

If the notice and the manner of giving you the notice complied with the regulations, you may not be entitled to any payment for that period.

Division 9—Payments relating to periods of industrial action

Subdivision A—Protected industrial action

470 Payments not to be made relating to certain periods of industrial action

- (1) If an employee engaged, or engages, in protected industrial action against an employer on a day, the employer must not make a payment to an employee in relation to the total duration of the industrial action on that day.
- (2) However, this section does not apply to a partial work ban.
Note: For payments relating to periods of partial work bans, see section 471.
- (3) A ***partial work ban*** is industrial action that is not:
 - (a) a failure or refusal by an employee to attend for work; or
 - (b) a failure or refusal by an employee who attends for work to perform any work at all; or
 - (c) an overtime ban.

471 Payments relating to partial work bans

Employer gives notice of non-payment

- (4) If:
 - (a) an employee engaged, or engages, in protected industrial action against an employer on a day; and
 - (b) the industrial action is a partial work ban; and
 - (c) the employer gives to the employee a written notice stating that, because of the ban:
 - (i) the employee will not be entitled to any payments; and
 - (ii) the employer refuses to accept the performance of any work by the employee until the employee is prepared to perform all of his or her normal duties;then the employee is not entitled to any payments in relation to the period (the ***industrial action period***) referred to in subsection (5).

Form and content of notice

- (6) The regulations may prescribe requirements relating to one or both of the following:
 - (a) the form of a notice given under paragraph (1)(c) or (4)(c);
 - (b) the content of such a notice.

Manner of giving notice

- (7) Without limiting paragraph (1)(c) or (4)(c), the employer is taken to have given a notice in accordance with that paragraph to the employee if the employer:
- (a) has taken all reasonable steps to ensure that the employee, and the employee's bargaining representative (if any), receives the notice; and
 - (b) has complied with any requirements, relating to the giving of the notice, prescribed by the regulations.