



Industrial Elections and Ballots

SERVICE PLAN

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Foreword



The Australian Electoral Commission (AEC) is committed to delivering trusted, reliable, high quality and high integrity electoral events.

Through our Industrial Elections and Ballots Program, the AEC is required to conduct elections for office holders within organisations registered with the Fair Work Commission as well as protected action ballots.

This plan outlines the key election services and standards that, along with our AEC values of electoral integrity through quality, agility, and professionalism; underpin the conduct of all of our events.

Australia is a leader in refining and delivering best practice in election administration. We recognise registered organisations have varying requirements when it comes to their electoral events and our commitment is to work with organisations to create a system that will best realise these requirements, whilst running a modern and efficient service.

We are committed to continuous evaluation and improvement, and will measure our performance based on the standards outlined in this plan. Should you have any comments on your election experience, I would ask you to take the time to let our AEC staff know either during or following your event so we can use your feedback to continue to provide the best possible election to suit your organisation.

Tom Rogers

Electoral Commissioner

Overview

Elections and ballots for registered organisations

Under the *Fair Work (Registered Organisations) Act 2009*, the AEC must conduct elections for registered organisation's Officer positions unless the Registered Organisations Commission has granted an exemption. The AEC may also be required to conduct ballots for non-Office positions for registered organisations.

The AEC must conduct amalgamation and withdrawal from amalgamation ballots for registered organisations but are not required to conduct de-registration ballots.

Protected action ballots

Under the provisions of the *Fair Work Act 2009*, a bargaining representative for an enterprise agreement may make an application to the Fair Work Commission seeking an order for the conduct of a protected action ballot.

Protected action ballots give employees the chance to vote on whether or not they want to initiate protected industrial action. 'Protected' industrial action gives immunity from civil liability under State or Territory law (unless that action is likely to involve personal injury or damage, destruction or taking of property).

The Fair Work Commission considers the application, and if an order is issued, a protected action ballot agent will be appointed. In most instances, the AEC is appointed as the protected action Ballot Agent.

Fee-for-service events

At the discretion of the AEC and under s.7A and s.7B of the *Commonwealth Electoral Act 1918*, elections, ballots or polls for other clients may be undertaken.

The AEC's story in the conduct of elections and ballots for registered organisations, PABs and fee-for-service elections

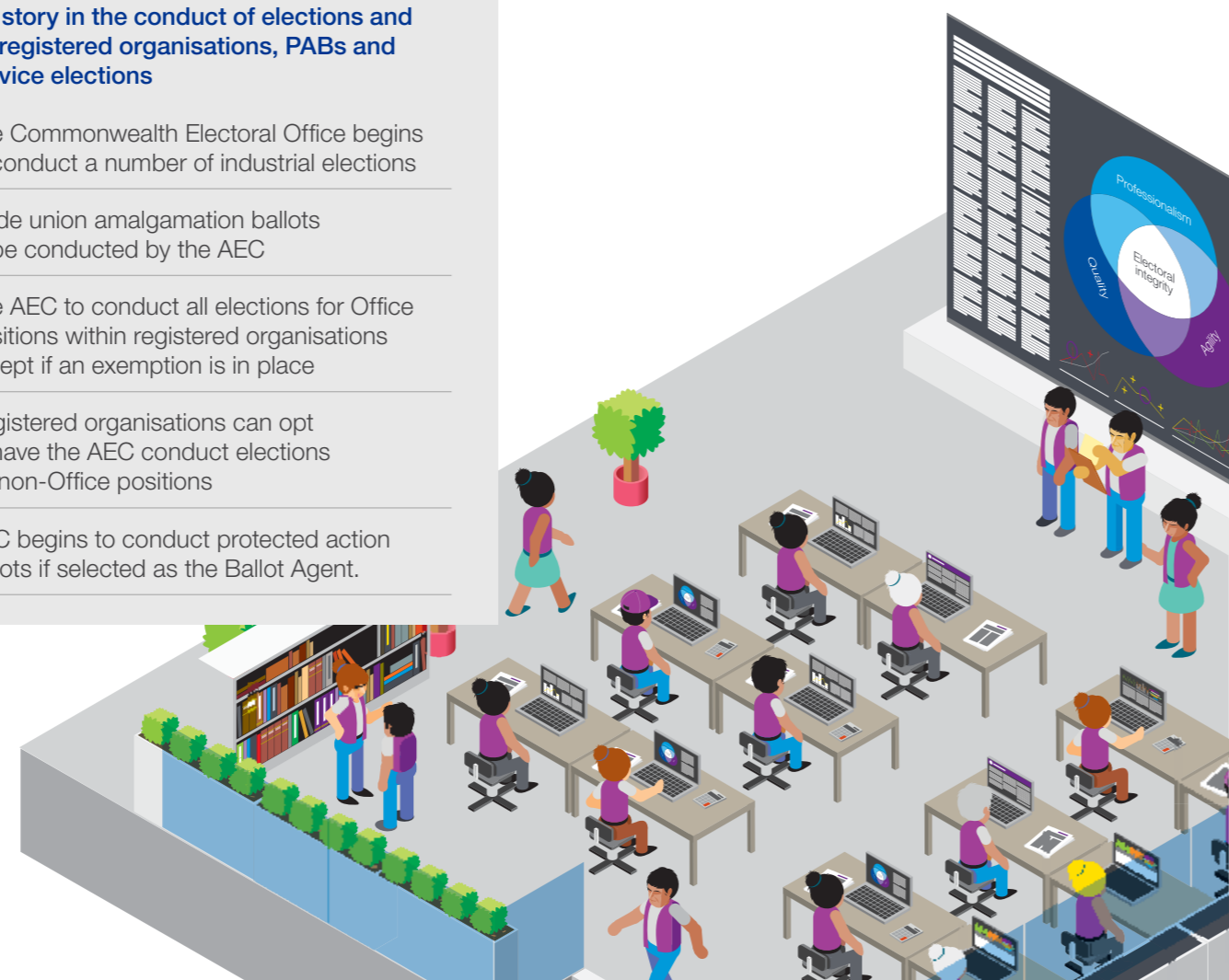
1949 The Commonwealth Electoral Office begins to conduct a number of industrial elections

