



ORDER

Fair Work Act 2009

s.437 - Application for a protected action ballot order

**Liquor, Hospitality and Miscellaneous Union, Western Australian Branch
and CPSU, the Community and Public Sector Union-SPSF Group, Western
Australian Branch**

v

Murdoch University

(B2009/10442 and C2009/10443)

COMMISSIONER WILLIAMS

PERTH, 13 AUGUST 2009

Proposed protected action ballot by employees of Murdoch University.

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

1. PROTECTED ACTION BALLOT TO BE HELD

The Liquor, Hospitality and Miscellaneous Union, Western Australian Branch and CPSU, the Community and Public Sector Union-SPSF Group, Western Australian Branch are to hold a protected action ballot of employees of Murdoch University (“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 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

4. DATE BY WHICH BALLOT CLOSES

The timetable for the ballot is to be as follows:

4.1 The date by which the voting is to close is 10am Friday 4 September 2009.

5. 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 Murdoch University authorise industrial action in the form of:

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

6. BALLOT PROCEDURE

Applications B2009/10442 and B2009/10443 are joined.

The Australian Electoral Commission is directed to:

1. Compile a single roll of voters combining the two lists of employees included in the groups to be balloted; one list provided by each of the applicants.
2. Provide a single ballot paper including the names of both applicants.
3. Declare a single result of the ballot.

7. TERM AND DATE OF EFFECT

This Order shall come into effect from 13 August 2009.

COMMISSIONER

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