



Reference: 2022/12654

The General Manager
Fair Work Commission
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Declaration of results - PAB Order: B2022/1643

Pursuant to the Protected Action Ballot Order B2022/1643 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) | 46 |
| Postal votes returned by voters | 23 |
| Postal votes rejected at the preliminary scrutiny | 2 |
| Postal votes admitted to further scrutiny | 21 |
| Percentage of postal votes returned* | 45.65 |

*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 your employment with ASP Ship Management, provided that the safety of the vessel, crew, passengers, Port and environment are not compromised, do you authorise protected industrial action against your employer, separately, concurrently and/or consecutively, in the form of:

| | Question | Yes | No | Informal |
|---|--|-----|----|----------|
| 1 | An unlimited number of stoppages of work of 15 minutes duration which may be organised or arranged in consecutive periods? | 20 | 1 | 0 |
| 2 | An unlimited number of stoppages of work of 30 minutes duration which may be organised or arranged in consecutive periods? | 20 | 1 | 0 |
| 3 | An unlimited number of stoppages of work of 1 hour duration which may be organised or arranged in consecutive periods? | 20 | 1 | 0 |
| 4 | An unlimited number of stoppages of work of 4 hours duration which may be organised or arranged in consecutive periods? | 20 | 1 | 0 |
| 5 | An unlimited number of bans or limitations on the starting and operation of the main engines? | 20 | 1 | 0 |
| 6 | An unlimited number of bans or limitations preventing the supply of power to refrigerated containers? | 18 | 3 | 0 |

I declare that:

- The requisite number of voters (at least 50%) voting in the protected action ballot was not 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.
- 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

12/12/2022

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