



Reference: 2023/734

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### Declaration of results - PAB Order: B2023/43

Pursuant to the Protected Action Ballot Order B2023/43 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)	10
Postal votes returned by voters	4
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	4
Percentage of postal votes returned*	40.00%

\*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.

Do you, for the purpose of advancing claims and protecting existing conditions of employment in the negotiation of a new Enterprise Agreement to govern the terms and conditions of employment with BITS Ferry Services Pty Ltd approve protected industrial action, separately, concurrently and/or consecutively in the form of stoppages and partial work bans as follows:

	Question	Yes	No	Informal
1	An unlimited number of stoppages of work of 1 hour duration?	3	0	1
2	An unlimited number of stoppages of work of 4 hours duration?	4	0	0
3	An unlimited number of stoppages of work of 12 hours duration?	2	1	1

4	An unlimited number of stoppages of work of 24 hours duration?	2	1	1
5	An unlimited number of bans on the working of overtime for an indefinite period?	4	0	0
6	An unlimited number of bans on performing work during breaks for an indefinite period?	4	0	0
7	An unlimited number of bans on making/receiving work related phone calls outside of rostered hours for an indefinite period?	3	1	0
8	An unlimited number of bans on the training of new employees for an indefinite period?	3	1	0
9	An unlimited number of bans on loading a vessel beyond 50% capacity for an indefinite period?	2	0	2
10	An unlimited number of bans on vessel inductions for an indefinite period?	3	1	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, 7, 8, 9, 10.
- 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

08/03/2023

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