Dear Delegates and Union Contacts,

Congratulations on your commitment to ensuring a fair deal for you and your co-workers.

You, like many other workers across Queensland, are leading your area in activities to promote the work you do for Queenslanders and get the recognition you deserve through the Enterprise Bargaining process.

Union negotiators are progressing members’ claims for fair wages and conditions with the Public Service Commission but it is now time to start thinking about what action members can take to show the government how important your conditions are and that you will not give them up.

Our union already uses votes by members to decide to take industrial action and what action to take, however legislation has been changed by the government that dictates a new process we have to use for members to vote.

That’s why this kit is so important for you and your workmates.

This kit provides you with resources, tips and information to lead union members in your workplace in a meeting to endorse conducting a formal vote of members in your workplace about taking industrial action. That formal vote is called a Protected Action Ballot.

I hope you find this material a valuable resource for this process but remember assistance is available through your local organisers or by emailing bargaining@together.org.au or calling our union office on 1800 177 244.

We are aiming for 1000 workplaces to take the next step and undertake a formal vote of members. Completing this kit is the way that you and your fellow members can be one of the workplaces making a difference and being part of this group.

We know that we are stronger together, and that by taking this next step, we can demonstrate to the government that their offer needs to change. Fair wages and conditions, job security and reasonable workloads, that is what action can achieve.

Congratulations on taking the next step towards a fair agreement,

In union

Alex Scott
This sheet will provide you with a guide on how to run your workplace meeting to vote on conducting a Protected Action Ballot. If you have any questions about this guide, please email bargaining@together.org.au or phone 1800 177 244. Remember also that if you are holding a meeting – particularly in larger or combined workspaces – you can ask other Together members and delegates to help you.

**Before the meeting**

**Step one:** Have a read through the materials in this pack. Particularly look through the form you’ll need to send back after the meeting. Call or email the union office if you have any questions.

These forms are very important as the information provided by you and your colleagues will inform the Industrial Registry and the Electoral Commission of Queensland.

**Step two:** Pick a place and time to have your meeting – try to find a venue and pick a time that will allow the largest number of people to attend. You might have to ask a manager for permission to use a room – that should be ok with them – under your current Agreement you have access to resources to run union meetings and activities. If you’re having any problems give the union office a call on 1800 177 244 or email bargaining@together.org.au.

**Step three:** Let people know about the meeting. Distribute meeting notices, send around an email and chat to as many members as you can to invite them along.

It’s also often a good idea to send around an email to let people know and the day before or the day of the meeting send out a reminder email to all staff at your site.

If members who want to attend the meeting and discuss the action can’t come along due to other commitments or worksite locations discuss options with your organizer about emailing out the options to vote or perhaps organizing a phone hook-up with those members.

**Step four:** Before the meeting get your agenda ready and make sure you have enough copies of the motion or a way to display it and information sheets for the number of people you think will come.

Remember to have membership forms at the meeting – for these meetings the time to join is now – if a worker is not a member when the industrial action ballot is lodged they will not get a vote in the ballot.

**At the meeting**

**Step five:** Use the agenda with speaking notes to go through each of the topics for discussion. Remember - if members have other items they wish to raise as part of the meeting, (like individual issues or other EB issues), ask them to contact you after or directly contact our union office. (bargaining@together.org.au / 1800 177 244).

**Step six:** At the end of the meeting, record what you decided as a group on the Report Back sheet, also fill in the workplace details and remember to attach a staff list.

Spend some time to reflect on the outcome of the meeting, and make whatever notes you consider necessary. Then upload the information via the Protected Action Ballot website or fax the form back to (07) 3017 6256.

**After the meeting**

**Step seven:** Send in your feedback forms – fax back to (07) 3017 6241 or scan and email to bargaining@together.org.au.

**Step eight:** Congratulations - great work! You’ve completed your workplace meeting and made sure people in your workplace are standing together to win a fair outcome from bargaining. If you have any questions about protected action ballots or where your workplace process is up to phone the union office on 1800 177 244 or email bargaining@together.org.au. Based on the information you submit the Union Office will lodge the ballot with the Industrial Registry and Electoral Commission. Your organizer or a member of the office campaign team will contact you once the application has been heard by the Industrial Commission.
Below is an example of what you might say in your meeting – you can of course change the words to suit you. We have tried to include the information that members are likely to be interested in but if there are any questions that you are unable to answer please contact your union office on 1800 177 244 or at bargaining@together.org.au.

