

Important Information - Notice to Employees

Protected Action Ballot

Matter Number: B2019/110

United Firefighters' Union of Australia

The Head of Service of the ACT Public Service on behalf of Australian Capital Territory T/A ACT Fire and Rescue

On 18 February 2019 the Fair Work Commission (FWC) ordered that a ballot be conducted for your workplace to determine whether those employees represented by the United Firefighters' Union of Australia support the taking of industrial action.

Eligibility to vote

An employee is eligible to vote (that is, have their name included on the roll of voters) in the protected action ballot if the employee will be covered by the proposed enterprise agreement to which the ballot relates and the employee was employed by The Head of Service of the ACT Public Service on behalf of Australian Capital Territory T/A ACT Fire and Rescue and had United Firefighters' Union of Australia as their bargaining representative.

The United Firefighters' Union of Australia will provide the AEC a list of employees for whom they were the bargaining representative. The AEC will also receive a list from The Head of Service of the ACT Public Service on behalf of Australian Capital Territory T/A ACT Fire and Rescue of all employees who are employed by them and 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 for you 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 AEDT on Monday 25 February 2019 to confirm your status. Additions to the roll of voters can be made only up until this date.

Ballot timetable

Ballot material will be posted to eligible employees on Tuesday 26 February 2019 to the addresses specified in the list of employees provided to the AEC by United Firefighters' Union of Australia. Voting will close at 10:00am AEDT Friday 15 March 2019 and only ballot papers received by the Returning Officer by that time will be counted.

Question(s) to be put to the relevant employees

(NOTE: Do not vote on this notice. A ballot paper will be issued to each eligible employee. You must use the ballot paper to cast your vote.)

In support of reaching an enterprise agreement with your employer, do you support the taking of protected industrial action which will involve one or more of the following:

1. Stoppages, except responding to fire calls, which shall include emergency incidents, for up to two hours to communicate and display union badging and industrial campaign material in work locations and to the public and to wear industrial campaign t-shirts, badges and stickers in association with that activity;
2. Stoppages, except responding to fire calls, which shall include emergency incidents, for up to one hour for the purpose of making public and media statements in relation to the employer's bargaining position or employees' experiences as firefighters employed by the employer;
3. A ban on complying with a direction to remove union badging or industrial material displayed on, in or around work locations, appliances or UFU members;
4. Only engaging on behalf of the employer in communications with the media for the immediate purpose of public health or safety;
5. A ban on wearing uniform shirts, uniform jumpers or uniform jackets;
6. Only attending meetings at which any of the ESA Commissioner, Chief Officer, Executive Officer, or ESA Directors, attend if the purpose of the meeting is notified in advance as about operational incidents, operational de-briefing, training, securing public health or occupational health and safety, or enterprise agreement bargaining;
7. Refusing to report or record the code or type of false alarms triggered at protected premises other than reporting via the radio where faults require maintenance;
8. A ban on creating a record of any employee's participation in protected industrial action;
9. A ban on conducting any process relating to employee misconduct or discipline;
10. A ban on assisting in the preparation of ministerial reports;
11. Responding to emails via the employers email system with the caps lock function turned on (including reports and attached documents);
12. A refusal to comply with a direction to transfer between work locations until and unless notified within fourteen (14) days of the proposed transfer;
13. Refusing to act up or perform higher duties above an employee's substantive rank in "on shift" positions;
14. A ban on saluting, including standing when a senior officer enters the room;
15. Stoppages for the purpose of attending the ACT Legislative Assembly on sitting days, except to respond to fire calls, which shall include emergency incidents,;
16. A ban on appliances leaving a station, for the purpose of training, if after a risk assessment is undertaken by the UFUA member and it is the opinion of the UFUA member that the response time is greater than 10 minutes for a pumper;
17. A ban on cross-chewing of appliances leaving a station, if after a risk assessment is undertaken by the UFUA member and it is the opinion of the UFUA member that the response time is greater than 10 minutes for a pumper;
18. A ban on the processing of accounts, including a ban on billing all external agencies, entities or persons for any work performed or undertaken;
19. Employees start and finish work in accordance with the rostered hours as set out in the Enterprise Agreement, except in the case of emergency fire calls, which shall include emergency incidents;
20. A ban on signing receipts for the delivery of goods; and
21. A ban on any restriction of the approval for leave if the restriction is not in accordance with the Enterprise Agreement.

YES []
NO []"

Reporting ballot irregularities

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

Anthony Wells Returning Officer – Australian Electoral Commission

By phone: 02 9375 6364 By post: PO Box 496 Haymarket NSW 1240

By fax: 02 6215 9910 By email: nswelections@aec.gov.au

In person: Level 10 59 Goulburn Street Haymarket NSW 2000