



Reference: 2022/618

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

Bruce William MACKIE
Australian Rail, Tram and Bus Industry Union
bruce.mackie@rtbu.com.au

Mark FLANAGAN
Pacific National Queensland Coal
mark_flanagan@pacificnational.com.au

Declaration of results - PAB Order: B2022/13

Pursuant to the Protected Action Ballot Order B2022/13 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)	184
Postal votes returned by voters	157
Postal votes rejected at the preliminary scrutiny	2
Postal votes admitted to further scrutiny	155
Percentage of postal votes returned*	84.24

*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.

Do you, in support of reaching an agreement on the proposed agreement to replace the Pacific National Queensland Coal Enterprise Agreement 2018 with your employer, endorse the taking of protected industrial action, which is authorised by this ballot, and which may involve taking separately, concurrently and/or consecutively, one or more of the following actions as set out below?

	Question	Yes	No	Informal
1	An unlimited number of stoppages of work for 1 hour duration, in all or part of the workplace?	149	6	0
2	An unlimited number of indefinite or periodic bans on the working of lift up and lay back arrangements, in all or part of the workplace?	154	1	0
3	An unlimited number of indefinite or periodic bans on the working of lift up and lay back arrangements, longer than 1 hours lift up and 2 hour lay back, in all or part of the workplace?	153	1	1
4	An unlimited number of stoppages of work for 24-hour duration, in all or part of the workplace?	150	4	1
5	An unlimited number of indefinite or periodic bans on the working of overtime, in all or part of the workplace?	154	0	1

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.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Darren Wade
Returning Officer
Delegate of the Ballot Agent
Australian Electoral Commission

02/03/2022

Email: PAEvents@aec.gov.au phone: 02 9375 6366 or 03 9285 7111

www.aec.gov.au