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campaign update

Protected industrial action ballot to open 9am Thursday 6 February: ANMF recommends you vote YES

The ANMF public sector mental health nurses protected industrial action ballot opens tomorrow from 9am Thursday 6 February.

Members will be sent the ballot link via text or their work or personal email. The ballot will ask a single question, either 'yes' or 'no', in respect to all potential industrial action.

ANMF is recommending all members VOTE YES, so your workplace has the legal right to participate in a protected industrial action campaign for improved wages, entitlements and conditions.

A successful ballot requires 50 per cent of members plus one to vote, and at least 50 per cent of those who vote to vote YES.

Victoria's public mental health system comprises 19 separate employers. This means the ballot could be successful with one employer, and unsuccessful with another.

- **If successful, members have the right, in the future, to take protected industrial action at that employer.**
- **If unsuccessful, members at that employer will not have the right to take protected industrial action in the future.**

That is why it is critical all members vote and all members vote yes.

A successful yes vote will enable ANMF members to participate in a future protected industrial action campaign to achieve an outcome comparable with the 2024 general nurses public sector outcome.

This includes pay parity for mental health nurses and the relevant new and improved allowances, entitlements and working conditions. Mental health nurses must have parity with general nurses to ensure employers can continue to retain and recruit early career and experienced nurses.



Read and share the 'How to Vote YES' and 'What are the actions?' flyers via the QR code or anmfvic.asn.au/mhresources

Ballot timetable

Voting opens: 9am Thursday 6 February – members will receive a ballot link via text, work or personal email – depending on the information you have provided to your employer and ANMF

Voting closes: 5pm Thursday 13 February



Voting declared: 2pm Friday 14 February at the statewide meeting – to discuss the outcome of the 19 ballots and decide next steps in your campaign. **Register** via anmfvic.asn.au/mhmeeting3

When to contact ANMF?

Members who are eligible to vote should receive an email or text message from VERO by close of business Thursday 6 February 2025.

If you have not received an email or text message from VERO by that time, then it is likely that either:

- you were not on the employer list provided to VERO; or
- you were not on the ANMF member list provided to VERO by ANMF for that employer or
- VERO does not have a current email address or mobile phone number for you.

Please first contact VERO for assistance (between 10.30am and 7pm AEST) with your details, via 1300 702 898.

If VERO is unable to assist, then please contact ANMF if you think you should be on the eligible voter list but are not. Email: records@anmfvic.asn.au or call 9275 9333 during office hours.

Please tell us your name, current workplace and ANMF member number if known; if not known, your current mobile phone number will assist.

Register for the statewide members meeting – Friday 14 February

Friday 14 February

2pm–3.15pm (streaming option available)

ANMF (Vic Branch), 535 Elizabeth Street, Melbourne

This meeting will provide an update on your 2025–28 EBA negotiations and the outcome of the protected industrial action ballot for each of the 19 health services.

Members at this meeting will decide the next steps in your campaign. Be part of the decision-making process.

If possible, please attend in person to build campaign camaraderie and build momentum. Please arrive five or ten minutes early to register and pick up your red campaign t-shirt.

Make sure your ward or unit is represented. Bring your signs and placards (they look great in your campaign photos and videos).



To register scan this QR code
or anmfvic.asn.au/14febmeeting



Share the meeting notice poster via this
QR code or anmfvic.asn.au/mhresources

VOTE YES



For improved wages and conditions

ANMF's application to the Fair Work Commission for a protected industrial 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.

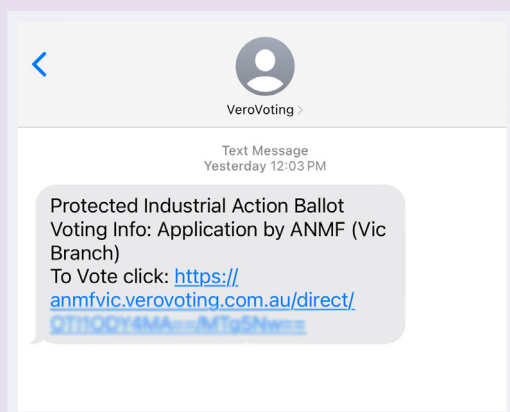
A YES vote will strengthen public sector mental health nurses' collective bargaining ability in their 2025 EBA negotiations.