**Basic agenda:**
1. Welcome and introductions
2. Recap of offer and bargaining update?
3. What’s next / What are we here for?
5. Discussion about action
6. Motions about taking action
7. Close of Meeting

**1. Welcome and introductions**
Thanks for coming along to our member meeting today to discuss the bargaining offer from government, employment security and taking action.

Welcome to any new union members – it’s great that you’ve come on-board during this important and challenging time. If anyone needs a membership form to join with their fellow workers, I have some here.

This is a really important time for us as a group of union members to express our concerns collectively and to send a strong message to the Premier.

**2. What has happened so far?**
*Hand out Bargaining Flowchart / Cartoon*
- Together members filled in “points of concern” surveys about the issues that were important to us.
- Delegates met in a conference to workshop these into claims and these claims were endorsed by meetings of members and served on the government.
- Government have made an offer or a ‘claim’ to slash wages and conditions (Core Offer Fact Sheet)
- Thousands of members have met across the state to reject the offer from government, but the offer has not changed.
- We had one of the biggest weeks of collective action in the recent history of the union across Queensland about employment security – the outside of working hours rallies were a huge sign of commitment and that thousands of people are prepared to stand up and let the government know they should change their position.

**3. What’s next?**
Together negotiators have been bargaining with government negotiators to try and move the government’s offer, but we are not seeing movement on the big ticket items like wages, employment security, consultation and the proposed increment freeze. It is clear from negotiations that it is the politicians who are making decisions about your wages and conditions and it is the politicians we need to convince to change their minds.

It is now time to start thinking about what action members can take to show the government how important our conditions are and that we will not give them up. If we don’t take any action, then we won’t be able to get a better agreement than the governments offer.

The two sorts of actions we can take within each department and work area are:

- **Collective activities** like petitions, meetings, rallies outside of working hours (lunch time or after or before work), sticker days, emails, letters, phone calls or delegations to members of parliament or other activities that don’t involve refusal to attend or perform work or changes to the way that work is performed. These activities can be agreed to by meetings of members like this one, or a simple email or web based vote – these are not actions that require “protection” under the legislation, or actions that can be defined as industrial action by workers – that means, even if there hasn’t been a formal ballot these are authorised and lawful activities.

- **Industrial action** is action that does involve refusal to attend or perform work or changes to the way that work is performed, and includes work bans, strikes, stop work meetings, go slows or other similar action. These actions require a more formal ballot and notification process involving the Industrial Relations Commission and Electoral Commission of Queensland. When a ballot is undertaken and the appropriate notices served, this is then deemed “protected” industrial action – meaning that if you undertake this action (once the ballots are completed and notices served) you cannot be disciplined or have any action taken against you by the employer for taking part in the action. However, if you undertake a stop work or other activity where you leave work, the employer can deduct the hours away from work from your pay for that period.

**4. Process for taking industrial action**
The process for how industrial action is authorised has changed this year. It is now a requirement that a formal postal ballot of members, called a Protected Action Ballot, be undertaken by the Electoral Commission of Queensland, before the action can be authorised.

Continued over…
This step is a change in the process but not the ability of workers to take action. It will make the process longer. Our union has already had 2 Protected Action Ballots approved by the Industrial Commission – we are the first union to get these approved under the new laws.

To take industrial action the union (via the Union Office) must lodge an application with the Industrial Registry and seek an order for a ballot to occur. The Electoral Commission will then conduct a postal ballot of all union members listed in that worksite who are Together members at the date that the application is lodged, and who have an accurate postal address.

Fifty per cent of members balloted must return a response for the vote to be valid and fifty per cent of those members that respond must vote yes for the action to be authorised.

The employer will get a count of the number of members in the ballot, the number who responded and the number who voted yes and no. The employer will not get the list of names of members.

It is really important that everybody who is interested in taking action or getting a good outcome joins now and that we only ballot for action where we are really confident that we have a strong union presence, and we will have a great and positive response rate.

Having 50% of the members who are in this worksite or work area respond to the ballot is very important.

