



Professional Rates of Pay Campaign

FACT SHEET 7

Steps To Participating in Protected Action

Prpc104mr-bhc

Wednesday 26 August 2009

KEY ISSUES

- *Only union members can vote in a protected action ballot.*
- *For industrial action to be authorised, a successful ballot must occur, where at least 50% of the employees on the roll of voters vote and more than 50% of those who vote approve the action.*
- *The industrial action must take place after the protected action ballot order has been given and within 30 days of the order being made.*
- *Only financial members of IEUA-QNT can take protected action.*

ACTION

- *Chapter executives are requested to convene chapter meetings and report on these developments.*
- *Chapters are further requested to consider the chapter briefing resolution and return to the Brisbane office.*

CONTACTS

IEUA-QNT
Phone: (07) 3839 7020
Fax: (07) 3839 7021
Freecall: 1800 177 937
Email Enquiries:
enquiries@qieu.asn.au
Internet: www.qieu.asn.au

Why take protected action?

Protected action is now necessary in light of the Queensland Catholic Employers' position in regard to benchmark professional rates of pay.

While employees' claim for professional rates of pay for teachers commensurate with interstate benchmarks was first tabled with employers in February 2009, the employer has failed to commit in substance to these rates. If Queensland teachers do not act now, we will fall behind our interstate counterparts and be the lowest paid teachers in Australia.

Application Made to FWA for Protected Action Ballots

Who makes the application to Fair Work Australia (FWA) for protected action?

Your union has made applications to FWA for protected action ballots in each employing authority. The FWA will determine if a ballot for protected action can be held.

How long does it take before the application to take protected action is approved?

Once an application to FWA has been submitted, FWA will try to make a determination within two (2) days of receiving the application. It may take the Australian Electoral Commission (AEC) up to four weeks to prepare for and conduct the ballot.

Who conducts the ballot?

The AEC will request a listing of employees eligible to vote from the IEUA-QNT and request a list of all employees from each employing authority to cross reference for eligibility to vote. With this listing the AEC will be able to conduct a protected action ballot.

What materials will we need for balloting?

For Diocesan schools materials for balloting will be posted out to members from the AEC and IEUA-QNT will provide fact sheets and other information to assist you.

Your Union has asked that the AEC conduct a secret ballot on site at each Religious Institute school.

Who will be eligible to vote in the ballot?

Only union members can vote in the protected action ballot. Teachers, school officers and services staff who are union members can vote. Teachers will consider a ballot question authorising a set of actions which would be taken by teachers. School officers and services staff will consider a ballot question authorising a set of actions which would be taken by school officers and services staff.

What constitutes a successful ballot?

For industrial action to be authorised, a successful ballot must occur. A successful ballot is where at least 50% of the employees on the roll of voters, vote and more than 50% of those who cast a ballot vote to approve the action.

What happens after the ballot has been counted?

The industrial action must take place after the protected action ballot order has been given and within 30 days of the order being made.

Who can take protected action?

Only financial IEUA-QNT union members within the Catholic Sector may take protected action on the day. Non-members who join prior to the day of an action can participate and are legally protected.

What is the impact on members who take protected action?

The right to take protected action is enshrined in the Federal industrial legislation.

It is against the law for any employer to disadvantage (in any way) an employee because they exercise their basic legal right to take protected industrial action.