

Ref: 22B-083

11 May 2022

Mr. Harry Papadopoulos  
Returning Officer  
Australian Electoral Commission

**By email:** [iebevents@aec.gov.au](mailto:iebevents@aec.gov.au)

Dear Harry

**Re: United Workers' Union Scheduled Election - E2021/217**

I refer to the Post Election Report (PER) received in relation to the above referenced election on 13 April 2022.

I am authorised to provide this response to the PER on behalf of the Union. I confirm that the following information is being provided pursuant to s 198 of the *Fair Work (Registered Organisations) Act 2009*.

I note your comments with respect to rules 80 and 73(a) and (b). I also note the other matters noted in the PER, including with respect to rule 6(e) of Schedule 4.

In relation to rule 73(a) and (b) we wish to note that the relevant date is 1 July 2022, and therefore we do not believe that this rule poses the issue identified in the PER. We further note that the voting period for the election required by our Rules (rule 18 of Schedule 4) is 28 days, and that this was not extended.

As you are aware, the United Workers Union was formed in November 2019 following the amalgamation of United Voice and the National Union of Workers. The above referenced election was the first scheduled election for the Union. The Union's governance structures are unique and through the course of preparing for this election, the Union itself has identified several other rules for further consideration.

It is therefore the intention of the Union to undertake a comprehensive review of its Rules as they relate to the conduct of elections and to consider whether appropriate rule amendments may be desirable.

Amendment of any of the Rules of the Union can only be made by the Union's Member Council. The Member Council for the upcoming quadrennial term is due to take office on 27 July 2022. The PER and any proposed rule changes to the rules identified in the PER, will be put to the Member Council for discussion and consideration in due course.

In closing, please accept the Union's appreciation to the AEC in conducting the election.

Should you have any further queries in relation to this matter, please feel free to contact me.



**PAUL RICHARDSON**  
**DIRECTOR – FINANCE, GOVERNANCE AND ADMINISTRATION**

14 April 2022

# Post-election report

United Workers' Union  
Scheduled election  
E2021/217

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# Election(s) Covered in this Report

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Organisation: United Workers' Union

Election: Scheduled

Election Decision No/s: E2021/217

## Rules

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Rules used for the election: 108V: Incorporates alterations of 9 November 2021 [R2021/156] (replaces rulebook dated 3 May 2021 [D2020/7] and 25 May 2021 [R2021/50])

Rules difficult to apply/interpret: Yes

- The Member Council made a determination under Rule 80 prior to the commencement of the election to allow for team nominations. When a determination has been made under Rule 80 to permit team nominations the rules do not operate anywhere to preclude individual nominations from also being permitted for the election of Convention Delegates.
- Affirmative action. Rule 73 (a) (b)
  - (a) In the event that, at the declaration of the election of Convention Delegates, the number of women elected does not equal or exceed the 50% required under sub-rule 29(d), the Returning Officer will call for further nominations, and hold elections, for sufficient additional offices of Convention Delegate to ensure sub-rule 29(e) is achieved.
  - (b) Only female Financial Industrial Members, otherwise eligible under sub-rule 70(a), may nominate for an additional office under sub-rule (a).  
Given the UWU timetable that requires Convention Delegates be declared no later than 1 June 2022, if the number of women elected did not equal or exceed 50% by the postal ballot close date of 17 May 2022 for a contested election, this would result in the organisation not being able to meet its specified time frames for Stage 2 and 3 elections. Further to this, the rules do not specify where the additional offices are established.

For more details see the Model Rules on the AEC website: [www.aec.gov.au/ieb/](http://www.aec.gov.au/ieb/)

## Other Matters

Returning Officer actions required (Section 193): Yes

Details:

**Application of Section 193 Powers** The matters in which I have exercised the authority given to me by s.193 of the Act are:

- Timetable

Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate. The voting period was extended to 28 days for this event.

- Nominations received via email, or in person by appointment rather than what is stated in the organisation's rules.

Rules specifying the method of lodgement of nominations were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for potential candidates to nominate. Instead nominations were received electronically via the AEC's portal/email, and in person by appointment.

- Defective nominations.

Rule 8(a) of Schedule 4 is set aside, so as to enable sufficient time for defective nominations to be notified and rectified.

- Nominations withdrawal period, Schedule 4, Rule 6 (e) states " A Candidate may withdraw the Candidate's nomination by written notice, given to the Returning Officer, at any time prior to the ballots commencing." This is considered defective, as the preparation and mailing of ballot papers via our contracted printer would require the information to be supplied approximately two weeks prior to printing and mailing.

## Signed

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Harry Papadopoulos  
Returning Officer  
Australian Electoral Commission  
E: iebevents@aec.gov.au  
P: 03 8639 4848  
14 April 2022

# Attachments

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Please attach to the email issuing the Post-election report **ALL** applicable declarations and ensure they are listed in Attachments section below.

