



IMPORTANT NOTICE TO EMPLOYEES

PROTECTED ACTION BALLOT

Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia

and

Australian Postal Corporation

MATTER NO: B2009/10457 & 10458

On 25 August 2009 Fair Work Australia (FWA) ordered that a ballot be conducted for your workplace to determine whether members of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia support the taking of industrial action.

FWA has appointed the Australian Electoral Commission (AEC) as the protected action ballot agent to conduct the ballot.

ELIGIBILITY TO VOTE

The AEC will receive lists from the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia and the Australian Postal Corporation. The lists will be confidential to the AEC and not publicly available. You must be recorded on both lists to be placed on the official roll of voters to receive a ballot paper.

Please see Attachment 'A' regarding eligibility to be included on the roll of voters.

ARE YOU ON THE ROLL OF VOTERS?

If you believe you are entitled to vote in the proposed ballot and wish to confirm whether you are included on the roll of voters, you should contact Paul Johnson prior to 5pm Tuesday 8 September 2009 to confirm your status.

If you find you are not on the roll, you have the right to seek to be included on the roll of voters under section 454 of the *Fair Work Act 2009*.

Please see attachment 'A' regarding entitlements to be added to or removed from the roll of voters.

BALLOT TIMETABLE

Ballot material will be posted to employees whose name appears on the roll of voters on Wednesday 9 September 2009. Ballot material will be posted to the addresses specified in the list of employees provided by Australian Postal Corporation. Voting will close at 10.00am on Friday 2 October 2009 and only ballot papers received by the protected action ballot agent by that time will be counted.

QUESTION TO BE PUT TO THE RELEVANT EMPLOYEES

Do you for the purpose of supporting or advancing claims for a proposed Enterprise Agreement with the Australian Postal Corporation authorise the taking of

any of the protected industrial action or

part of the protected industrial action or

all of the protected industrial action

against your employer, which is authorised by this ballot, separately, concurrently or consecutively in the form of:

- A. An indefinite number of stop-work meetings of varying lengths
- B. An indefinite number of bans, of varying length, on
 - taking any action to stop unstamped mail/parcels from being delivered
 - delivery of all or certain types of mail/parcels
 - loading, or unloading of any vehicle
 - picking up, collection and delivery of mail/parcels at all or certain locations
 - complying with policies and directions that prevent providing briefings to the media at any time regarding your experience as an Australia Post employee and the industrial campaign
 - complying with policy concerning any dress codes
 - complying with any policy not to be seated while working
 - complying with policies and directions to attend Facility Nominated Doctors

- complying with any directions not to wear CEPU badges, shirts, hats etc
- initiating the transmission of certain data
- revenue checking and collection of postage
- complying with directions not to provide information to the public
- quick hitching
- sign-off of Resource Optimisation Model, including participating in consultation processes and data collection activities associated with the process
- sorting of certain mail/parcel items
- repairs, restoration and maintenance of machines and equipment
- administrative duties
- retail transactions

- C. An indefinite number of work stoppages of 1 hour
- D. An indefinite number of work stoppages of 2 hours
- E. An indefinite number of work stoppages of 4 hours
- F. An indefinite number of work stoppages of 8 hours
- G. An indefinite number of work stoppages of 24 hours

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 Paul Johnson as soon as possible so that the matter can be investigated.

Paul Johnson

Returning Officer – Australian Electoral Commission

By Phone: 02 9680 3318
By Post: PO Box 533 Castle Hill NSW 1765
By Fax: 02 9899 5139
By Email: paul.johnson@aec.gov.au
In Person: Level 1, 2-4 Old Castle Hill Rd Castle Hill NSW 2154

Attachment A

Extract from the Fair Work Act 2009

PART 3.3 DIVISION 8 Protected Action Ballots

Section 453 Who is eligible to be included on the roll of voters

An employee is eligible to be included on the roll of voters for the protected action ballot only if: (a) the employee will be covered by the proposed enterprise agreement to which the ballot relates; and
(b) on the day the protected action ballot order was made, the employee:
(i) was represented by a bargaining representative who was an applicant for the order; and
(ii) was included in a group of employees specified in the order.

Section 454 Variation of roll of voters

Adding names to the roll of voters

(2) The protected action ballot agent must include an employee's name on the roll of voters for the protected action ballot if:
(a) the protected action ballot agent is requested to do so by:
(i) an applicant for the protected action ballot order; or
(ii) the employee; or
(iii) the employee's employer; and
(b) the protected action ballot agent is satisfied that the employee is eligible to be included on the roll of voters; and
(c) the request is made before the end of the working day before the day on which voting in the ballot starts.

Removing names from the roll of voters

(3) The protected action ballot agent must remove an employee's name from the roll of voters for the protected action ballot if:
(a) the protected action ballot agent is requested to do so by:
(i) an applicant for the protected action ballot order; or
(ii) the employee; or
(iii) the employee's employer; and
(b) the protected action ballot agent is satisfied that the employee is not eligible to be included on the roll of voters; and
(c) the request is made before the end of the working day before the day on which voting in the ballot starts.
(4) The protected action ballot agent must remove a person's name from the roll of voters for the protected action ballot if:
(a) the person (the **former employee**) is no longer employed by the employer (the **former employer**) of the employees who are to be balloted; and
(b) the protected action ballot agent is requested to do so by:
(i) an applicant for the protected action ballot order; or
(ii) the former employee; or
(iii) the former employer; and
(c) the request is made before the end of the working day before the day on which voting in the ballot starts.