



Reference: 2022/5351

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#### Declaration of results - PAB Order: B2022/289

Pursuant to the Protected Action Ballot Order B2022/289 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)	17
Postal votes returned by voters	13
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	13
Percentage of postal votes returned*	76.47

\*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 Peabody CHPP Pty Ltd (the employer), do you authorise the following forms of industrial action 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	1. An unlimited number of stoppages of work of between one (1) minute and twenty-four (24) hours duration?	13	0	0
2	2 An indefinite or unlimited number of bans on the performance of non-rostered overtime?	13	0	0
3	3. An indefinite or unlimited number of bans on the training of any other person?	12	1	0
4	4. An indefinite or unlimited number of bans on the operation of mobile plant?	13	0	0
5	5. An indefinite or unlimited number of bans limiting the throughput through the coal preparation plant, but not less than 100 tonnes per hour?	13	0	0
6	6. An indefinite or unlimited number of bans on working with contractors and/or labour hire personnel?	13	0	0
7	7. The wearing of stickers on work clothes that promote, or represent the views of, the Construction, Forestry, Maritime, Mining and Energy Union?	11	2	0
8	8. The limiting of the loading of coal wagon to four wagons per hour?	13	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.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Hannah Paech-Mcmahon  
 Returning Officer  
 Delegate of the Ballot Agent  
 Australian Electoral Commission

25/05/2022

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