## A. Declaration of results for Uncontested Offices – National

**United Workers' Union**  
**DECLARATION OF RESULTS - E2021/217 - Stage 1**  
**Uncontested Offices**

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**Scheduled Election**

The results of the election for the following offices conducted in accordance with the provisions of the *Fair Work (Registered Organisations) Act 2009* and the rules of the organisation are:

**Brisbane Central**

**Convention Delegate (19)**

Candidates

ALI Mahamuda  
BRANDHAM Angelia  
BULLOCK Gary  
CADDIE Sharron  
DODDS Joshua  
EDMONDS Nikki  
EDWARDS Anthony  
GOMES Amy  
HALWOOD Maria  
LOWE Jackie  
MALZARD Leah  
REDDAN Tristan  
REES Heather  
SATTHA Maharukh  
SCANLON Fiona  
SHIRE Samira  
TUROMSZA Barbara  
WALTERS Kerri-Ann  
WOOLMER Neva

**Brisbane West**

**Convention Delegate (15)**

Candidates

BENNETTS Wanda  
CARRENO Luis Plata  
DONNELLY Susan  
FAUMUINA Dallas  
HESKETT Brenda  
MARTIN Dianne  
MCATAMNEY Michelle  
NEWTON John  
RONEY Joshua  
SPENCER Casey  
STEWART Tammy  
WALLER Susie  
WAWATAI Anita  
WILKINSON Chris

WOLLAND Kirsty

## **Central Adelaide**

### **Convention Delegate (19)**

#### Candidates

AILLAPAN Adriana

CHOUDHURY Kaustav

CHRISTIE Deborah

CRATHERN Paul

EDWARDS Annette

GBALA Grace

GIBBS Nykita

GOUNDER Suzanne

LABRUM Samantha

LAO I Chou

MENDT Ashley

MENEAUD Deirdre

PNEVMATIKOS Demi

SANDHU Jasjit

SLATER Helen

WATTS Trish

WILSON Julie

WINKLER Bernd

WOLFGANG KLEINGELD Tasman

## **Central Australia**

### **Convention Delegate (30)**

#### Candidates

ANESBURY Sharon

ANGELES Joanne

CASIMIRO-BRANCO Maria

CASTLE Shannon

COLLINS Michael

EARLY Erina

EDWARDS Jodie

ELEY Scott

FANNING Peter John

FITZGERALD Ben

FRIPP Nerissa

GEHAN Kay

HARRISON Stephanie

HAYTON Jonas

JELLY Peter

KNOX Lorinda

LAUGHTON Malcolm

LAWARDORN John

LOCKER Kylie

MCGRATH Stuart

MCINTOSH Tonie



PICKHAVER-TUPE Tanya  
PLANT Jane  
SWAINSTON Maree  
TAVOKAI Livia  
TAYLOR Sheralee  
TILBROOK Peter  
WANN Kerrie  
WILLIAMS Janet  
YOUNG June

## **Eastern Victoria**

### **Convention Delegate (11)**

#### Candidates

BARRASS Darren  
BRYCE Jeff  
BYRNE Marilyn  
COLSON Jane  
DENT Derek  
HOWIE Steve  
JONES Andrew  
NORRIE Tammy  
RAMSTEIN Michael  
STAINES Robert  
TEO Shara

## **Logan and Bayside**

### **Convention Delegate (17)**

#### Candidates

BARNES Anthony  
BELL Sharon  
BURNS Debra  
CARMODY John  
FINDEN Jocelyn  
LAVELLE Bindi  
LEAF Tracey  
LENTAKIS Nicholas  
LIMPUS Wanita  
O'GORMAN Melanie  
O'REILLY Vanessa  
REVILL Linda  
ROSS Benjamin  
SAY Kathryn  
STEELE Colleen  
TAGALOA Seia  
WHEATLEY Paula

## **Melbourne East**

### **Convention Delegate (14)**

#### Candidates

BOKHAZI Katia  
CAPICCHIANO Anthony  
DICK Adel  
GREY Kylie  
GUNNING Carol  
JOHANSSON Fusifala  
KENNEDY Tim  
NGUYEN Quynh  
ORR Paul  
PHIPPS Geoff  
ROWELL Zoe  
SENYUVA Sami  
SNOWBALL Alex  
STEVENSON Marciel

## **Melbourne North West**

### **Convention Delegate (22)**

#### Candidates

ABDILLAHY Mohammed  
AYUEN Gabriel  
BUNKER Karen  
COCHRANE Lesley  
FLOROS Sofia  
HEARD Olisa  
HILDEBRAND Marcus  
KILIC Suzan  
LANYON Janell  
MAHAKI Bruce  
MCBRIDE Paul  
NIKOLOVSKI David  
PHAM Minh  
TINGSOPA Payao  
ROBERTS Sam  
SERY Nabil  
SFETKAS Popi  
SMITH Zac  
TOMASINI Zachary  
TULILO Tasi  
UPPAL Jaswinder  
WRIGHT Jackson

## **Melbourne South East**

### **Convention Delegate (19)**

#### Candidates

ACESKI Sacha  
ASTUTI April  
ATHUKORALA Udara  
ATKIN Mark  
BEATTIE Andrew

BOSANQUET Helen  
CSEKE Andrew  
GAL Steven  
GOVINDAPALA Anusha  
HEWITT Joyce  
HUNG TRAN Vi  
LIDSEY Tracey  
MCKENZIE Melinda  
RICHARDSON Paul  
SINKALA Juba  
SZALAY Susan  
TIENG Sreyvuth  
URIAO-TOU Tatini  
VARCOE Daniel

