

From: Vice-Chancellor and CEO
To: une-official@une.edu.au;
Subject: [une-official] NTEU Protected Action Ballot
Date: Wednesday, 2 September 2009 10:28:25 AM
Attachments: [ATT00001.txt](#)

Dear Colleagues

As mentioned in the last une-official on 19 August (www.une.edu.au/hrs/eb/une-official-19august09.pdf), the NTEU have balloted their members to determine whether or not they will take protected industrial action in support of their bargaining claims. The declaration of result of the protected action ballot has now been declared by the Australian Electoral Commission and is available at:

http://www.fwa.gov.au/pages/industrialballotsresults/nteu/nteu_200910360.pdf

The declaration of result shows that from 1256 staff at that time (including casuals) who would potentially have their salaries and conditions provided by the two proposed Enterprise Agreements there were 361 eligible NTEU members who could participate in the vote i.e. 28.75% of total UNE staff (please note that Heads of School, Directors or Deans are excluded from these numbers as they were not eligible to vote as the new Enterprise Agreements would not apply to them).

From 361 eligible NTEU members 234 voted, being 64.82% of eligible NTEU members, and 127 did not vote.

There were 6 questions pertaining to what types of industrial action put to NTEU members who were asked to vote for or against for each of them. These 6 questions were:

1. Two (2) hour stoppages of work either separately or consecutively ? *180 NTEU members voted yes, that is 49.75% of eligible NTEU members and 14.34% of UNE staff.*
2. Twenty four (24) hour stoppages of work either taken separately or consecutively ? *A total of 173 NTEU members voted yes, that is 48% of eligible NTEU members and 13.78% of UNE staff.*
3. Indefinite stoppages of work ? *A total of 133 NTEU members voted yes, that is 37% of eligible NTEU members and 10.6% of UNE staff.*

4. A ban on electronic communication ? A total of 158 NTEU members voted yes, that is 44% of eligible NTEU members and 12.56% of UNE staff.
5. A ban on marking of students' assessment items ? A total of 143 NTEU members voted yes, that is 39.5% of eligible NTEU members and 11.4% of UNE staff.
6. A ban on processing and transmitting exam results ? A total of 160 NTEU members voted yes, that is 44.5% of eligible NTEU members and 12.8% of UNE staff.

What this means for staff and students of UNE will depend very much on the type of industrial action taken, and the University awaits advice from the NTEU on the exact nature of any action. The *Fair Work Act 2009* prohibits the University from paying staff in respect of any stop work action and also provides for a reduction in payments to staff where partial work bans are put in place. Once the nature of industrial action is known, staff will be advised of the process for confirming who is actually undertaking such action.

Lastly, I wish to reaffirm my advice from the une-official of 19 August that I believe we are close to reaching agreement. If UNE NTEU members vote for industrial action, this will not reflect the status of bargaining at our University. Please see the previous une-official (www.une.edu.au/hrs/eb/une-official-19august09.pdf) for information on the many issues agreed that will benefit UNE employees.

We have had considerable positive discourse with the CPSU on the few remaining matters affecting general staff and ELC teachers. We heard from the NTEU last Friday about general staff and ELC teachers matters, and yesterday about academic staff matters. Yesterday UNE provided both unions with a draft Agreement and sought to meet with them today. The University is working towards a speedy resolution of bargaining.

Regards

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