



# ORDER

*Fair Work Act 2009*

s.437 - Application for a protected action ballot order

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

v

## **Australian Postal Corporation**

(B2009/10458)

SENIOR DEPUTY PRESIDENT DRAKE

SYDNEY, 25 AUGUST 2009

*Proposed protected action ballot for employees of the Australian Postal Corporation and by the CEPU - third and/ or fourth party warehousing/fulfilment operations.*

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

### **1. PROTECTED ACTION BALLOT TO BE HELD**

The Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (“the Union”) is to hold a protected action ballot of employees of Australian Postal Corporation (“the Employer”) described in clause 3 of this order (“Eligible Employees”).

### **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**

**3.1** The employees to be balloted are those employees (including regular casuals) employed by the Australian Postal Corporation and who are members of the CEPU engaged in Post Logistics (third and fourth party warehousing/fulfilment operations).

**3.2** Any employee who is bound by an Australian Workplace Agreement or an Individual Transitional Enterprise Agreement that has not passed its nominal expiry date on the day the ballot order is made shall not be balloted.

### **4. DATE BY WHICH BALLOT CLOSES**

**4.1** The date by which the voting is to close is 28 days from the date of this order.

## 5. QUESTIONS

The question(s) to be put to voters in the ballot are:

### *Question 1*

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
  - loading, or unloading of any vehicle
  - 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 any directions not to wear CEPU badges, shirts, hats etc
  - processing and/or packing of certain items
  - administrative duties
  - data entry associated with processing of orders
  - replenishment of stock
- 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*



SENIOR DEPUTY PRESIDENT

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