### **Melbourne South West**

#### **Convention Delegate (14)**

Candidates

GALIZA-PUA Agnes  
HEREKUIHA (NEE BARLOW) Maria  
LEAUPEPE-FROST Voka  
MARETT Jillian  
MERCIECA Jane  
MOASE Godfrey  
MORAN Jami  
PONGA Leeanne  
REDFORD Ben  
SENEVIRATNE Alwin  
SHORT Jason  
TEHIKO Fraser  
WILDE Kaylene  
WORTHING Kirra

### **Melbourne Central**

#### **Convention Delegate (9)**

Candidates

ARTHUR David  
BEYNON Imogen  
CINANNI Caterina  
ENTWISLE Suellen  
FONG Ying Wai (Benny)  
GUINAN Randolph  
JOHNSON Jane  
KERIN Emma  
MUJKIC Dario

### **Moreton Bay**

#### **Convention Delegate (14)**

Candidates

BUTCHER Maree  
CHISHOLM Dean  
COULSTON Juanita  
DAVIES Kerrie  
DE ROY Ben  
GAMBLE Donna  
GARCIA Peter  
JACKSON Heather  
JOHNSTON Daniel  
LORD Delia  
RHODES-BATES Jamie  
TURNER Angela  
VASS Jodie  
WALDEN Christy

### **North Queensland**

#### **Convention Delegate (23)**

##### Candidates

BEATSON Angela  
BESSANT Tracey  
BOYDEN Stacey  
BRENNAN Matthew  
DALE-EXELBY Rebecca  
DEWEY Amanda  
DREW Kay  
DUNN Sara  
FORMICA Michael  
GARNETT Emily  
GERHARDT Jan  
GIBSON Melissa-Maree  
GRANT Wilma  
HEYCOX Rowena  
KHAN-ARUMUGAM Nazneen  
LEIGHTON Marnie  
MCCOMBE Tereena  
MCCORMACK Mark  
MUALAULAU Asena  
NEVILLE Tiana  
PIRIE Sasha  
PROCTOR Tracey  
WYNNE Deborah

### **Northern New South Wales and Gold Coast**

#### **Convention Delegate (19)**

##### Candidates

BARBER Judith  
BOURKE Shanon  
CAMPBELL Paula  
COLES Kristin

DOWDEN Joel  
GANDINI Frank  
HARMER Charles  
HORA Anuj  
ISMAEL Malachi  
JOHNS Sarah  
MATHER Vanessa  
MILNE Claire  
QUILL Adam  
REED Kirsty  
ROGERS Tania  
SMITH Mandy  
STRATTON Emma  
SUTHERLAND Amanda  
WHAANGA Le'vonne

### **North Adelaide**

#### **Convention Delegate (19)**

##### Candidates

GHAMRAWI Mira  
HAV Mengkea  
HERSCHAUSEN Tamika  
HOLLAND Justin  
JOHNSON Justine  
JONES Stephanie  
JONES Suzana  
KIMBER Elizabeth  
MAY Curtis  
MCCULLOCH John-Paul  
MOUTOU Marie  
NGANGA Mumbi  
NJUTHI Jefferson  
REEVES David  
SCHLIWA Leanne  
SHARMA Ram  
TOMES Graham  
TSIMOPOULOS Arthur  
WARNER Christine

### **South Adelaide and the Hills**

#### **Convention Delegate (16)**

##### Candidates

AHUMADA Ricardo  
BIRKIN Alex  
COLLINS Jane  
DAY Megan  
DHAMALA Rewati (Ray)  
FALCONER Evelyn  
FALLON Andrew

HART Jonathan  
KUMAR Rajinder  
MOURITS Amanda  
PARKER Sherryn  
PATERSON Jennifer  
PIRO Jacob  
PLANT Helen  
SHRESTHA Rajnesh  
SRAGG Despina

## **Southern New South Wales**

### **Convention Delegate (17)**

#### Candidates

ADAM Laura  
CASSAR Meaghan  
CHACON RAMOS Felipe  
DEMA Karma  
DUFF Cassandra  
HANDLEY Jennifer  
KIDMAN Bryan  
LANHAM Uriah  
LOVE Karen  
MEYERS Ashley  
O'BRIEN Quinn  
PIGGOT Helen  
RYAN Lyndal  
SUTTON Daniel  
TAKAU Siokapesi  
WAGLAND Christine  
WALSH Simon

## **Sunshine Coast and Central Queensland**

### **Convention Delegate (19)**

#### Candidates

CLAY Sarah  
COCKBURN Wes  
DAVIES Oscar  
DICKINSON Stacie  
EVANS Michelle  
HAUGHTON Simon  
HAZARD Sarah Lea  
HEAVER Yolande  
KOEVANY Margaret  
KOPPEN Kaitlyn  
LITZOW Roslyn  
MORAN Karen  
MORANTE Sandra  
REDWARD Jacqueline  
REWALD Susan

SMITH Bernard  
STROUD Heather  
WARD Dianne  
WEISE Karen

## **Sydney - North and Central Coast**

### **Convention Delegate (14)**

#### Candidates

BELL Amy  
CLACK Renay  
GILRAY Michael  
GRUNDY Jane  
HILTON Janice  
KIRKBY Jeff  
MANNING Kellie  
MARTIN Moana  
MITCHELL Blair  
PERCIVAL Paul  
STAPLETON Belinda  
THOMAS David  
THOMAS Kerrie Maree  
WATSON Linda

