

Reference: 2021/6778

The General Manager
 Fair Work Commission
 Level 4, 11 Exhibition Street
 Melbourne VIC 3000
 Email: melbourne@fwc.gov.au

Karen SPINDLER
 "Automotive, Food, Metals, Engineering, Printing and Kindred Industries Union" known as the Australian Manufacturing Workers' Union (AMWU)
 karen.spindler@amwu.org.au

James MCDONALD
 Viva Energy Refining Pty Ltd
 james.mcdonald@vivaenergy.com.au

Declaration of results - PAB Order: B2021/1203

Pursuant to the Protected Action Ballot Order B2021/1203 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	12
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	12
Percentage of postal votes returned*	80.00

*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 Viva Energy Refining Pty Ltd, 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 for the duration of 1 hour?	11	1	0
2. An unlimited number of stoppages of work for the duration of 2 hours?	11	1	0
3. An unlimited number of stoppages of work for the duration of 4 hours?	11	1	0
4. An unlimited number of stoppages of work for the duration of 12 hours?	12	0	0
5. An unlimited number of indefinite or periodic bans on overtime?	12	0	0
6. An unlimited number of indefinite or periodic bans on call backs?	12	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.
- The majority of voters who cast a valid vote were against the action set out in question(s) Nil.

Michael Clarke
Returning Officer
Delegate of the Ballot Agent
Australian Electoral Commission

01/02/2022

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

www.aec.gov.au