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 a text or a personal or work email from VERO Voting – click the ballot link and vote YES.

It's quick, easy, confidential and secure.

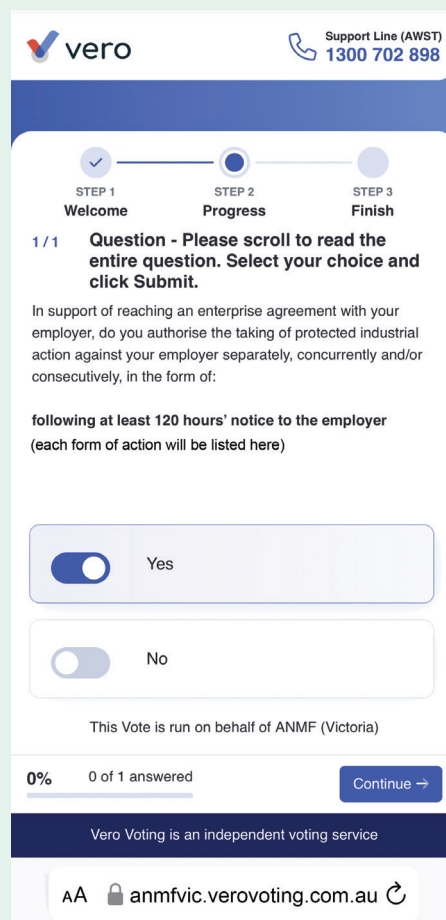


How to vote yes

1. Click on the ballot link in the email or text message the ballot agent VERO sends you.
2. Scroll to read the entire question and select **YES**.



Hit continue and then submit.



Ballot opens 9am (AEDT) Thursday 6 February

Ballot closes 5pm (AEDT) Thursday 13 February.

Members will know the outcome of the ballot on Friday 14 February.

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

Frequently Asked Questions

about the protected industrial action ballot

What is a protected industrial 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 industrial 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 **Victorian Mental Health Services Enterprise Agreement 2025-2028** 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.

Voting is secure and confidential.

Why is it so important to vote in the protected industrial 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 industrial action ballot).

All eligible ANMF members should vote in the protected industrial 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 mental health employer – so 19 separate ballots.

For example, if you work at Dandenong Hospital, you will be under the Monash Health ballot. If you're at Ballarat Aged Mental Health, 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 working in a public sector mental health service, you are not eligible to vote as your employer is the agency not the health service.

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

The ballot has one question seeking members' support for a list of different types of industrial action.

It is important that all members vote **YES** to the question.

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 question. 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 at an ANMF members' meeting. The next statewide meeting is scheduled for Friday 14 February 2025.

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ANMF members' protected industrial action ballot

VOTE YES



What are the actions?

As part of your campaign for improved wages and conditions, public sector mental health ANMF members directed the union to make an application for a protected industrial action ballot.

The Fair Work Commission has approved our application.

The secret ballot opens 9am Thursday 6 February and closes 5pm Thursday 13 February.

Vote YES via the text message or email sent to you by Vero Voting (ANMF's Fair Work-approved, independent ballot agent).

A successful ballot outcome will give ANMF members the right to take all or some of the industrial action listed at a later time.

By voting YES you will be sending a strong message that you want improved workloads, mandated and transparent staffing levels and improved allowances.

Nurses take industrial action only as a last resort when employers stop listening.

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

Please read your EBA campaign newsflashes for further information about the ballot outcome and next steps.

The question to be put to voters in the ballot is:

In support of reaching an enterprise agreement with your employer, do you authorise the taking of protected industrial action against your employer separately, concurrently and/or consecutively, in the form of:

Following at least 120 hours' notice to the employer

1. A ban on providing information to management in relation to who is participating in protected industrial action.
2. Commencing and finishing duty at the rostered times unless overtime is approved by the employer, in writing, in advance.
3. Delaying or restricting the performance of normal duties through a ban on the employer's uniform policy or dress code, for the purpose of engaging with media, staff, consumers/patients, visitors, residents and their families about the proposed agreement, with employees wearing, distributing and displaying ANMF campaign materials such as t-shirts, badges, written communications and stickers in support of the proposed enterprise agreement.
4. Delaying or restricting the performance of normal duties by speaking to the media and participating in social media about the campaign during working hours having regard for s141 of the Health Services Act.
5. A refusal to collect, record, complete or document non-clinical/administrative information required by the employer e.g. outcome measures (i.e. HoNOS), vehicle logbooks, statistical data including contact hours, daily returns/bed movements, Aged Care funding documentation, MHWA PR 1, PR2s and PR5s but excluding any reporting directly related to consumer/patient or staff safety.
6. A ban on the collection and/or entry of any data (that is not required by law to be entered into the consumer/patient record or related directly to consumer/patient or staff safety) and a refusal to record, collect or complete data required by the employer.