## **Sydney - North West**

### **Convention Delegate (20)**

#### Candidates

AKOT Arou  
CARUANA Adam  
DALE Rosemary  
DIBBS ROWBOTHAM John  
FAWCETT Melissa  
GAUNDAR Sajendra  
JOSEPH Abel  
KASSAB Fatmeh  
MAHARAJ Kusha Nandani  
MALONZO Bubbles  
MCCULLOCH Luke  
MORETON Susan  
MORRIS Samantha  
PENETITO Suzanne  
PRASAD Pooja  
ROSS William  
TANG XueGang  
VAN LANGENBURG Lanie  
WELLS Wanda  
ZELENSKI Jamie

## **Sydney - South East**

### **Convention Delegate (19)**

Candidates

CHANG Michelle (Ching Hua)  
COOREY George  
GARDNER Sarah  
GATFIELD Melanie  
GIBBONS Helen  
KIEFEL Leo  
KORLEVSKA Julie  
LO Cheong Wing (Michael)  
NARAYAN Rohitesh  
PARANTHOIENE Warren  
PETROVIC Milena  
ROE Karen  
ROSS Mark  
SCHOFIELD Jo-Anne  
SHIELD John  
SILVA Rottie Simotu  
WILKINSON Rosza  
WOOD Adam  
ZERBST Debbie

**Sydney - South West**

**Convention Delegate (20)**

Candidates

BYRNE Nicole  
DEO Sital  
EVANS Neil  
HAZEL Karen  
HELETA Makelina  
HUGO Terry  
IBRAHIM Rahge  
KAUFANA Jamie  
KULPER Jonelle  
LIU Trevor  
MALAMA Elisapeta  
MINNS Colin  
NASI Ramzi  
NICHOLSON Jeffrey  
PAHULU Mereana  
PALOMBO Cinzia  
THOMAS Stanley  
TIMAR John  
VIDELA Walter  
WILSON Warren

**Tasmania**

**Convention Delegate (9)**

Candidates

BARTELS Greg



DODD Matthew  
EDWARDS Troy  
HINDS Adrian  
PATMORE Deborah  
PREGNELL Philip Andrew  
RADFORD Stephen  
WEBB John  
WICKHAM Monique

## **Western Australia 1**

### **Convention Delegate (18)**

#### Candidates

ARMSTRONG Jannette  
BRIGDEN Leslie  
CHERRY Michael  
CUMPER Kevin  
FRANKLIN Brett  
HAY Julie-Marie  
INNES Lynda  
LENHARD Sarah  
LORD Karma  
MCGRATH Stefania  
O'DONNELL Patrick  
SCULLION Sharon  
SHEPHERD Zach  
SMITH Carolyn  
STEWART Antoinette  
THAPA Pradipa  
WILKINSON Ashley  
ZAM Dechen

## **Western Australia 2**

### **Convention Delegate (19)**

#### Candidates

ABATANIA Evelyn  
BELLEZA Mary Jane  
BOON Lucas  
DEY Richard  
HARDWICK Margaret  
HARRIS Bronwyn  
MCCORMACK Carol  
MCKENNA Tim  
MOGOUM NGME Josie  
MOHAMED Anwer  
MORGAN Kyle  
OYEWOPPO Femi  
PAREDES Ninfa  
PRESCOTT-BROWN Kim  
ROBSON Tona

RUDIGER Michael  
SCHRYVER Christopher  
SMALLWOOD Hayden  
WATSON Vincent

### **Western Australia 3**

#### **Convention Delegate (16)**

##### Candidates

BLACKMAN WENDY  
BOWERS Geronima  
BRIGHTWELL Shirley  
CANHAM Naomi  
CRIPPS Laura  
GARANG John  
GONZALEZ Catalina  
HESLEWOOD Joanne  
MADIT Mabor  
PANHUYZEN Delma  
PULKO Gunter  
SCARBROUGH Virginia  
SCHMIDT Robert  
STEWART Joan  
THOMASON Darren  
VAZ Melinda

### **Western New South Wales**

#### **Convention Delegate (23)**

##### Candidates

BALDRY Jane  
BALL Christopher  
BLANDY Stuart  
CLIFF Rhonda  
DOUGLASS Pauline  
DOWNING Jack  
DRUSKO Wayne  
ELPHICK Samantha  
FLEMING Steven  
HARUN Jaunah  
HENDERSEN Ian  
HENNESSY Michelle  
HONEYSETT Pamela  
JELLESMA Tom  
LAWRENCE Thomas  
MACZKOWIACK Kerry  
MOORE Nigel  
MULLER Heather  
NEFF Raelene  
ROWYAMA Wesley  
SCOTT Veronica Ann

TALBOT Lisa  
THOMSON Noel

**Western Victoria**

**Convention Delegate (10)**

Candidates

CLEMENTS David  
FARY Justin  
GRGETIC Chris  
GRIFFITHS Mark  
HEINELT Carmel  
KALAMISTRAKIS Vanessa  
MADDEN Donna  
ROCHOW Suzanne  
SHAW Jeff  
WATKINSON Peter

As the number of nominations accepted did not exceed the number of positions to be filled, I declare the above candidates elected.

