

Reference: 2023/2365

The General Manager
Fair Work Commission
Level 4, 11 Exhibition Street
Melbourne VIC 3000

Email: melbourne@fwc.gov.au

Paris NICHOLLS
Construction, Forestry, Maritime, Mining and Energy Union pnicholls@cfmeumd.org

Melanie WATKINSON Pentarch Logistics Pty Ltd m.watkinson@pentarch.com.au

## Declaration of results - PAB Order: B2023/213

Pursuant to the Protected Action Ballot Order B2023/213 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)	20
Postal votes returned by voters	17
Postal votes rejected at the preliminary scrutiny	1
Postal votes admitted to further scrutiny	16
Percentage of postal votes returned*	70.00

<sup>\*</sup>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 the following protected industrial action (separately, concurrently and/or consecutively)?

Note: You should vote 'No' if you disagree with any one type of action.

	Question	Yes	No	Informal
1	An unlimited number of stoppages of the performance of all work for: 1 hour periods, 2 hour periods, 4 hour periods, 8 hour periods, and/or 12 hour periods.	14	0	0
2	An unlimited number of indefinite and/or periodic bans on the performance of one or more of the following types of work:  a. Housekeeping and cleaning duties in all or part of the workplace;  b. Labelling work;  c. Performing shared duties with maintenance in all or part of the workplace;  d. The preparation and performance of preventative maintenance tasks in all or part of the workplace;  e. Quality, production and scheduling paperwork in all or part of the workplace;  f. The performance of work outside of the usual work area or location;	14	0	0

- g. The performance of work outside of the specifications of the role for which they were employed;
- h. Work where the employee is concerned that they are not adequately supervised or staffed;
- i. Work using machines or processes where employees have reported concerns about health and safety risks;
- j. The use of technology such as radios, mobile phones, computers and tablets during work hours for non-safety related purposes;
- k. Assisting in communication with contractors;
- I. Performing overtime or extra work hours;
- m. Call ins.

	Interrupting or stopping work to attach union and industrial			
3	campaign material to outgoing mail and email and adding it to	14	0	0
	materials and displays.			
	An unlimited number of indefinite bans on performing work			
4	while not wearing union and industrial campaign clothing, hats,	14	0	0
	stickers, badges, lanyards and/or signs.			
	An alteration in how you ordinarily perform work by speaking			
5	to the public about the industrial action during work related	14	0	0
	communications.			

## 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.
  - The majority of voters who cast a valid vote were against the action set out in question(s).

Kaye Bartlett
Returning Officer
Delegate of the Ballot Agent
Australian Electoral Commission

## 19/04/2023

Email: PABevents@aec.gov.au phone: 02 9375 6366 or 03 9285 7111

www.aec.gov.au