5. Discussion about action to be taken

We need to think about taking action and the following issues.

- Are non-members going to join?
- Are members going to respond to the ballot?
- Are they going to vote yes?

The following questions are the questions that will be on the ballot paper that members will get. See the FAQ's document for more information about the questions.

**Question 1:**
An unlimited number of stoppages of work up to 2 hours duration, by all or part of the workforce?

**Question 2:**
An unlimited number of stoppages of work up to 4 hours duration, by all or part of the workforce?

**Question 3:**
An unlimited number of indefinite or periodic bans on the performance of overtime / TOIL, except in the case of emergencies, by all or part of the workforce?

**Question 4:**
An unlimited number of indefinite or periodic bans on attending meetings by all or part of the workforce?

**Question 5:**
An unlimited number of indefinite or periodic bans on the performance of reallocated tasks as a result of taking protected industrial action by all or part of the workforce?

These are the same 5 questions that every workgroup who votes to lodge a protected action ballot for this agreement will be balloted on. The questions are quite general at this stage, during the ballot, and it is only after the ballot that you will then need to vote on what or when specifically you might do one or more than one of these actions only after a protected action ballot is successful.

A further notice is then done up for the Queensland Industrial Relations Commission and the Department – for example – “The union members in the Nundah Service Centre, at 61 Smith Street, Nundah, Queensland of the Department of Treasury and Trade have been authorised to undertake a stop work of 1 hour between 12pm-1pm on Wednesday 12th of September, 2012.” The union office will advise you on this next step after the ballot is completed. A stoppage of 1 hour like the example here would be covered by a ‘yes’ vote in Question 1. Once this notice is submitted there is a minimum 3 day period where you have to wait, and only then can the action be taken. This part is exactly the same as has happened previously (the notice being lodged, wait the notice period, do the action etc).

If you are not a member then you can’t vote in the ballot or participate in the action, so it is really important that you join today – who needs a form?

6. Motions

So here’s the motion for voting:

The [insert designated workplace] votes to lodge an application for a Protected Action Ballot.

We call on our Department and the Premier to recognise the vital work we do and that cutting our wages and conditions is not good enough.

Moved: ________________________________
Seconded: _______________________________

Vote Result: ____________________________

7. Wrap-up and close of meeting

Thanks again to everyone for coming along today – this is a really important step in showing the Premier and the government that our work matters and we deserve fair pay and conditions.

Now that we have initiated this process we all need to make a promise to ourselves and to each other that we will stand strong and support this action.

We will talk to our colleagues about joining before (day you choose to lodge the forms) and participating in the ballot.

We will update out details so that we can participate – I have forms here

We will return our ballots

We will take action to support our wages and conditions.

Well done on taking this first step to a fair agreement.

I have a ‘Frequently Asked Questions’ sheet here so if you have other questions we can talk about those.

REMEMBER TO FILL IN YOUR FEEDBACK SHEET NOW.
Please come along to this important union meeting to discuss **the next step in our campaign for a fair deal from government.**

This is an important meeting **to decide whether or not our work group would like to undertake a protected industrial action ballot.**

We have successfully undertaken **large rallies about job security** but we need to **keep the pressure up** now to make sure we win.

**Meeting Time:**

**Date:**

**Venue:**

If you cannot come along but would like to have your say on the next steps please contact your local delegate:

**Delegate Details:**
# ATTENDANCE SHEET

Meeting

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COLLECTIVE BARGAINING: THE PROCESS.

Members decide what to ask for
- Workplace meetings
- Surveys
- Delegate meetings

If outcome of vote is YES:

If outcome of vote is NO:

A pay rise and new conditions

Certification

Log of claims

Campaign plan

Core Conference

Review and implementation

Drafting & vote

Campaign Action

EB Campaign & negotiations

WE ARE HERE!

Authorised Alex Scott Together Secretary
**Frequently Asked Questions**

**If I join after the ballot commences will I get a vote?**

No. Only members who are union members at the date of application for the ballot will be able to vote – that’s why it’s so important that those workers who are not yet union members join now. That way they will have a say in the ballot.

**Will management get to know who the members are?**

No. The Department will not get to know who the members are, but they will know how many members are in the work group defined and also what the result of the ballot is. That’s why it is important that members consider how successful the ballot will be before lodging an application.