Harry Papadopoulos  
Returning Officer  
Telephone: 03 8639 4849  
Email: [iebevents@aec.gov.au](mailto:iebevents@aec.gov.au)  
31/03/2022



# DECISION

*Fair Work (Registered Organisations) Act 2009*  
s.189—Arrangement for conduct of an election

**United Workers' Union**  
(E2021/217)

MR STEENSON

SYDNEY, 4 JANUARY 2022

*Arrangement for conduct of election.*

[1] On 16 December 2021 the United Workers' Union (the **Union**) lodged with the Registered Organisations Commission (the **Commission**) prescribed information for an election to fill the following offices:

## **First stage election**

National Convention Delegates from the following electorates:

<u>Electorate</u>	<u>Number of Delegates</u>
Brisbane Central	19
Brisbane West	15
Central Adelaide	19
Central Australia	30
Eastern Victoria	11
Logan and Bayside	17
Melbourne Central	9
Melbourne East	14
Melbourne North West	22
Melbourne South East	19
Melbourne South West	14
Moreton Bay	14
North Adelaide	19
North Queensland	23
Northern New South Wales and the Gold Coast	19
South Adelaide and the Hills	16
Southern New South Wales	17
Sunshine Coast and Central Queensland	19

Sydney – North and Central Coast	14
Sydney – North West	20
Sydney – South East	19
Sydney – South West	20
Tasmania	9
Western Australia 1	18
Western Australia 2	19
Western Australia 3	16
Western New South Wales	23
Western Victoria	10

### **Second stage election**

Member Councillors from the following regions:

<u>Region</u>	<u>Number of Councillors</u>
Australian Capital Territory	1
New South Wales	5
Northern Territory	1
Queensland	7
South Australia	4
Tasmania	1
Victoria	6
Western Australia	4

Member Councillors elected by National Convention Delegates: 21

### **Third stage election**

National Officers comprising the National Executive:

National President	1
National Vice Presidents	4
National Secretary	1
National Executive Members	11

[2] These elections are the first scheduled quadrennial election since the Union's registration on 11 November 2019.<sup>1</sup> The transitional rules of the Union separately set out the composition of the governing bodies of the Union for the initial term of office until the first quadrennial election.<sup>2</sup>

[3] Separate to the lodgement of prescribed information for this election (but related to it), on 22 November 2021 the Union lodged with the Commission an application under section

<sup>1</sup> See Decision of Deputy President Gostencnik dated 1 October 2019 in [2019] FWC 7672, arising from the amalgamation of United Voice and the National Union of Workers.

<sup>2</sup> Schedule 5 of the Union rules, rulebook R2021/156 (incorporating alterations of 9 November 2021)

183(1) of the *Fair Work (Registered Organisations) Act 2009* (**RO Act**) seeking exemption from the requirement under section 182(1) of the RO Act, that the Australian Electoral Commission (**AEC**) conduct the stage two and stage three collegiate elections in relation to its Member Councillors and National Officers.<sup>3</sup>

[4] The RO Act prescribes the processes that must be followed in relation to such applications. For example, a notice of the application must be published to enable any objections to be lodged,<sup>4</sup> and a hearing conducted in relation to the application.<sup>5</sup> Consideration of the Union's exemption application has not yet been finalised, as the notice and objection period is currently open<sup>6</sup> and the required hearing for the application has not yet occurred. It is anticipated that the outcome of the application for exemption is likely to be known, and notified to relevant parties, in February 2022, i.e. well ahead of the expected opening of nominations for the stage two and three collegiate elections which the prescribed information indicates are not due to open until the beginning of July 2022.

[5] In the event that the Delegate of the Commissioner grants the exemption application, it would enable the Union, in accordance with its rules and the requirements of the RO Act, to conduct its second stage collegiate election (for Member Councillors) and third stage collegiate election (for National Officers). If the exemption was granted, it would therefore have the effect of negating the requirement for the AEC to conduct stages two and three of the election as set out in this election decision (**E2021/217**). This Commission will arrange to notify the AEC of the outcome of the exemption application.

[6] I am satisfied that an election for the abovenamed offices is required to be held under the rules of the organisation and, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, I am making arrangements for the conduct of the election by the AEC.



DELEGATE OF THE COMMISSIONER

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PR352122

<sup>3</sup> Matter number E2021/201, available at <https://www.roc.gov.au/find-a-registered-organisation/uwu/united-workers-union>

<sup>4</sup> s.183(4), RO Act

<sup>5</sup> s.184(2), RO Act

<sup>6</sup> 'Section 183 Notice of Application for Organisation or Branch to conduct its elections for office' published in *The Weekend Australian*, 4-5 December 2021 edition, at page 19.

## REGISTERED ORGANISATIONS COMMISSION

### PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009

#### UNITED WORKERS' UNION

I, Paul Richardson, being the Director – Finance, Governance and Administration of the United Workers' Union (UWU) make the following statement:

1. I am a member of the National Executive of the UWU and I am authorised to sign this statement containing prescribed information for the UWU.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (**the RO Act**).
3. Under the Rules of the UWU, there are three separate elections to be conducted. Each election that is required is set out in the table in **Annexure A**.
4. No rule alterations are pending that will impact the elections.<sup>1</sup>
5. This statement is lodged at least 2 months before nominations open for each of the elections in Annexure A.

