

Reference: 2023/3766

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

Paris NICHOLLS  
Construction, Forestry, Maritime, Mining and Energy Union  
[pnicholls@cfmeumd.org](mailto:pnicholls@cfmeumd.org)

Shaneel DEO  
Milliken (Australia) Pty Ltd  
[Shaneel.deo@milliken.com](mailto:Shaneel.deo@milliken.com)

### Declaration of results - PAB Order: B2023/383

Pursuant to the Protected Action Ballot Order B2023/383 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)	17
Postal votes returned by voters	15
Postal votes rejected at the preliminary scrutiny	0
Postal votes admitted to further scrutiny	15
Percentage of postal votes returned*	88.24

\*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 authorise the taking of the following protected industrial action (separately, concurrently and/or consecutively)?

	Question	Yes	No	Informal
1	An unlimited number of stoppages of the performance of all work for: 1 hour periods, 2 hour periods, 4 hour periods, 8 hour periods, and/or 12 hour periods.	8	7	0
	An unlimited number of indefinite and/or periodic bans on the performance of one or more of the following types of work:			
	(a) Overtime generally;			
	(b) Undertaking labelling of pallets to prepare them for sale;			
	(c) Housekeeping and cleaning duties in all or part of the workplace			
	(d) The performance of work outside of the specifications of the role for which they were employed;			
	(e) Missing breaks or rest pauses;			
2	(f) Staggering of breaks;	8	7	0
	(g) Undertaking work where the employee is concerned that the are not adequately supervised or staffed;			
	(h) Use of forklifts;			
	(i) Undertaking work using machines or processes where employees have reported concerns about health and safety risks;			
	(j) Completing specific processes, paperwork, approvals or reports;			
	(k) Assisting in communication with contractors; and			
	(l) Conducting planned or unplanned periodic maintenance.			
	The communication and distribution of Union & Industrial Campaign Material in the form of:			
3	(a) Attaching union and industrial campaign material to outgoing mail and email and adding it to materials and displays;	8	7	0
	(b) Wearing union and industrial campaign clothing, hats, stickers, badges, lanyards and/or signs; and			
	(c) Speaking to the public about the industrial action during work related communications.			

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.
- 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  
07/06/2023

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)