

09 December 2022

INDUSTRIAL ACTION BALLOT - TSSA

TRADE DISPUTE WITH SCOTRAIL TRAINS LIMITED OTM

Our independent scrutineers' report, as required in accordance with section 231B of the Trade Union and Labour Relations (Consolidation) Act 1992, for the above ballot which closed at **noon** on **Friday, 09 December 2022** is as follows:-

Number of individuals who were entitled to vote in the ballot	70
Number of votes cast in the ballot	58
Votes cast in the ballot as a % of individuals who were entitled to vote	82.86%

ARE YOU PREPARED TO TAKE PART IN INDUSTRIAL ACTION CONSISTING OF A STRIKE?

Number of spoilt or otherwise invalid voting papers returned	0
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Result of Voting

Yes	50	86.21%
No	8	13.79%

We are satisfied:

a) that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment in relation to the ballot

b) that the arrangements made with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for the counting of the votes, included all such security arrangements as were reasonably practicable for the purpose of minimizing the risk that any unfairness or malpractice might occur,

c) that we have been able to carry out the functions conferred on us under section 226B(1) without any interference from the trade union or any of its members, officials or employees.

We would draw your attention to subsection 231B (2) which requires that, for a six month period starting from the date of the ballot, a copy of this report be made available, on request, to any person who was entitled to vote in the ballot and the employer of any such person. A reasonable fee may be charged for this service.

Civica Election Services

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Number of individuals who were entitled to vote in the ballot	70
Number of votes cast in the ballot	58
Votes cast in the ballot as a % of individuals who were entitled to vote	82.86%

ARE YOU PREPARED TO TAKE PART IN INDUSTRIAL ACTION SHORT OF A STRIKE?

Number of spoilt or otherwise invalid voting papers returned	0
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Result of Voting

Yes	53	91.38%
No	5	8.62%

We are satisfied:

a) that there are no reasonable grounds for believing that there was any contravention of a requirement imposed by or under any enactment in relation to the ballot

b) that the arrangements made with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for the counting of the votes, included all such security arrangements as were reasonably practicable for the purpose of minimizing the risk that any unfairness or malpractice might occur,

c) that we have been able to carry out the functions conferred on us under section 226B(1) without any interference from the trade union or any of its members, officials or employees.

We would draw your attention to subsection 231B (2) which requires that, for a six month period starting from the date of the ballot, a copy of this report be made available, on request, to any person who was entitled to vote in the ballot and the employer of any such person. A reasonable fee may be charged for this service.

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