#### **Convention Delegates and Member Councillors**

6. The number of elected representatives for Convention Delegates and Member Councillors is calculated on formulas defined in the rules:
  - a. The rule numbers which specify the formulas are Rule 29 (Convention Delegates) and Rule 32 (Member Councillors).

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<sup>1</sup> On 9 November 2021, the General Manager of the Fair Work Commission approved alterations to rules 9(e), (a), 29(a), 32(a) and 29(c) of the UWU rules that pertain the conduct of the election. ([2021] FWCG 5707)

b. The formulas are:

(i) **Convention Delegates (the first election)**

The Total Convention Delegation is determined by dividing the number of Financial Industrial Members of the UWU as at 15 December in the year immediately prior to the year in which the election is to occur by 300 rounded up to the nearest whole number. [Rule 29(a)].

The Convention is comprised of Convention Delegates elected by, and from, the Financial Industrial Members residing in an Electorate. [Rule 29(b)].

Each Electorate is entitled to elect as Convention Delegates that proportion of the Total Convention Delegation that the number of Financial Industrial Members residing in the respective Electorate bears to the Financial Industrial Members of the Union, as at 15 December in the year immediately prior to the year in which the election is to occur, rounded up to the nearest whole number. [Rule 29(c)]

Electorates are identified at Rule 40 of Schedule 5.

Rule 9(d) provides the Member Council the power to alter Electorates and to do so having regard to a range of matters identified at Rule 9(e).

The Member Council at its meeting of 25 November 2021 determined to retain the Electorates as identified in the current Rules.<sup>2</sup>

The UWU has posted the Electorates on its website as required under Rule 9(h) and Rule 9(j).<sup>3</sup>

At close of business, 15 December 2021 the number of Financial Industrial Members residing in each respective Electorate and therefore the number of Convention Delegates to be elected was as follows:

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<sup>2</sup> Note: the underlying Electoral Divisions have changed, following consideration of the impact of the creation of the new Commonwealth Electorate of Hawke (Victoria), the abolition of the Commonwealth Electorate of Stirling (Western Australia), the renaming of Corangamite to Tucker (Victoria) and the reallocation of boundaries amongst other Commonwealth Electorates.

<sup>3</sup> <https://unitedworkers.org.au/wp-content/uploads/2021/11/Convention-Electorates.pdf>



<b>Electorate</b>	<b>Financial Members</b>	<b>Convention Delegates</b>
Brisbane Central	5691	19
Brisbane West	4402	15
Central Adelaide	5587	19
Central Australia	8842	30
Eastern Victoria	3081	11
Logan & Bayside	5001	17
Melbourne Central	2693	9
Melbourne East	4039	14
Melbourne North West	6336	22
Melbourne South East	5482	19
Melbourne South West	4139	14
Moreton Bay	4036	14
North Adelaide	5617	19
North Queensland	6700	23
Northern New South Wales & the Gold Coast	5469	19
South Adelaide and the Hills	4642	16
Southern New South Wales	4837	17

Sunshine Coast & Central Queensland	5401	19
Sydney – North & Central Coast	4068	14
Sydney – North West	5698	20
Sydney – South East	5403	19
Sydney – South West	5829	20
Tasmania	2592	9
Western Australia 1	5357	18
Western Australia 2	5489	19
Western Australia 3	4666	16
Western New South Wales	6775	23
Western Victoria	2788	10
Unknown	119	n/a
<b>Total</b>	<b>140779</b>	<b>484</b>

For the purposes of Rules 29(a), (b) and (c) the calculations to determine the number of Convention Delegates are set out in **Annexure B**.

As at close of business 15 December there were 119 members whom the Union has been unable to allocate to an Electorate. These members have been included in the above application of the applicable formula.

This reflects the intent of the Rules insofar as it results in an overall Convention size which most accurately reflects the total number of Financial Industrial Members of the Union.<sup>4</sup> Any impact upon the application of the formula set out in the Rules is borne across all Electorates equally and thus it does not result in a disproportionate impact upon any particular Electorate and thereby does not disadvantage any member.

(ii) **Member Councillors (the second election)**

The number of Member Councillors is 50, elected in two separate groups:

1. By the Convention Delegates and from the Convention Delegates residing in a Region (**the region based group**); [Rule 32(c)(i)] and
2. By and from the Convention Delegates (**the whole of Convention based group**). [Rule 32(c)(ii)].

The number of Member Councillors to be elected from the region based group is determined by dividing the number of Relevant Members residing in that Region by the number of Relevant Members of the Union, multiplying by 25 and rounding up to the nearest whole number provided that there is at least one Member Councillor elected from each Region. [Rule 32(d)].

A Region is a State or Territory. [Rule 32(a)]

The number of Member Councillors to be elected from the whole of Convention based group is the difference between 50 and the total number of Member Councillors elected from the Region based group. [Rule 32(e)].

- c. The information for calculating the formulas referred to at sub-paragraphs (b)(ii) 1 and 2 above is the total number of Financial Industrial Members per Electorate, and the total number of Financial Industrial Members per Region.

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<sup>4</sup> The UWU has commenced a dialogue with the Australian Electoral Commission which includes their preferred approach as to how to treat franchised members for whom the UWU is unable to identify their residential address.

