TWU Carrying Australia

K&S UPDATE
AUGUST 2026

FAQ ON K&S PROTECTED INDUSTRIAL ACTION

Members at K&S have been negotiating for a new agreement.

We are fighting to close the gap between you and companies with industry-leading pay and conditions.

Protected industrial action is a **powerful worker tool** to push companies to a fair agreement.

Q. What is a PAB (Protected Action Ballot)?

A. A PAB is a vote that authorises and protects TWU members to take protected industrial action if it becomes necessary in the future to move an employer to make a fair deal.

Q. What is protected industrial action?

A. Protected industrial action can take a number of forms, including:

- Strikes
- Work bans
- Limitations or restrictions on work
- Other collective actions that restrict or delay work being performed normally

These are **legally protected actions**, enshrined within the Fair Work Act when negotiating a new Enterprise Agreement, and you cannot be penalised by your employer for taking them if you are a TWU member.

Q. When can we take protected action?

A. The timeline for taking any protected industrial action is as follows:

1. **Your Agreement must have expired** - your Agreement has already expired.
2. **Negotiations continue** - both parties must genuinely try to reach agreement
3. **Protected Action Ballot (PAB) application** - the TWU can apply to the Fair Work Commission (FWC) for a PAB if bargaining has stalled
4. **Members vote** - the ballot is a secret vote of eligible union members
5. **Bargaining conference** - bargaining representatives must also attend a FWC conciliation conference aimed at resolving outstanding issues
6. **Notice to company given** - if members vote in favour of action and industrial action becomes necessary, the TWU will provide notice to the employer. It will specify the type of action and when it will commence.

Q. Why have delegates endorsed action?

A. K&S refuses to agree to your endorsed claims and listen to workers. It's now time to send a strong message to K&S by voting YES on the PAB - attacks on conditions won't be tolerated!

We're fighting for:

- ✕ **A fair pay offer**
- ✕ **Future of work protections**
- ✕ **Consolidated agreements.**
- ✕ **Job security**

BEING A TWU MEMBER ENSURES ANY ACTION YOU TAKE IS LEGALLY PROTECTED

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Q. When does voting open? How does it work?

A. Voting opens Tuesday 4 August, and you will have until Monday 17 August to submit your vote.

You will be sent voting instructions by FairVote via email or SMS on Tues 4 Aug. **Make sure to VOTE YES to all questions.**

Q. Why should we vote yes to all questions?

A. Voting yes to a particular option (for example a 4-hour stoppage or 24-hour stoppage) doesn't mean we will take that action. Voting yes to all questions just gives us **the option to take that action if we decide it is necessary.** Members will endorse any action taken.

Q. What if I don't receive my ballot notice?

A. If you don't receive your ballot notice, and you are a TWU member who is eligible to vote, please contact FairVote to ensure your name is included on the roll.

FairVote Contact Details:	**(03) 8592 9905**	**admin@fairvote.com.au**

Q. What happens while we are waiting for the PAB results?

A. By lodging a PAB application, we're making it clear to management hat we are serious about a fair outcome being achieved in a reasonable time frame.

If management don't listen to the workforce and improve the offer, then members will meet to decide what action you may want to take from bans to stoppages.

At this key moment in the negotiation process it is vital that we stay unified and disciplined. The bargaining process and the PAB/Protected Industrial action are avenues to voice our concerns, and as such, we need all members to continue to work as normal whilst we continue the bargaining process.

Q. Do I have to be a TWU member to take protected action?

A. Yes, if you want to vote and participate in potential TWU industrial action, you have to be a member of the TWU.

TWU members' survey → Member claim endorsed → Member-led negotiations

Prepare for action

2026 our roads, our skies, our future

This year, over 220 TWU Enterprise Agreements expire at the same time.

That's over 60,000 transport workers standing together to lift standards, end the race to the bottom and stop client attacks on job security.

This is our moment to win industry-wide change.

BEING A TWU MEMBER ENSURES ANY ACTION YOU TAKE IS LEGALLY PROTECTED

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