



Reference: 2023/4441

The General Manager
Fair Work Commission
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Declaration of results - PAB Order: B2023/494

Pursuant to the Protected Action Ballot Order B2023/494 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)	32
Postal votes returned by voters	21
Postal votes rejected at the preliminary scrutiny	2
Postal votes admitted to further scrutiny	19
Percentage of postal votes returned*	59.38

*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.

For the purpose of supporting or advancing claims in support of the proposed enterprise agreement with your employer Illawarra Coal Holdings Pty Limited, do you authorise the following forms of industrial action to be taken against your employer, which may involve you and/or your fellow employees engaging in any and all of the following forms of industrial action separately, concurrently and/or consecutively:

	Question	Yes	No	Informal
1	An unlimited number of stoppages of work of between one (1) minute and twenty-four (24) hours duration?	18	1	0
2	An indefinite or unlimited number of bans on the performance of non-rostered overtime?	18	1	0
3	An indefinite or unlimited number of bans on the training of any other person?	18	1	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.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Kaye Bartlett
Australian Electoral Commission

03/07/2023

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