



Reference: 2022/13510

The General Manager  
Fair Work Commission  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000  
Email: [melbourne@fwc.gov.au](mailto:melbourne@fwc.gov.au)

Ho LAU  
Transport Workers' Union of Australia  
[ho.lau@twunsw.org.au](mailto:ho.lau@twunsw.org.au)

Kylie BOWE  
Cleanaway Operations Pty Ltd  
[kylie.bowe@cleanaway.com.au](mailto:kylie.bowe@cleanaway.com.au)

### Declaration of results - PAB Order: B2022/1705

Pursuant to the Protected Action Ballot Order B2022/1705 issued by the Fair Work Commission, the AEC has conducted the protected action ballot and the declaration of the result is provided below.

Preliminary scrutiny	
Number of employees on the Roll of Voters (Voters)	42
Postal votes returned by voters	18
Postal votes rejected at the preliminary scrutiny	1
Postal votes admitted to further scrutiny	17
Percentage of postal votes returned*	40.48%

\*This is the number of postal votes admitted to further scrutiny as a percentage of the number of employees on the Roll of Voters (the number of voters who voted).

The further scrutiny has been conducted. The table below provides the results for each question.

In support of reaching an enterprise agreement with your employer, do you support the taking of protected industrial action against your employer which may involve taking separately, concurrently and/or consecutively, any or all the actions set out below:

	Question	Yes	No	Informal
1	An unlimited number of indefinite bans on the working of overtime?	16	1	0
2	An unlimited number of stoppages of work for 1 hour?	16	1	0

3	An unlimited number of stoppages of work for 2 hours?	16	1	0
4	An unlimited number of stoppages of work for 4 hours?	16	1	0
5	An unlimited number of stoppages of work for 8 hours?	16	1	0
6	An unlimited number of stoppages of work for 24 hours?	16	1	0
7	An unlimited number of stoppages of work for 48 hours?	17	0	0
8	An unlimited number of stoppages of work for seven days?	16	1	0
9	An unlimited number of indefinite stoppages of work?	16	1	0
10	An unlimited number of bans or indefinite bans on refueling vehicles?	16	1	0
11	An unlimited number of periodic or indefinite partial work bans?	17	0	0

I declare that:

- The requisite number of voters (at least 50%) voting in the protected action ballot was not achieved.
- The majority of voters who cast a valid vote were in favour of the action set out in question(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Kaye Bartlett  
 Returning Officer  
 Delegate of the Ballot Agent  
 Australian Electoral Commission

22/02/2023

Email: [PAEvents@aec.gov.au](mailto:PAEvents@aec.gov.au) phone: 02 9375 6366 or 03 9285 7111

[www.aec.gov.au](http://www.aec.gov.au)