1975 Trade union amalgamation ballots to be conducted by the AEC

1989 The AEC to conduct all elections for Office positions within registered organisations except if an exemption is in place

2003 Registered organisations can opt to have the AEC conduct elections for non-Office positions

2006 AEC begins to conduct protected action ballots if selected as the Ballot Agent.



Election and ballot delivery

Event delivery is based on the AEC Values. The AEC values will be met through:

Integrity of the result (Quality)

- The safe custody and handling of ballot papers
- Maintaining the integrity of a person's right to vote by preventing voter disenfranchisement
- Determining ballot paper formality by treating each ballot paper holistically in order to understand the intention of the voter
- Designated Returning Officers providing final signoff on key documents

Good customer service and positive customer experience (Professionalism)

- Providing a positive experience for stakeholders by being transparent, efficient and well-rehearsed
- Promoting and protecting the secrecy of the vote, the privacy of individuals and the correct handling of information

Efficient processes and procedures (Agility)

- Continuing to build staff capability and providing an improved experience for AEC staff and clients in delivering the event
- Further integrating planning across all levels of the AEC
- Maintaining the ability to mobilise and deliver electoral events whenever they are called
- Value for money is a core consideration when there is discretion in approach to organisational Rules



Election service standards

The AEC is committed to upholding three key service standards for the delivery of electoral events for registered organisations and protected action ballots.



STEP ONE
AEC delivers high quality services

STEP TWO
Stakeholders have confidence in the result

STEP THREE
Stakeholders have confidence that the electoral process has integrity

Achieving the election service standards

The AEC will achieve the three election service standards by:

Standard 1

The AEC delivers high quality services

Achieved by:

- AEC staff will be courteous and professional in their dealings with the voters, staff of the registered organisations or their representatives, employers, candidates, scrutineers and fee-for-service clients
- Notices relating to elections and ballots will be publicised in a relevant and timely manner
- The AEC will send postal ballot papers to eligible voters in a timely manner
- Where in person voting is undertaken, voting will open and close in accordance with agreed dates and times

Standard 2

Stakeholders have confidence in the result

Achieved by:

- Ballot papers (both used and unused) will be handled and accounted for in line with the AEC's Ballot Paper Handling Policy
- The AEC will provide results expeditiously
- AEC staff will follow policy, procedure and established practices to undertake the election or ballot and will adhere to the Rules of organisations where required, except in instances outlined in legislation, for example because following the Rule may cause an irregularity in the election.
- AEC staff will comply with relevant legislation at all times

Standard 3

Stakeholders have confidence that the electoral process has integrity

Achieved by:

- The AEC will manage complaints in accordance with the AEC's Complaints Management Policy
- Assurance processes will be undertaken to provide confidence that service standards have been met





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