



Reference: 2022/3910

The General Manager
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Declaration of results - PAB Order: B2022/222

Pursuant to the Protected Action Ballot Order B2022/222 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)	15
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*	86.67

*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 VAHPA claims in the negotiation of an enterprise agreement with Lumus Imaging The Avenue, authorise the following forms of industrial action to be engaged in separately or concurrently:

	Question	Yes	No	Informal
1	Interrupting or stopping work periodically, over an indefinite period or for specified periods, to implement a ban on the employer's uniform policy or dress code, including but not limited to putting on VAHPA campaign t-shirts, badges, stickers, lanyards, and/or props?	11	2	0
2	Interrupting or stopping work periodically, over an indefinite period or for specified	11	2	0

	periods, to display or use VAHPA campaign materials, including but not limited to petitions, flyers, posters, stickers, postcards, balloons, video-conferencing backgrounds, digital avatars and/or props?			
3	Interrupting or stopping work periodically, over an indefinite period or for specified periods, to distribute VAHPA campaign materials, including but not limited to petitions, flyers, posters, stickers, postcards, balloons, video-conferencing backgrounds, digital avatars and/or props, either via email or by providing them in person, to media, staff, patients, clients, customers, visitors, residents and/or members of the public?	9	4	0
4	An unlimited number of stoppages of work, including but not limited to consecutive stoppages of work, of between five (5) minutes and twenty-four (24) hours in duration, including but not limited to stoppages to travel to and from stop work meetings?	12	1	0
5	Interrupting or stopping work periodically, over an indefinite period or for specified periods, to attend public events in support of the proposed enterprise agreement and/or the VAHPA campaign, including but not limited to morning tea events, afternoon tea events and lunch time rallies?	8	5	0
6	Refusing to work any overtime and/or any hours in addition to an employee's rostered or contracted hours of work?	12	1	0
7	Taking all scheduled breaks (including meal breaks and rest/tea breaks) in full and/or taking breaks (including meal breaks and rest/tea breaks), including but not limited to taking breaks at the same time as other employees?	13	0	0
8	Not performing duties outside of those explicitly required by an employee's job description/position description as they were at the time of this order?	12	0	1
9	Attending to only the first patient booked in a specified time slot where multiple patients have been booked for an appointment during the same time slot, except where in the professional opinion of the employee the condition of a patient would deteriorate significantly and pose a serious risk to the health of the patient within 24 hours if diagnosis did not occur?	10	3	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, 9.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Catherine Budrodeen
Returning Officer
Delegate of the Ballot Agent
Australian Electoral Commission

05/05/2022

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