



Reference: 2022/3109

The General Manager
Fair Work Commission
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Declaration of results - PAB Order: B2022/202

Pursuant to the Protected Action Ballot Order B2022/202 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)	134
Postal votes returned by voters	106
Postal votes rejected at the preliminary scrutiny	4
Postal votes admitted to further scrutiny	102
Percentage of postal votes returned*	76.12

*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 RTL Mining and Earthworks Pty Ltd (the employer), do you authorise the forms of industrial action listed below 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?	98	4	0
2	An indefinite or unlimited number of bans on the performance of overtime?	95	7	0

3	An indefinite or unlimited number of bans on call-ins?	97	5	0
4	An indefinite or unlimited number of bans on performing higher duties?	98	4	0
5	An indefinite or unlimited number of bans on refuelling earthmoving plant and equipment?	93	9	0
6	An indefinite or unlimited number of stoppages of work of between one (1) minute and twelve (12) hours on Morwell River diversion work?	96	6	0
7	An indefinite or unlimited number of bans on taking operational instructions on the two way radio, other than instructions that require action be taken, or not taken, for the purposes of workplace health and safety?	94	8	0
8	An indefinite or unlimited number of bans on using mobile phones for work purposes, with the exception of use for safety reasons?	94	8	0
	The communication and distribution of union and/or industrial campaign material in the form of:			
	(a) attaching union and/or industrial campaign material to outgoing mail and/or email;			
9	(b) attaching or adding union and/or industrial campaign material to noticeboards, vehicles, plant and/or to entrances or exits to sites where employees of the employer work, provided that no material will be attached or added in a manner that compromises safety;	97	5	0
	(c) wearing union and/or industrial campaign clothing, hats, stickers, badges, lanyards and/or signs; and/or			
	(d) speaking to the public about the industrial action?			

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.
- 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

27/04/2022

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