



ORDER

Fair Work Act 2009

s.437 - Application for a protected action ballot order

National Tertiary Education Industry Union (NTEU), Community and Public Sector Union (CPSU), Construction Forestry Mining and Energy Union (CFMEU), Liquor Hospitality and Miscellaneous Union (LHMU), Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU), Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union (AMWU)

v

Curtin University of Technology

(B2009/10440, B2009/10425, B2009/10423, B2009/10424, B2009/10410, B2009/10421)

COMMISSIONER WILLIAMS

PERTH, 11 AUGUST 2009

Proposed protected action ballot by employees of Curtin University of Technology.

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

1. PROTECTED ACTION BALLOT TO BE HELD

The National Tertiary Education Industry Union (NTEU), Community and Public Sector Union (CPSU), Construction Forestry Mining and Energy Union (CFMEU), Liquor Hospitality and Miscellaneous Union (LHMU), Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU) and Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union (AMWU) are to hold a protected action ballot of employees of Curtin University of Technology ("the Employer") described in clause 2 of this order ("Eligible Employees").

2. GROUP OR GROUPS OF EMPLOYEES TO BE BALLOTTED

2.1 The employees to be balloted are those who will be covered by the proposed enterprise agreement for general staff and for whom one of the Unions listed in clause 1 of this Order is their bargaining representative, but not employees covered by the *Curtin University of Technology Vocational Education and Training Certified*

Agreement 2001-2003 or the Curtin University of Technology Early Childhood Centre Employee Collective Agreement 2009.

3. DATE BY WHICH BALLOT CLOSES

The timetable for the ballot is to be as follows:

3.1 The date by which the voting in the proposed protected action ballot is to close is to be 10am Tuesday 1 September 2009.

4. QUESTIONS

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

Do you for the purpose of advancing claims in the negotiation of an Enterprise Agreement for general staff with Curtin University of Technology authorise industrial action in the form of:

- 1. One (1) hour stoppages of work, either separately or consecutively?*
- 2. Twenty-four (24) hour stoppages of work, either separately or consecutively?*
- 3. Bans on the recording and transmission to the University of student assessment and exam results?*
- 4. Bans on the use of telephones and/or emails?*

5. TERM AND DATE OF EFFECT

This order shall come into effect from 11 August 2009

6. NAME OF PERSON AUTHORISED TO CONDUCT THE BALLOT

The protected action ballot agent is to be the Australian Electoral Commission which is to conduct the ballot in accordance with this order, the Act and the Regulations.

COMMISSIONER

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