



Reference: 2025/16882

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

Nicholas MCCUBBIN
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied
Services Union of Australia
m.mccubbin@pteu.asn.au

Annette WILSON
Downer Utilities Australia Pty Ltd
annette.wilson@downergroup.com

Declaration of results - PAB Order: B2025/1243

Pursuant to the Protected Action Ballot Order B2025/1243 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)	70
Postal votes returned by voters	36
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	36
Percentage of postal votes returned*	51.42%

*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 authorise the taking of protected industrial action against your employer separately, concurrently and/or consecutively, in the form of:

	Question	Yes	No	Informal
1	An unlimited number of stoppages of refuelling vehicles?	32	4	0
2	An unlimited number of indefinite and/or periodic stoppages of work for the varying duration of anywhere between 1 minute and 48 hours (excluding emergency work and standby)?	35	1	0
3	An unlimited number of indefinite and/or periodic bans on overtime (excluding emergency work and standby)?	35	1	0

4	An unlimited number of indefinite and/or periodic bans on filling out paperwork?	34	2	0
5	Employees will undertake an unlimited number of stoppages of work to post photographs and/or write messages on social media during work time about the enterprise bargaining campaign?	33	3	0
6	An unlimited number of indefinite and/or periodic bans on the use of phones, radios, computers and/or tablets (excluding the use of phones to receive attendance requests that relate to emergency work and standby)?	35	1	0
7	Employees will undertake an unlimited number of stoppages of work, for a duration of 5 minutes, to write (non-permanent) enterprise bargaining campaign messages on the outside of trucks and vehicles that have been allocated to employees for the purposes of carrying out company activities?	32	4	0
8	An indefinite ban on the use of company vehicles to perform work unless enterprise bargaining campaign messages are written on the outside of the vehicle?	32	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.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Delegate of the Ballot Agent
Australian Electoral Commission
17/09/2025

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

www.aec.gov.au