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QUEENSLAND & NORTHERN TERRITORY BRANCH



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Professional Rates of Pay Campaign



**CATHOLIC SECTOR BALLOT
CHAPTER BRIEFING No. 13**

**Employer Offer Worse than Public Sector Settlement
Employers Breach Act and Falsely Represent Industrial Law
Voting in Ballot Vital to Outcome**

Dear Colleagues

The wage offer from Catholic employers is worse than the public sector wage settlement. It also clearly falls short of the endorsed member claim for benchmark professional rates of pay.

Employers are feeling the pressure of potential protected industrial action in their schools.

Members can maintain the pressure on employers to revise their wage offer by voting in the current protected action ballots and posting back their completed ballot form.

Attempts by employers to intimidate employees out of voting in the current protected action ballot falsely represent the industrial law and in two instances clearly breach the *Fair Work Act*.

Authorised protected action is protected action.

Sustained Member Action Necessary

Employee pressure is necessary if employing authorities are to change their wage position.

Employers know their offer falls short of the professional rates of pay in other Catholic schools in the country even though they are effectively in receipt of similar levels of government funding.

Yet Catholic employers continue to assert that their inadequate offer is 'the offer'.

Voting in the current protected action ballot is vital to maintaining the pressure on Catholic employers to revise their offer.

Post your ballot today.

Employers Breach the *Fair Work Act*

The Townsville and Rockhampton Diocesan authorities clearly breached the provisions of the *Fair Work Act* last week when they advised employees not to vote in the ballot.

Section 462(1)(e) of the *Fair Work Act* states that a person must 'not counsel or advise a person entitled to vote to refrain from voting'.

A week later these employing authorities have yet to admit to their employees that they breached the Act.

Other employing authorities have resorted to trying to intimidate members out of voting in the current protected action ballots by questioning the validity of the protected action which has or which may be authorised in the ballots.

The *Fair Work Act* is explicit in containing a provision which ensures that employees who take action which is consistent with that authorised by a Protected Action Ballot are protected.

If protected action is authorised in a ballot it is protected action. Employees have nothing to fear in taking protected action.

Catholic employers border on breaching the *Fair Work Act* by falsely claiming that there is an issue with protected action being protected.

If you endorse protected action in a ballot then it will be protected action.

Member Action – Make Your Voice Heard

Members should have received their ballot papers in the mail. If you have not, please contact your organiser or Di Hurst at IEUA-QNT on 3839 7020.

It is important that members express their position in regard to this ballot by posting the completed ballot paper back to the Australian Electoral Commission (AEC) in the postage paid envelope before the closing date, Tuesday, 16 February 2010.

For protected action to be authorised, a successful ballot must occur.

A successful ballot is where at least 50% of employees on the roll of voters, post back their vote and more than 50% plus one of those who post back their ballot, vote "Yes."

Member Action – Chapter Meetings

Chapters have been asked to convene a meeting to report to members on the reality and truth regarding the status of existing authorised protected action and the ballots current underway. (See Briefing No. 12.)

Kind regards



TERRY BURKE
SECRETARY