

NTPS GENERAL BULLETIN 14/2013

INFORMATION FOR APESMA UNION MEMBERS

Protected Action Ballot Approved

Yesterday the Fair Work Commission issued an Order approving the conduct of a protected industrial action ballot for members of the Association of Professional Engineers, Scientists and Managers, Australia (APESMA). Attached is a copy of the Order.

This is a formal ballot conducted by the Australian Electoral Commission which must be conducted within 20 days of the date of the Order. Only members of APESMA will receive ballots, and if successful, only members of APESMA can take the protected industrial action proposed by their union. Employees who are not members can not participate in taking protected industrial action.

In accordance with the *Fair Work Act 2009* (the Act), the employer must not make a payment to a union member who engages in protected industrial action, for the total duration of the industrial action taken; and in relation to partial work bans, a reduction in payment will be calculated in accordance with the Act.

Feedback

Should you wish to express a view on the offer or make a suggestion you can provide your feedback to me directly at www.enterpriseagreements.nt.gov.au/general-feedback. All feedback will be treated confidentially.

More Information

To keep you informed the OCPE has a webpage dedicated to enterprise agreement negotiations under the [Enterprise Agreement Negotiation Updates page](#).

The website will be updated regularly with the latest information on negotiations, including bulletins, information sheets and other material.



KEN SIMPSON
Commissioner for Public Employment

21 August 2013



ORDER

Fair Work Act 2009

s.437 - Application for a protected action ballot order

**APESMA, Association of Professional Engineers, Scientists and Managers,
Australia, The-Queensland Branch; Media, Entertainment and Arts
Alliance-Queensland Branch**

v

**Commissioner for Public Employment for the Northern Territory
(B2013/203)**

VICE PRESIDENT CATANZARITI

SYDNEY, 20 AUGUST 2013

Pursuant to s.443 of the *Fair Work Act 2009* (the Act) the Fair Work Commission orders:

1. PROTECTED ACTION BALLOT TO BE HELD

The Association of Professional Engineers, Scientists and Managers, Australia, The-Queensland Branch; Media, Entertainment and Arts Alliance-Queensland Branch (the APESMA) is to hold a protected action ballot of employees of Commissioner for Public Employment for the Northern Territory (OCPE) described in clause 3 of this order.

2. NAME OF PERSON AUTHORISED TO CONDUCT THE BALLOT

The ballot is to be conducted by the Australian Electoral Commission.

3. GROUP OR GROUPS OF EMPLOYEES TO BE BALLOTTED

In accordance with s.437(5) of the Act, the employees to be balloted are those employees of OCPE who are members of and are entitled to be industrially represented by the APESMA and who would be subject to the proposed enterprise agreement.

4. DATE BY WHICH BALLOT CLOSES

The date by which voting in the protected action ballot is to close is 20 working days from the date of this order.

5. QUESTIONS

The questions to be put to voters in the ballot are:

In support of reaching an Enterprise Agreement with OCPE do you endorse the taking of any and all protected industrial action against your employer which is authorised by this ballot, separately concurrently and/or consecutively in the form of:

Question 1

An unlimited number of bans or limitations not performing overtime?

Yes No

Question 2

An unlimited number of bans or limitations not performing restriction duty?

Yes No

Question 3

An unlimited number of bans or limitations not responding to phone calls and emails for a nominated period of 2 hours?

Yes No

Question 4

An unlimited number of bans or limitations only performing duties listed in the job description or duty statement?

Yes No

Question 5

An unlimited number of bans or limitations not home garaging NT fleet vehicles?

Yes No

Question 6

An unlimited number of bans or limitations not wearing uniforms?

Yes No

Question 7

Stoppages of work for up to and including 1 hour?

Yes No

Question 8

Stoppages of work for up to and including 2 hours?

Yes No

Question 9

Stoppages of work for up to and including 4 hours?

Yes No

Question 10

Stoppages of work for up to and including 8 hours?

Yes No

Question 11

Stoppages of work for 12 hours?

Yes No

Question 12

Stoppages of work for 24 hours?

Yes No

6 POSTING OF ORDER

The employer shall cause a copy of this order to be posted at prominent locations in, or about, the employer's worksites.



VICE PRESIDENT

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