



Reference: 2022/8735

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### **Declaration of results - PAB Order: B2022/622**

Pursuant to the Protected Action Ballot Order B2022/622 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)	33
Postal votes returned by voters	27
Postal votes rejected at the preliminary scrutiny	1
Postal votes admitted to further scrutiny	26
Percentage of postal votes returned*	78.79

\*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.

Do you, for the purpose of advancing claims in the negotiation of an Enterprise Agreement to govern the terms and conditions of employment with Darwin Port Operations Pty Ltd approve the following protected industrial action which may be taken separately, concurrently and/or consecutively in the form of:

	Question	Yes	No	Informal
1	An unlimited number of stoppages of work of 1 hour duration;	25	1	0
2	An unlimited number of bans on the working of non-rostered overtime for an indefinite period;	26	0	0
3	An unlimited number of bans on employees using their dominant hand when using tools, including computers, when it is safe to do so for an indefinite period;	25	1	0
4	An unlimited number of bans on employees transferring from their primary position for an indefinite period;	26	0	0
5	An unlimited number of bans on performing work during breaks for an indefinite period;	26	0	0
6	An unlimited number of bans on making or receiving work related phone calls outside of rostered hours for an indefinite period;	26	0	0
7	An unlimited number of bans on operating the Pilot Vessel at a speed greater than 10kts, where it is safe to do so for an indefinite period;	26	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.
- 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

10/08/2022

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