- d. As referred to above, the relevant date for this information referred to at subparagraphs (b)(ii) 1 and 2 above is 15 December 2021.
- e. For the purpose of determining the number of Member Councillors to be elected within the region based group:
- (i) The number of Relevant Members as at close of business, 15 December was 140779.
  - (ii) The number of Relevant Members residing in each Region as at close of business 15 December was as follows:

<b>Region</b>	<b>Relevant Members</b>
Australian Capital Territory	1555
New South Wales	26971
Northern Territory	3135
Queensland	36517
South Australia	19551
Tasmania	2542
Victoria	32602
Western Australia	17906
<b>Total</b>	<b>140779</b>

- (iii) Thus, the number of Member Councillors to be elected within the region-based groups is 29, as follows:

<b>Region</b>	<b>Member Councillors</b>
Australian Capital Territory	1
New South Wales	5
Northern Territory	1
Queensland	7
South Australia	4
Tasmania	1
Victoria	6
Western Australia	4
<b>Total</b>	<b>29</b>

- (iv) Thus, the number of Member Councillors to be elected by the whole of Convention based group is 21

#### **National Officers (the third election)**

7. National Officers comprise the National Executive. The number of elected National Officers is:

- (a) National President – 1;
- (b) National Vice Presidents – 4;
- (c) National Secretary – 1; and

(d) National Executive Members, - 11 being the number determined by the Member Council pursuant to Rules 35(b) and (c)<sup>5</sup>.

### **Team Nominations**

8. Rule 80 empowers the Member Council to determine whether the election should be conducted by means of team nominations.
9. On 25 November 2021, the Member Council determined that the elections should be conducted by means of team nominations.

**Signed:**



**PAUL RICHARDSON**  
**DIRECTOR – FINANCE, GOVERNANCE AND ADMINISTRATION**

**Dated: 16 December 2021**

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<sup>5</sup> Decision of the Member Council at its meeting held on 25 November 2021.

## Annexure A

<b>Elections that are required <sup>6</sup></b>	<b>Name of Office</b>	<b>Number required</b>	<b>Voting System</b> <i>Direct voting system; Collegiate electoral system</i>	<b>Reason for Election</b> <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	<b>Electorate <sup>7</sup></b>
<b>Convention (the first election)</b>					
National	Convention Delegate	19	Direct Voting System	Scheduled	Brisbane Central, r 29(b), r 33(m)
National	Convention Delegate	15	Direct Voting System	Scheduled	Brisbane West, r 29(b), r 33(m)
National	Convention Delegate	19	Direct Voting System	Scheduled	Central Adelaide, r 29(b), r 33(m)
National	Convention Delegate	30	Direct Voting System	Scheduled	Central Australia, r 29(b), r 33(m)
National	Convention Delegate	11	Direct Voting System	Scheduled	Eastern Victoria, r 29(b), r 33(m)
National	Convention Delegate	17	Direct Voting System	Scheduled	Logan & Bayside, r 29(b), r 33(m)
National	Convention Delegate	9	Direct Voting System	Scheduled	Melbourne Central, r 29(b), r 33(m)
National	Convention Delegate	14	Direct Voting System	Scheduled	Melbourne East, r 29(b), r 33(m)

<sup>6</sup> The UWU is not comprised of branches.

<sup>7</sup> Refer Schedule 1, Rule 40. The Member Council at its meeting held on 25 November 2021 determined for the purposes of the election, the Electorates in accordance with Rules 9(d), (e) and 33(m). Electorates are defined at Rule 9(a) and (b). The Electorates are posted on the UWU website - xxxx

National	Convention Delegate	22	Direct Voting System	Scheduled	Melbourne North West, r 29(b), r 33(m)
National	Convention Delegate	19	Direct Voting System	Scheduled	Melbourne South East, r 29(b), r 33(m)
National	Convention Delegate	14	Direct Voting System	Scheduled	Melbourne South West, r 29(b), r 33(m)
National	Convention Delegate	14	Direct Voting System	Scheduled	Moreton Bay, r 29(b), r 33(m)
National	Convention Delegate	19	Direct Voting System	Scheduled	North Adelaide, r 29(b), r 33(m)
National	Convention Delegate	23	Direct Voting System	Scheduled	North Queensland, r 29(b), r 33(m)
National	Convention Delegate	19	Direct Voting System	Scheduled	Northern New South Wales & the Gold Coast, r 29(b), r 33(m)
National	Convention Delegate	16	Direct Voting System	Scheduled	South Adelaide & the Hills, r 29(b), r 33(m)
National	Convention Delegate	17	Direct Voting System	Scheduled	Southern New South Wales, r 29(b), r 33(m)
National	Convention Delegate	19	Direct Voting System	Scheduled	Sunshine Coast & Central Queensland, r 29(b), r 33(m)
National	Convention Delegate	14	Direct Voting System	Scheduled	Sydney – North & Central Coast, r 29(b), r 33(m)
National	Convention Delegate	20	Direct Voting System	Scheduled	Sydney – North West, r 29(b), r 33(m)



