

NTPS GENERAL BULLETIN 21/2013

INFORMATION FOR UNITED VOICE UNION MEMBERS

Protected Action Ballot Approved

On 2 September 2013 the Fair Work Commission issued an Order approving the conduct of a protected industrial action ballot for members of the United Voice – Northern Territory Branch. 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 United Voice will receive ballots, and if successful, only members of United Voice 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.

Australian Electoral Commission – Important Notice to Employees

The Australian Electoral Commission has issued the attached important notice to members of United Voice who are eligible to vote in the protected industrial action ballot.

The information includes details on eligibility to vote, the ballot timetable, and questions to be put to relevant employees.

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

4 September 2013



ORDER

Fair Work Act 2009
s.437 - Application for a protected action ballot order

United Voice - Northern Territory Branch

v

Commissioner for Public Employment for the Northern Territory (B2013/1188)

VICE PRESIDENT CATANZARITI

MELBOURNE, 2 SEPTEMBER 2013

Proposed protected action ballot by employees of Northern Territory Commissioner for Public Employment.

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 United Voice - Northern Territory Branch is to hold a protected action ballot of employees of Northern Territory Commissioner for Public Employment 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 employees employed under Schedule 4 Health Employees(Northern Territory Public Sector) Miscellaneous Workers Union Provisions and Schedule 5 General Employees (Northern Territory Public Sector) Miscellaneous Workers Union Provisions who are covered by the proposed enterprise agreement and are members of United Voice and who have not appointed another person or entity as their bargaining representative.

4. DATE BY WHICH BALLOT CLOSES

The date by which voting in the protected action ballot is to close is no later than 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 the Office of the Commissioner for Public Service- Northern Territory Government, do you authorise protected industrial action against your employer, separately, concurrently and/or consecutively, in the form of:

QUESTION 1

Wearing of either or, Union badges, arm bands, bandanas and t shirts with campaign slogans whilst on duty whilst adhering to occupational health and safety requirements directly related to their workplace environment.

Yes

No

QUESTION 2

Catering, Cleaning, Aboriginal Health Practitioners and PCA employees who are hospital based to place pamphlets on patient food trays outlining current Enterprise Agreement bargaining negotiations and their roles as a patient care employee within the community?

Yes

No

6. POSTING OF ORDER

The Northern Territory Commissioner for Public Employment 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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<Price code A>

Important notice to employees

Protected Action Ballot

Matter Number: B2013/1188

United Voice - Northern Territory Branch

Commissioner for Public Employment for the Northern Territory

On 2 September 2013 the Fair Work Commission (FWC) ordered that a ballot be conducted for your workplace to determine whether those employees represented by the United Voice - Northern Territory Branch support the taking of industrial action.

Eligibility to vote

An employee is eligible to have their name included on the roll of voters for the protected action ballot if the employee will be covered by the proposed enterprise agreement to which the ballot relates, and has United Voice - Northern Territory Branch as their bargaining representative.

The AEC will receive from United Voice - Northern Territory Branch a list of employees for whom they are the bargaining representative. The AEC will also receive a list from Commissioner for Public Employment for the Northern Territory of all employees who will be covered by the proposed enterprise agreement.

The lists will be confidential to the AEC and not publicly available. Your name must be recorded on both lists to be placed on the roll of voters and receive a ballot paper.

Are you on the roll of voters?

If you believe you are entitled to vote in the proposed ballot and wish to confirm whether your name is included on the roll of voters, you should contact the Returning Officer prior to 5.00pm on Friday 6 September 2013 to confirm your status. Additions to the roll of voters can be made up until this time.

Ballot timetable

Ballot material will be posted to eligible employees on Monday 9 September 2013 to the addresses specified in the list of employees provided to the AEC. Voting will close at 10:00 am on Friday 27 September 2013 and only ballot papers received by the Returning Officer by that time will be counted.

Question to be put to the relevant employees

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

In support of reaching an Enterprise Agreement with the Office of the Commissioner for Public Service- Northern Territory Government, do you authorise protected industrial action against your employer, separately, concurrently and/or consecutively, in the form of:

QUESTION 1

Wearing of either or, Union badges, arm bands, bandanas and t shirts with campaign slogans whilst on duty whilst adhering to occupational health and safety requirements directly related to their workplace environment.

Yes **No**

QUESTION 2

Catering, Cleaning, Aboriginal Health Practitioners and PCA employees who are hospital based to place pamphlets on patient food trays outlining current Enterprise Agreement bargaining negotiations and their roles as a patient care employee within the community?

Yes **No**

Do you wish to report any irregularities in relation to the ballot?

If you believe an irregularity has occurred in the conduct of the ballot, please contact Simon Bulloch as soon as possible so that the matter can be investigated.

Simon Bulloch
Returning Officer, Australian Electoral Commission

By phone: 08 6363 8011

By post: GPO Box A16, Perth WA 6001

By fax: 08 6363 8052

By email: waelections@aec.gov.au