



Reference: 2023/3533

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

Lee ARCHER  
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied  
Services Union of Australia  
[lee@ceputas.com.au](mailto:lee@ceputas.com.au)

BRYAN TROY  
Zinfra Contracting Pty Ltd T/A Zinfra  
[Bryan.troy@jemena.com.au](mailto:Bryan.troy@jemena.com.au)

#### Declaration of results - PAB Order: B2023/346

Pursuant to the Protected Action Ballot Order B2023/346 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)	23
Postal votes returned by voters	18
Postal votes rejected at the preliminary scrutiny	2
Postal votes admitted to further scrutiny	16
Percentage of postal votes returned*	69.57

\*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 Zinfra Contracting Pty Ltd, do you endorse the taking protected industrial action against your employer, which may involve taking separately, concurrently and/or consecutively, any or all of the actions set out below, an unlimited number of times:

	Question	Yes	No	Informal
1	The imposition of a ban for a specified period, including indefinitely, on using mobile phones and car and/or truck mobile radios?	13	3	0
2	The imposition of a ban for a specified period, including indefinitely, on using personal tools?	13	3	0

3	The imposition of a ban, for a specified period, including indefinitely, on the performance of any switching?	13	3	0
4	The imposition of a ban for a specified period, including indefinitely, on undertaking any off-road jobs?	14	2	0
5	For a specified period, including indefinitely, starting and finishing each shift from the depot?	12	4	0
6	The imposition of a ban for a specified period, including indefinitely, on using electronic devices for work-related purposes (including, without limitation, computers or iPads)?	13	3	0
7	The imposition of a ban for a specified period, including indefinitely, on working rostered days off and public holidays?	15	1	0
8	The imposition of a ban for a specified period, including indefinitely, on responding to emails or texts?	13	3	0
9	The imposition of a ban for a specified period, including indefinitely, on completing any paperwork, reports, EWCs and job packs?	14	2	0
10	Indefinite or periodic 15-minute stoppages of work?	13	3	0
11	Indefinite or periodic 1-hour stoppages of work?	12	4	0

I declare that:

- The requisite number of voters (at least 50%) voting in the protected action ballot was 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  
31/05/2023

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)