

Reference: 2022/12869

The General Manager
 Fair Work Commission
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Declaration of results - PAB Order: B2022/1682

Pursuant to the Protected Action Ballot Order B2022/1682 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)	14
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*	85.71

*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.

For the purpose of supporting or advancing claims in support of the proposed enterprise agreement with your employer MSS Strategic Medical and Rescue Pty Limited (employer), do you authorise the forms of industrial action listed below to be taken against your employer, which may involve you and/or your fellow employees engaging in any and all of the following forms of industrial action separately, concurrently and/or consecutively:

	Question	Yes	No	Informal
1	An unlimited number of stoppages of work of between one (1) minute and twenty-four (24) hours duration?	12	0	0
2	An unlimited number of indefinite or periodic bans on the completion of the following: . daily shift log; . data required for the AGL end of month report; . daily inventory check list; . inventories check list; . weekly duty check list; . incident reports; and/or . training reports?	12	0	0

3	An unlimited number of indefinite or periodic bans on all work related email usage other than that relating to an emergency situation?	12	0	0
4	An unlimited number of indefinite or periodic bans on the following daily duties: . routine operational checks on emergency phones; . routine operational checks on eye wash stations; . refilling and resupplying ear plugs; . answering any phone for work purposes except during an emergency as determined by the emergency services team leader; . conducting Gas Detector and CO Monitor bump checks and calibrations; . organising annual and/or biannual inspections and calibrations for CO monitors, breathing apparatus equipment, rope equipment and defibrillators; . cleaning fire station and associated outdoor areas; . refilling breathing apparatus cylinders; and/or . make up after an incident?	12	0	0
5	An unlimited number of indefinite or periodic bans on performing the following security duties: . after hour security patrols; . opening gates; . checking vehicle freight gate; . bag checks and vehicle checks; . completing security reports (written and verbal); . opening Mine Store/Riggers store/Worley store after hours; and/or . completing security incident reports?	12	0	0
6	An unlimited number of indefinite or periodic bans on communicating with AGL management directly, with the exception of communications regarding an emergency or safety?	12	0	0
7	An unlimited number of indefinite or periodic bans on refuelling vehicles?	12	0	0
8	An unlimited number of indefinite or periodic bans on conducting inventory checks on vehicles?	12	0	0
9	An unlimited number of indefinite or periodic bans on performing or assisting with work that is in addition to normal duties, including but not limited to gas tests, mill blockages, auxiliary fuel dumps, high fire danger day patrols, hot works standbys, confined space standbys, live rakes or any other works of a standby nature?	12	0	0
10	The communication and distribution of union and/or industrial campaign material in the form of: (a) attaching or adding union and/or industrial campaign material to noticeboards, vehicles, plant and buildings where employees of the employer work, provided that no material will be attached or added in a manner that compromises safety; and/or (b) wearing union and/or industrial campaign clothing, hats, stickers, badges, lanyards and/or signs?	12	0	0
11	An unlimited number of indefinite or periodic bans on completing first aid or medical treatment reports unless deemed pertinent to the medical care of a patient or employee (for example, paper-based observation charts intended to be handed over to Ambulance Victoria?)	12	0	0

12	An unlimited number of indefinite or periodic bans on conducting first aid equipment checks?	12	0	0
13	An unlimited number of indefinite or periodic bans on ordering first aid equipment?	12	0	0
14	An unlimited number of indefinite or periodic bans on performing audiometric (hearing) testing?	12	0	0
15	An unlimited number of indefinite or periodic bans on continuous manning of the first aid centre, with crew to respond to the first aid centre upon notification by the gatehouse personnel via the radio?	12	0	0
16	An unlimited number of indefinite or periodic bans on training and/or orientating new staff?	12	0	0
17	An unlimited number of indefinite or periodic bans on calling casuals to fill shifts?	12	0	0
18	An unlimited number of indefinite or periodic bans on acting up to the position of emergency services team leader?	12	0	0
19	An unlimited number of indefinite or periodic bans on performing higher duties?	12	0	0
20	An unlimited number of indefinite or periodic bans on shift swaps?	12	0	0
21	An unlimited number of indefinite or periodic bans on call in overtime?	12	0	0
22	An unlimited number of indefinite or periodic bans on all overtime?	12	0	0
23	An unlimited number of indefinite or periodic bans on the organisation of or participation in any drills involving public display?	12	0	0
24	An unlimited number of indefinite or periodic bans on using an employee's own mobile phone for work purposes, with the exception of use for safety reasons?	12	0	0
25	An unlimited number of indefinite or periodic bans on parking employee's private vehicles in the employee carpark, with the visitor carpark at the rear of the gatehouse to instead be used?	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, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25.
- 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

13/12/2022

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