



Reference: 2022/9488

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

Lyn PADMAN
The Australian Workers' Union
admin@awutas.org.au

Georgia THOMAS
Nyrstar Hobart Smelter Pty Ltd
georgia.thomas@nyrstar.com

Declaration of results - PAB Order: B2022/1146

Pursuant to the Protected Action Ballot Order B2022/1146 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)	187
Postal votes returned by voters	126
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	126
Percentage of postal votes returned*	67.38

*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 advancing claims in the negotiation of an enterprise agreement to govern the terms and conditions of your employment with the Nyrstar Hobart Smelter Pty Ltd, do you authorise protected industrial action in the form of the following, to be taken separately, concurrently and/or consecutively:

	Question	Yes	No	Informal
1	The imposition of a ban for a specified period, including indefinitely, on carrying or using tools?	122	4	0
2	The imposition of a ban for a specified period, including indefinitely, on training trainees and/or, employees of Nyrstar, and/or contractors?	119	7	0
3	The imposition of a ban for a specified period, including indefinitely, on staggering starting and finish times?	120	6	0

4	The imposition of a ban for a specified period, including indefinitely, on working overtime?	119	7	0
5	The imposition of a ban for a specified period, including indefinitely, on staggering breaks?	122	4	0
6	The imposition of a ban for a specified period, including indefinitely, on assisting maintenance workers?	123	3	0
7	The imposition of a ban for a specified period, including indefinitely, on clearing or unblocking conveyor belts?	120	6	0
8	Working strictly in accordance with the standard operating procedures for a specified period, including indefinitely?	124	2	0
9	Periodic 60-minute stoppages of work?	121	5	0
10	Periodic 4 hours stoppages of work?	121	5	0
11	Periodic 12 hour stoppages of work?	118	8	0
12	Periodic 48 hour stoppages of work?	114	12	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, 12.
 - 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

07/09/2022

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

www.aec.gov.au