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campaign update



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Public sector protected industrial action ballot – delayed opening until 5pm today, Wednesday 17 April

Members have reported to ANMF:

1. some issues with the ballot emails that we have asked the independent ballot agent to fix, for example instead of stating your employer's name it may state 'health service aged care'
2. some employers have blocked emails from the ballot agent despite Fair Work Commission Orders to ensure this did not occur
3. some employers did not distribute the voting instructions provided by VERO despite the Orders requiring them to do so
4. lists provided by some employers were not capable of being fully matched with the ANMF provided lists – it is anticipated that this will be addressed this morning.

The delay in opening is necessary to address these unforeseen issues.

The ballot will now open at **5pm (AEST) Wednesday 17 April and closes 5pm (AEST) Monday 29 April.**

Independent Fair Work Commission-approved ballot agent Vero is managing the electronic ballot.

ANMF members rejected the government's previous settlement offer, and there is no further offer to consider at this time. This ballot is to enable members to take legally protected industrial action, if needed, to secure an improved and acceptable offer.

VOTE YES

ANMF is recommending all public sector members VOTE YES in the ballot.

A yes vote will give members the opportunity to take protected industrial action in the future as determined by statewide members meetings.

A yes vote will strengthen public sector nurses' and midwives' collective bargaining ability in their 2024 EBA negotiations for improved wages, allowances, entitlements and working conditions.

Remember you are not voting to take industrial action, you are only voting for the legal right to take protected industrial action at a later date.

It is important all members vote in the ballot

There are 106 separate ballots – a ballot for each employer. For a successful ballot, the Fair Work Act requires us to meet two hurdles:

1. 50% plus one of ANMF members at each public sector employer must vote in the ballot
2. more than 50% of those members who vote in the ballot must VOTE YES.

Who can vote in the ballot?

To determine the eligible voters, Vero has compared a list of all ANMF members and a list of all employees who will be covered by the Nurses and Midwives (Victorian Public Sector) Single Interest Employers) Enterprise Agreement 2024-28).

Eligible voters are those members on both lists.

If you do not receive the How to Vote email from Vero by Wednesday 17 April at 5pm please read our frequently asked ballot list questions (via anmfvic.asn.au/ballotfaq) to see if you may still be eligible.

Please note if you are an agency nurse or an agency midwife working in a public sector healthcare service, you are not eligible to vote as you not employed by the health service, but by the agency.

How do I vote?

1. Eligible members either have been or will be sent information about how to vote and the voting link for their employer by the ballot agent - Vero.
2. Enter your Vero-provided randomly-generated password* (check your VERO information sheet email)
3. Scroll to read the entire question (which will list all of the forms of action) and select YES and submit.

For further information please read the attached [VOTE YES poster](#).

When will we know the ballot result?

The ballot outcome will be announced at the ANMF public sector statewide members meeting, Tuesday 30 April, 2pm-3.30pm at Moonee Vallee Racecourse. Register for the meeting via anmfvic.asn.au/EBAmeeting2.

JOB REPS ARE ENCOURAGED TO DOWNLOAD AND PRINT THE MEETING POSTER TO DISPLAY ON THEIR WORKPLACE NOTICEBOARD



Update your details, so you get the information that's relevant to you
anmfvic.asn.au/memberportal



Does your ward/unit/small workplace have two Job Reps? Workplaces with ANMF Job Reps get better outcomes. Nominate now anmfvic.asn.au/Jobrep

Vote YES

for improved pay
and conditions

ANMF's application to the Fair Work Commission for a protected action ballot has been approved.

All ANMF members need to vote in the electronic ballot as soon as they receive the link via email and/or text message from the ballot agent VERO.

A **YES** vote will strengthen public sector nurses' and midwives' collective bargaining ability in their 2024 EBA negotiations.

By voting **YES**, you are not voting to take industrial action. You are **ONLY** voting to have the legal right to take all or some of that industrial action at a later time.

Industrial action will **ONLY** be determined at a statewide meeting at a later time.

When you receive the VERO ballot link, ANMF asks that you vote YES.

Any decision to take action will only be determined after an ANMF members' meeting. The next statewide meeting is scheduled for Tuesday 30 April 2024.

How to vote YES

1. Click on the ballot link in the email or text message the ballot agent VERO sends you.
2. Enter your VERO-provided randomly generated password* (check your VERO information sheet emailed).
3. Scroll to read the entire question and select YES.



Hit continue and then submit.

For further information about the voting process, check Vero's 'How to vote guide' that your employer will distribute on 15, 16 and 17 April and Vero's 'information sheet' that will be emailed to you immediately prior to the ballot opening.

Ballot opens 5pm (AEST) Wednesday 17 April and closes 5pm (AEST) Monday 29 April 2024.

Members will know the outcome of the ballot at the statewide meeting on Tuesday 30 April.

PLEASE NOTE: due to technical issues the ballot's original 9am start has been moved to 5pm.

EBA 2024-28

Retain. Recruit. Rebuild. our nursing and midwifery workforce

Frequently Asked Questions

about the protected action ballot

What is a protected action ballot?

Taking industrial action during bargaining for a new enterprise agreement is part of the bargaining system of the *Fair Work Act 2009* ('the Act').

Taking 'protected' industrial action means that the action is entirely lawful and members taking the action are protected from the employer suing them, sacking them or otherwise victimising them.

To take protected industrial action, the ANMF must first apply to the Fair Work Commission seeking approval to conduct a protected action ballot. This has been done and the Fair Work Commission has approved the issuing of the ballot.

This will be a ballot of only ANMF members who will be employed under the ***Nurses and Midwives (Victorian Public Sector) (Single Interest Employers) Enterprise Agreement 2024-2028*** to determine whether ANMF members support the taking of specified forms of industrial action. This ballot will be conducted by independent ballot agent VERO as an electronic ballot.

Why is it so important to vote in the protected action ballot?

Before taking protected industrial action, the ANMF must engage an independent Fair Work Commission-approved ballot agent to hold a ballot of its members to ensure members support the industrial action (a protected action ballot).

All eligible ANMF members should vote in the protected action ballot. For the ballot to be successful two things must happen:

- a majority of members on the ballot roll must vote
- a majority of those members who vote, must vote **YES**.

There is one ballot per public sector employer – so 106 separate ballots.

If you work at Casey Hospital, you will be under the Monash Health ballot. If you're at Horsham Hospital, you will vote in the Grampians Health ballot.

This means the ballot could be successful at one employer and unsuccessful at another. That's why it is critical for all members to vote.

Please note if you are an agency nurse or an agency midwife working in a public sector healthcare service, you are not eligible to vote as you not employed by the health service, but by the agency.

Why is it so important to vote YES to the question in the protected action ballot?

The ballot has a series of questions seeking members' support for different types of industrial action.

It is important that all members vote **YES** to all questions.

The ballot must be supported by a majority of members who participate in the ballot. It is therefore important that all members vote **YES**, and that you encourage all members to vote.

Do I have to actually take all the action?

If you vote **YES** to the ballot questions it does not mean that you will actually have to take all of the actions set out in the questions. You may only be asked to take action that is relevant to your area of work.

By voting **YES**, you are simply approving the possibility of taking action and being legally protected. ***You are not being asked if you will take the action: you are being asked if you approve the ANMF organising such action.***

If you vote 'YES' in this ballot, you are only voting **YES** to allowing ANMF members to take legally protected action at a later time.

Any decision to take action will only be determined after an ANMF members' meeting. The next statewide meeting is scheduled for Tuesday 30 April 2024.