

Reference: 2025/5609

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

India BAXTER
Construction, Forestry and Maritime Employees Union
indiab@cfmeu.org

Luke O'NEIL
BMS Heavy Cranes Australia Pty Ltd
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Declaration of results - PAB Order: B2025/505

Pursuant to the Protected Action Ballot Order B2025/505 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)	38
Postal votes returned by voters	29
Postal votes rejected at the preliminary scrutiny	2
Postal votes admitted to further scrutiny	27
Percentage of postal votes returned*	71.05%

*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, BMS Heavy Cranes Australia Pty Ltd, do you authorise the taking of 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 on the performance of all work for a specified period (for example, 1 hour, 2 hours, 4 hours, 12 hours or other specified period)?	22	5	0
2	An unlimited number of indefinite stoppages on the performance of all work (indefinite strike)?	22	5	0
3	An unlimited number of indefinite, definite and/or periodic bans on the performance of overtime	22	5	0
4	An unlimited number of indefinite, definite and/or periodic bans on call back?	22	5	0

5	An unlimited number of indefinite, definite and/or periodic bans on the use of specified plant and/or machinery (for example, forklifts)?	22	5	0
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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.
- The majority of voters who cast a valid vote were against the action set out in question(s) N/A.

Delegate of the Ballot Agent
Australian Electoral Commission
12/05/2025

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