



Reference: 2022/14136

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#### Declaration of results - PAB Order: B2022/1824

Pursuant to the Protected Action Ballot Order B2022/1824 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)	5
Postal votes returned by voters	4
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	4
Percentage of postal votes returned*	80.00

\*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 endorse the taking of protected industrial action by CEPU members against your employer, which may involve taking separately, concurrently and/or consecutively any or all of the actions set out below:

	Question	Yes	No	Informal
1	An unlimited number of stoppages of work of between one (1) minute and twenty-four (24) hours duration?	4	0	0
2	An unlimited number of stoppages of work of indefinite duration?	2	2	0
3	An unlimited number of indefinite or periodic bans on the performance of non-rostered overtime?	3	1	0
4	An unlimited number of indefinite or periodic bans on	2	2	0

	the training of any other person?			
5	An unlimited number of indefinite or periodic bans on operating mobile plant?	3	1	0
6	An unlimited number of indefinite or periodic bans on being transported by underground transport vehicles?	3	1	0
7	An unlimited number of indefinite or periodic bans on the performance of work in a development panel, unless all production and engineering workers performing work in the development panel are employees of the employer?	3	1	0
8	An unlimited number of indefinite or periodic bans on the performance of work on the surface, unless all production and engineering workers who are performing work on the surface are employees of the employer?	3	1	0
9	An unlimited number of indefinite or periodic bans on the performance of work in the outbye area, unless all production and engineering workers who are performing work in the outbye area are employees of the employer?	3	1	0
10	An unlimited number of indefinite or periodic bans on using or reviewing the SCADA, CITEC system?	3	1	0
11	An unlimited number of indefinite or periodic bans on creating or writing work permits?	3	1	0
12	An unlimited number of indefinite or periodic bans on verifying and performing Mechanical and/or Electrical isolations?	3	1	0
13	An unlimited number of periodic or indefinite bans on performing work which is subject to protected action bans by any or all of Professionals Australia, AMWU, AWU, UJU, AWU, CFMMEU and CEPU members?	4	0	0
14	An unlimited number of indefinite or periodic bans on holding permits?	3	1	0
15	Working in a manner which limits or restricts the number of development sequences cut per shift to two (2) sequences?	4	0	0
16	Working in a manner which limits or restricts the number of extraction lifts performed per shift to five (5) lifts?	4	0	0
17	Wearing stickers on work clothes that promote, or represent the views of, the Electrical Trades Union?	4	0	0
18	Distributing ETU/CEPU and industrial campaign-related material to members of the public and Clarence Coal Pty Limited staff whilst performing work, including but not limited to t-shirts, caps, badges, facemasks, written communications including posters and stickers?	4	0	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, 13, 14, 15, 16, 17, 18.
- 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

01/02/2023

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