events
Be respectful and professional	Your message will be received better More likely to have a successful outcome
Provide proof - photos and specific location	So a contractor can find the location and issue Avoids miscommunication Shows the extent and urgency of the issue
State facts, not how you feel	Facts assist to resolve issues Facts assist to find solutions
Wait for a response	Allows the Strata Manager to review, consider, get advice and find a solution See the likely response timetable

The above protocols can be used during phone calls to help all parties get to the heart of an issue.

Typical problems in communicating with your Committee and your fellow Owners and residents

The role of your Strata Manager is not to resolve political or personal issues between owners and their Committee. The Act provides a process for resolution through the VCAT, and other Alternate Dispute Resolution (ADR) avenues including Community Justice Centres, Mediation, Conciliation, and Neutral Evaluation are available. Your Strata Manager is not one of those formal avenues for any disputes.

Penalties for poor communication

Civil penalties - there are numerous examples of keyboard warriors, and disgruntled and typically ill-informed people who have been dealt with by the Courts. Some of these penalties for defamation using emails in strata properties include \$120,000 awarded (but set aside on appeal), \$50,000 and \$20,000 standing, and these are just the reported cases, not the settled out of Court matters. Common law claims for damages can be much higher, particularly when mental health becomes an issue.

OHS Act 2004 penalties - bullying and harassment in the Strata Managers workplace carries fines in excess of \$327,000 and five years' imprisonment under the Occupation Health and Safety Act 2004 (Vic).

32 Duty not to recklessly endanger persons at workplaces - A person who, without lawful excuse, recklessly engages in conduct that places or may place another person who is at a workplace in danger of serious injury is guilty of an indictable offence and liable to - (a) in the case of a natural person, a term of imprisonment not exceeding 5 years, or a fine not exceeding 1800 penalty units, or both;

Fair Work Act 2009 (Cth) penalties - FWC order to stop bullying, criminal offence not to comply with an Order

789FC Application for an FWC order to stop bullying or sexual harassment - (1) A worker who reasonably believes that he or she has been bullied or sexually harassed at work may apply to the FWC for an order under section 789FF.

What is unacceptable behaviour - Firstly, if you are an owner and you are NOT on the Committee your direct line of communication within your scheme is to your Committee and for them to decide what action they would like to take; if your Committee chooses not to take your advice or follow what you want, your next path for resolution is by obtaining other owners thoughts on that particular issue, and if that is unsuccessful, then through the VCAT, or other ADR.

Sending multiple repeat emails to your Strata Manager demanding that they respond to you immediately; using demeaning, threatening, or defamatory language in an email, letter or social media account will not achieve your objective.

Remember the Act states that your Strata Manager is engaged by the Committee and has to follow the decisions and instructions of that Committee. Your Strata Manager is not a Lot Owner's personal secretary or repairs coordinator or an internal political lobbyist, as disappointing as that may be.

Your Strata Manager is here to help and appreciates your patience when dealing with your concern that has been raised, thank you!