**How long will the ballot take?**

The Electoral Commission sets the timeframe for the ballot. Once the application for a ballot is lodged the Industrial Commission must approve or otherwise the application within 2 days. Then the Electoral Commission will advise of a timetable for the ballot. For the first ballots we have had approved the timetable set by the Electoral Commission was 28 days in total. As more and more ballots are lodged this could be longer. That’s why it’s so important to lodge your applications as soon as possible.

**What happens while the ballot is happening?**

While the ballots are happening our priority is ensuring that the requisite number of members vote in the ballot – so we will need to be reminding all members to fill in their ballot paper and post it back to the ECQ. This is a really important step. While we are waiting for the ballot results we might also undertake other collective activities that do not need to be balloted – ie. Wearing stickers or undertaking contact with our local politicians.

**What is industrial action defined as?**

Industrial action means activities that involve the refusal to attend or perform work, or a change in the way work is performed. So this is: stop-work meetings, strikes, work bans or bans on undertaking overtime or after-hours work that you would be granted time off in lieu (TOIL) for. Other activities, like wearing stickers, signing petitions, or doing actions outside of your designated work hours are not, by definition, industrial action. As a union we may do some of these other collective activities, but we don’t need to run a ballot or do notifications for these activities.

**What does “protected” action mean?**

Industrial action being “protected” means that because you and your co-workers have undertaken a ballot, and lodged the prescribed notices, then the taking of industrial action is protected by law. This means that you cannot be disciplined, or in any way have adverse action taken against you by your employer for taking part in the action. Your employer can however, refuse to pay you for periods that you are not at work – for example, during a stop work rally, and that is lawful action by the employer.

**Why do we need to update our details with the union office?**

The union office provides the Electoral Commission of Queensland with the list of members that we have registered in your work group, this includes the mailing addresses the union office has for these members – the ECQ will then send the ballot papers to the addresses listed. That’s why it’s so important that the address listed with the union office is a current postal address for you. The ECQ prefer residential addresses, so please update your details with the union office now so that when the information is lodged with the ECQ it is accurate.

**What do you need for the ballot to be successful?**

For a ballot to be successful, 50% of the total number of members in the defined workgroup must vote in the ballot. For example, if there are 100 members in your workgroup as you have defined it, then the Electoral Commission must get back 51 ballot papers. Then, of those 51 ballot papers (or more) at least 26 would have to vote “yes” next to the questions for the ballot to be successful.

**What if only some of the questions are voted up by members?**

If more than 50% of members listed vote in the ballot and more than 50% of members vote yes to any questions then it is those questions that will be deemed as ‘successful’ on the ballot. If, for example, not enough members voted in favour of stoppages of up to 4 hours, but more than 50% voted in favour of all the other questions, that just means that your work group won’t be able to have a stoppage of more than 2 hours.
join your union

www.together.org.au
Please complete these details about you:

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<th>Miss</th>
<th>Ms</th>
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Status: Full-time [ ]  Part-time/casual [ ]  Under 21 or less than 50% [ ]  More than 50%, but less than 100% [ ]

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| Fee level: Please circle in the membership fees table at right --> |

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...and select one of the following payment options

**OPTION ONE: FORTNIGHTLY DIRECT DEBIT PAYMENTS**

I hereby authorise Together to arrange for funds to be debited from my account as set out below. USER ID 064272.

Amount: (see right for union fees)

Name account is held in

Name of your Bank or Credit Union

Address of Bank or Credit Union

BSB no. – Account number

**OPTION TWO: MONTHLY CREDIT CARD PAYMENTS**

Card holder’s name

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I hereby make application for membership of Together, Industrial Union of Employees and, if I am eligible to be a member of the ASU and attached to the Central and Southern Queensland Clerical and Administrative Branch of the Australian Services Union (“ASU”) as from the date of this application, and agree to abide by the Rules of the ASU and Together, respectively, as they may be amended from time to time.

I want to join!

