



Australian Government
Department of Employment

Mr James Smith

By email: foi+request-3156-1eb3f4d8@righttoknow.org.au

Dear Mr Smith

1. I refer to your correspondence of 26 February 2017 to the Department of Employment (the Department), in which you requested access under the *Freedom of Information Act 1982* (Cth) (FOI Act) to the following:

All documents wherein the outcome of any enterprise bargaining ballots were communicated to the Department by the entity who undertook the ballots.

2. I am authorised to make decisions under the FOI Act and my decision regarding your request and the reasons for my decision are set out below. The Schedule of Documents at **Attachment A** summarises my decision as it applies to the documents covered by your request.
3. Whilst the documents to which you have sought access do not contain your own personal information, I have decided not to impose a processing charge in this instance due to the small volume of documents that fall within the scope of your request.
4. I am advised the Department has in its possession four documents, consisting of 18 pages, which fall within the scope of your request.
5. I have decided to provide you with access to all four documents in full, and have enclosed copies of these documents.
6. You can find information about your rights of review under the FOI Act at **Attachment B**.
7. Should you have any questions, please do not hesitate to contact me on (02) 6240 7310 or via email at foi@employment.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'O. Shepherd'.

Oliver Shepherd
Government Lawyer
Information Law Team
Information Law, Practice Management and Corporate Advising Branch

9 March 2017

Attachment A – Schedule of documents

Document Number	Page Number	Date	Description	Decision on access
1	1	15/12/2014	846 – Department of Employment Enterprise Agreement 2015-2018 Official Ballot Result	Release in full
2	2-8	15/12/2014	846 – Department of Employment Enterprise Agreement 2015-2018 Official Ballot Result Report	Release in full
3	9-13	14/12/2015	677 – Department of Employment Enterprise Agreement 2016-2019 Official Ballot Result Declaration and Report	Release in full
4	14-18	17/02/2016	594 – Department of Employment Enterprise Agreement 2016-2019 Official Ballot Result Declaration and Report	Release in full

Attachment B - Your rights of review

Internal Review

Section 54 of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision you must apply for the review, in writing, within 30 days of receipt of this letter.

No particular form is required for an application for internal review, but to assist the decision-maker you should clearly outline the grounds upon which you consider the decision should be reviewed. Applications for internal review can be lodged in one of the following ways:

Post: The Information Law Coordinator
Information Law, Practice Management and Corporate Advising Branch
Department of Employment
Location Code: C12MT1-LEGAL
GPO BOX 9880
CANBERRA ACT 2601

Email: foi@employment.gov.au

External Review by the Australian Information Commissioner

Section 54L of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply directly to the Australian Information Commissioner (AIC) to seek a review of this decision.

If you wish to have the decision reviewed by the AIC you must apply for the review, in writing or by using the online merits review form available on the AIC's website at www.oaic.gov.au, within 60 days of receipt of this letter. To assist the AIC your application should include a copy of this decision and your contact details. You should also clearly set out why you are objecting to the decision.

You can also complain to the AIC or the Commonwealth Ombudsman about how an agency handled an FOI request, or other actions the agency took under the FOI Act.

We are advised by the AIC that applications for review or complaint must be lodged with the AIC in one of the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218
Sydney NSW 2001
Fax: +61 2 9284 9666
Email: enquiries@oaic.gov.au
In person: Level 3, 175 Pitt Street
SYDNEY NSW 2000

For general enquiries, please call 1300 363 992 or +61 2 9284 9749 for international.