Not receiving ANMF's public sector mental health EBA campaign updates, the monthly 'On the Record' digital magazine or enews? To manage your ANMF digital subscriptions on the member portal scan the QR code or head to anmfvic.asn.au/resubscribe



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7. A refusal to attend or participate in any management meeting unless fully back filled.
 8. A refusal to implement any workplace or system change proposed by management, subject to the discretion of the ANMF Branch Secretary in circumstances where the Secretary is satisfied that if the change did not proceed it may negatively impact on staff or consumer/patient safety.
 9. Stoppages of work to display or use ANMF campaign materials, including but not limited to petitions, flyers, posters, stickers, postcards, balloons, video-conferencing backgrounds, digital avatars and/or props or slogans, either by electronic means (including but not limited to email) or by providing these in person, to media, staff, consumers/patients, clients, customers, visitors, residents and/or members of the public; and/or refusing to work in areas where enterprise bargaining campaign materials are not on display.
 10. A ban on sending emails unless they contain the following text:

“Mental Health Nurses have worked throughout the pandemic and Royal Commission reforms, while experiencing a casualisation of the workforce, and extraordinary difficulties recruiting and retaining staff. The Victorian Branch of the Australian Nursing and Midwifery Federation is negotiating a new Enterprise Agreement with management on our behalf. We are asking for reasonable improvements to our working conditions, especially our take home pay, to maintain parity with our colleagues in general nursing.”
 11. Taking the full period of all breaks (including meal breaks and rest/tea breaks).
 12. Not working any overtime and/or any hours in addition to an employee’s rostered or contracted ordinary hours of work.
 13. A refusal to be redeployed from one area to another area, unless such redeployment is with the agreement of the employee or the ANMF.
- Following 7 days’ notice to the Employer**
14. Attending events in support of the proposed enterprise agreement and/or the ANMF campaign, during working hours.
 15. Delaying or restricting admissions where nurse staffing levels cannot be maintained to provide safe treatment, care and support for consumers/patients and/or a safe environment for workers, as determined by the shift leader.
 16. A ban by the ANUM or shift leader of a ward or unit on taking a consumer/patient load.
 17. Single and/or consecutive work stoppages each of up to four (4) hours duration including such stoppages to travel for and to attend stop-work meetings.
 18. Stop work for periods of up to four (4) hours, save where such action would endanger the life, the personal safety or health, or the welfare of workers and consumers/patients, for the purpose of holding stop-work meetings as directed by the Australian Nursing and Midwifery Federation.

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VICTORIAN PUBLIC SECTOR MENTAL HEALTH MEMBERS STATEWIDE MEETING

FRIDAY 14 FEBRUARY 2025

2pm–3.15pm (streaming option available)

ANMF (Vic Branch), 535 Elizabeth Street, Melbourne



This meeting will provide an update on your 2025-28 EBA negotiations and the outcome of the protected industrial action ballot for each of the 19 health services.

Register via this QR code or anmfvic.asn.au/14febmeeting.

Members at this meeting will decide the next steps in your campaign.

Please arrive five or ten minutes early to register and pick up your red campaign t-shirt.

Make sure your ward or unit is represented.



Frequently Asked Questions

Can I attend if I am rostered on?

This is an unpaid meeting. If you're rostered on, you might need to arrange a shift change or talk to your manager about leaving early or arriving late (which could mean some unpaid time).

What are the public transport options?

Public transport: Melbourne Central and Flagstaff stations are nearby, with trams 19, 57 and 59 stopping outside Queen Victoria Market.

What are the parking options?

Limited two-hour paid street parking is available on Elizabeth and O'Connell Streets. Or park all day at Queen Victoria Market (open 5am–7pm).

Is childcare available?

We will have childcare available for those who select childcare on the online registration form. If plans change, please let us know at events@anmfvic.asn.au.