16 June 2016

Notification of Employee Claim Protected Industrial Action

Dear HR Manager

The Health Services Union ("HSU") hereby gives **[EMPLOYER NAME]** notice, pursuant to Section 414 of *the Fair Work Act 2009,* that the HSU and its members described below intend to organise and take protected industrial action against **[EMPLOYER NAME]** in the manner described below.

The action was authorised by a protected action ballot conducted by the Australian Electoral Commission in accordance with an order of the Fair Work Commission dated 9 May 2016 and the results of that ballot that were declared on 16 June 2016.

The employees intending to engage in protected industrial action are employees of **[EMPLOYER NAME]** who are members of the HSU and who are defined as health professional employees under clause 5.3 of the *Victorian Public Health Sector (Health Professionals, Health and Allied Services, Managers & Administrative Officers) Enterprise Agreement 2011 – 2015*, other than health professional employees employed solely or predominantly in the provision of public mental health services.

The following actions will be engaged in separately or concurrently commencing at 7 am on 22 June 2016.

1. Delaying or restricting the performance of normal duties through industrial action in the form of a ban on the employer's uniform policy or dress code, for the purpose of engaging with media, staff, patients, visitors, residents and their families about the proposed agreement with employees wearing, distributing, using and/or posting union campaign materials, such as t---shirts, badges, written communications, stickers and inflatable creatures in support of the proposed enterprise agreement.

2. Industrial action in the form of placing a statement on emails about the Union campaign, industrial action and/or the Union's case.

3. Industrial action in the form of taking the full period of all scheduled breaks including tea breaks and lunch breaks.

4. Industrial action in the form of commencing and finishing duty at the rostered times unless overtime is approved by the employer, in writing, in advance and is paid overtime.

5. Delaying or restricting the performance of normal duties through industrial action in the form of using toys and props, including but not limited to inflatable and rubber---like animals / creatures, in the workplace for the purpose of engaging with the media, staff, patients, visitors, residents and their families about the proposed enterprise agreement, the Union campaign, the Union, industrial action and/or the Union's case, subject to the occupational health and safety requirements of the workplace.

The following action will be engaged in on 30 June 2016 between the hours of 12 pm and 5 pm.

1. Industrial action in the form of unlimited number of stoppages of work, including but not limited to consecutive stoppages of work, of between five (5) minutes and twenty---four (24) hours in duration including but not limited to stoppages to travel to and from stop work meetings, subject to the VAHPA providing the Employer with seven (7) calendar days' notice. The following are exempted from this action:

- Neo---natal and paediatric patients, haemodialysis patients, maternity patients, oncology patients, palliative care, terminations of pregnancy, intensive care units, coronary care units, high dependency patients.

- Emergency admissions provided that such admissions will be into the designated emergency beds.

This protected industrial action is not intended to endanger the life, the personal safety or health, or the welfare, of the population or of part of it. If you have any such concerns, please convey them to the HSU immediately.

Kind Regards

Craig McGregor
Secretary VAHPA
Health Services Union Victoria No. 3 Branch

VAHPA