Date

Once you have completed this form, hand back to an organiser, fax to 3017 6235, or mail to REPLY PAID PO BOX 3272 South Brisbane BC 4101 (no stamp required)

ABOUT DIRECT DEBIT: All your bank information is kept confidential. Together will provide 14 days notice of any change in the terms of your arrangement. If you wish to cancel or change your arrangements please provide 14 days notice. Please ensure your nominated account can accept debits of this kind and there are enough funds to cover the payment. Your bank may charge you a dishonour fee if there is insufficient funds.

PRIVACY INFORMATION: Together uses members’ personal information for membership management and provision of other services including industrial, health, insurance, financial advice, education and similar. Signing the membership form indicates your consent to the above.

DISCLOSURE: Your personal information is only disclosed to union staff, delegates, organisers and officials with whom you might deal or if we are required to do so by law, or for the purpose of sending you information about our services.

ACCESS: You may ask for a copy of the information Together holds about you. Requests must not interfere with anyone else’s privacy and must be lawful. If you have any concern about privacy call 1800 177 244.

For industrial assistance call 1800 177 244.
ARE YOUR MEMBERSHIP DETAILS UP-TO-DATE?

It is vital that you let our union know if any of your details change. This includes making sure the Together has your current address, email and phone numbers. You should also inform us as quickly as possible if you go on maternity leave, long service leave, or extended sick leave as this could affect your membership payments. When your classification level changes or if you move to part-time employment you need to let the Together know.

Name ___________________________________________ Member # (if known): _______________________

Preferred Name: ____________________________________________

Home Address: ____________________________________________

Postal Address: ____________________________________________

Phone: (w) _______ (h) _______ (m) _______

Home email: ____________________________________________

Work email: ____________________________________________

Department/Corporation: ____________________________________________

Job Title: ____________________________________________

Classification: ___________________________ Level: _______

Gross Fortnightly Salary: $ _______

Status: (please tick) Perm. full-time □ Perm. part-time □ Casual □ Contract □ Temporary □

Other: ____________________________________________

Work Street Address: ____________________________________________

Work Postal Address: ____________________________________________

I would like to identify as an Aboriginal or Torres Strait Islander Yes □ No □

Please return this form by fax to 3017 6233 or scan and email to members@together.org.au

Thank you for your assistance in maintaining the Togethers database.

Authorised Alex Scott Togethers Secretary
Together members Protected Action Ballot Feedback

Congratulations! You have now joined with other Together members in reaching the 1000 target for Protected Action Ballots in the fight to stop the Government attacks on Public Servants and the communities you serve.

The feedback members provide here is vital to ensure that all members are correctly balloted and get a chance to vote on to take action to fight for a better deal from the Government and you get the agreement you deserve to continue to serve Queenslanders. If you have any questions you can email bargaining@together.org.au or call the Together Protected Action Ballot hotline on 1800 177 244 and ask to speak to the Protected Action Ballot officer.

This feedback sheet provides 3 examples of workplaces or categories of Together members which can hold a ballot conducted by the Electoral Commission of Queensland (ECQ)

Please complete each of the following questions and provide details relating to the Together members to be balloted:

1) Yes, we have passed a motion to hold a Protected Action Ballot:

2) The Together members to be balloted to take protected action are part of which Department or Agency?

3) Please provide a Staff List for workplace, workplaces or occupation to be balloted take protected action eg: 5th Floor Primary Industries Building, 80 Ann St Brisbane, 4001 or Raceview State School, 96 Widley St, Raceview, 4305 or, for example, each street workplace address for each Surveyor working for Natural Resources and Mines in Queensland ie: 23 Tor St Toowoomba 4350.

And lastly your Together members' workplace or statewide occupation contacts: Please provide a minimum of at least 2 contacts for the Protected Action Ballot but you can provide more.

Contact 1:
Name: 
Phone: 
Email: 

Contact 2:
Name: 
Phone: 
Email: 

CHECKLIST, HAVE YOU?
1) Ticked the passed motion box;
2) Advised Together of what agency you work for;
3) Provided Together with a staff list;
4) Defined the group of workers to be ballotted;
5) Provided Together with the address/addresses where the proposed action will take place; and
6) At least two contacts.

Again, Congratulations in taking the fight back to the Government in their attack on Public Servants and the communities you work for. A Together organiser will be in contact with you shortly to work through the next action steps in the process.

Authorised Alex Scott Togetherr Secretary