



Reference: 2021/6784

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

Daryll ELLIOTT  
Transport Workers' Union of Australia  
[daryll.elliott@twunsw.org.au](mailto:daryll.elliott@twunsw.org.au)

Scott WHITTAKER  
Hanson Construction Materials Pty Ltd  
[scott.whittaker@hanson.com.au](mailto:scott.whittaker@hanson.com.au)

### Declaration of results - PAB Order: B2021/1205

Pursuant to the Protected Action Ballot Order B2021/1205 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)	56
Postal votes returned by voters	48
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	48
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.

In support of reaching an enterprise agreement with your employer, do you support the taking of protected industrial action against your employer which may involve taking separately, concurrently and/or consecutively, any or all the actions set out below:

	Question	Yes	No	Informal
1	An unlimited number of indefinite bans on the working of overtime?	46	2	0
2	An unlimited number of stoppages of work for 1 hour?	46	2	0
3	An unlimited number of stoppages of work for 2 hours?	46	2	0
4	An unlimited number of stoppages of work for 4 hours?	46	2	0
5	An unlimited number of stoppages of work for 8 hours?	46	2	0
6	An unlimited number of stoppages of work for 24 hours?	46	2	0
7	An unlimited number of stoppages of work for 48 hours?	46	2	0
8	An unlimited number of stoppages of work for seven days?	45	3	0
9	An unlimited number of indefinite stoppages of work?	46	2	0
10	The wearing of union clothing, badges and other union campaign items and the placing of union campaign material in the workplace?	45	3	0
11	An unlimited number of bans or indefinite bans on wearing uniforms?	46	2	0
12	An unlimited number of bans or indefinite bans on the use of personal mobile phone devices by the Respondent to allocate work to employees?	46	2	0
13	An unlimited number of bans or indefinite bans on refuelling vehicles?	46	2	0
14	An unlimited number of periodic or indefinite partial work bans?	46	2	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.
- 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

01/02/2022

Email: [PABevents@aec.gov.au](mailto:PABevents@aec.gov.au) phone: 02 9375 6366 or 03 9285 7111

[www.aec.gov.au](http://www.aec.gov.au)