National	Convention Delegate	19	Direct Voting System	Scheduled	Sydney – South East, r 29(b), r 33(m)
National	Convention Delegate	20	Direct Voting System	Scheduled	Sydney – South West, r 29(b), r 33(m)
National	Convention Delegate	9	Direct Voting System	Scheduled	Tasmania, r 29(b), r 33(m)
National	Convention Delegate	18	Direct Voting System	Scheduled	Western Australia 1, r 29(b), r 33(m)
National	Convention Delegate	19	Direct Voting System	Scheduled	Western Australia 2, r 29(b), r 33(m)
National	Convention Delegate	16	Direct Voting System	Scheduled	Western Australia 3, r 29(b), r 33(m)
National	Convention Delegate	23	Direct Voting System	Scheduled	Western New South Wales, r 29(b), r 33(m)
National	Convention Delegate	10	Direct Voting System	Scheduled	Western Victoria, r 29(b), r 33(m)
<b>Member Council (the second election)</b>					
National	Member Councillor	7	Collegiate electoral system	Scheduled	Queensland Convention Delegates, r 32(c)(i)
National	Member Councillor	5	Collegiate electoral system	Scheduled	New South Wales Convention Delegates, r 32(c)(i)
National	Member Councillor	6	Collegiate electoral system	Scheduled	Victorian Convention Delegates, r 32(c)(i)

National	Member Councillor	1	Collegiate electoral system	Scheduled	Australian Capital Territory Convention Delegates, r 32(c)(i)
National	Member Councillor	4	Collegiate electoral system	Scheduled	South Australian Convention Delegates, r 32(c)(i)
National	Member Councillor	4	Collegiate electoral system	Scheduled	Western Australian Convention Delegates, r 32(c)(i)
National	Member Councillor	1	Collegiate electoral system	Scheduled	Tasmanian Convention Delegates, r 32(c)(i)
National	Member Councillor	1	Collegiate electoral system	Scheduled	Northern Territory Convention Delegates, r 32(c)(i)
National	Member Councillor	21	Collegiate electoral system	Scheduled	Convention Delegates, r 32(c)(i)i
<b>National Officers (the third election)</b>					
National	National President	1	Collegiate electoral system	Scheduled	Convention Delegates, r 35(a)
National	National Secretary	1	Collegiate electoral system	Scheduled	Convention Delegates, r 35(a)
National	National Vice President	4	Collegiate electoral system	Scheduled	Convention Delegates, r 35(a)
National	National Executive Member	11	Collegiate electoral system	Scheduled	Convention Delegates, r 35(a)

**Important dates:**

	<b>Direct Voting System</b>	<b>Collegiate Electoral System</b>
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<b>Nominations OPEN</b>	1 March 2022, Schedule 4, 3(a)	4 July, 2022, r 74
<b>Nominations CLOSE</b>	22 March 2022, Schedule 4, 3(b)	11 July, 2022, r 74
<b>Roll of Voters cut off date</b>	31 January 2022, r Schedule 4, r 11 (b)	3 June, 2022, Schedule 4, r 11 (b)

**Additional Information**

The Rules of the UWU require that at least 50% of each governing body are women and that at least two of the offices of National Vice President are female. [Rules 73, 75, 76, and 77]

Rule 77(a) and (b) provide that if a male candidate is elected to the office of National President, then a female candidate is to be declared elected to the office of National Secretary.

**Annexure B****Total Financial Industrial Members as at 15 December 2021 – 140, 779****Total Convention Delegation – rule formula – 470****Convention after rounding - 484**

<b>Electorate</b>	<b>Delegates</b>	<b>Financial Industrial Members as at 15 December 2021</b>	<b>Proportion of Total Financial Industrial Members</b>	<b>Bears to Total Convention Delegation</b>	<b>Rounded Up</b>
Brisbane Central	19	5691	4.04250634	18.9997798	19
Brisbane West	15	4402	3.126886823	14.69636807	15
Central Adelaide	19	5587	3.968631685	18.65256892	19
Central Australia	30	8842	6.280766307	29.51960165	30
Eastern Victoria	11	3081	2.188536643	10.28612222	11
Logan & Bayside	17	5001	3.55237642	16.69616917	17
Melbourne Central	9	2693	1.912927354	8.990758565	9

Melbourne East	14	4039	2.869035865	13.48446856	14
Melbourne North West	22	6336	4.500671265	21.15315494	22
Melbourne South East	19	5482	3.894046697	18.30201948	19
Melbourne South West	14	4139	2.940069186	13.81832518	14
Moreton Bay	14	4036	2.866904865	13.47445287	14
North Adelaide	19	5617	3.989941682	18.7527259	19
North Queensland	23	6700	4.759232556	22.36839301	23
Northern New South Wales & the Gold Coast	19	5469	3.884812365	18.25861812	19
South Adelaide and the Hills	16	4642	3.297366795	15.49762394	16
Southern New South Wales	17	4837	3.435881772	16.14864433	17
Sunshine Coast & Central Queensland	19	5401	3.836509707	18.03159562	19

Sydney – North & Central Coast	14	4068	2.889635528	13.58128698	14
Sydney – North West	20	5698	4.047478672	19.02314976	20
Sydney – South East	19	5403	3.837930373	18.03827275	19
Sydney – South West	20	5829	4.140532324	19.46050192	20
Tasmania	9	2592	1.841183699	8.653563387	9
Western Australia 1	18	5357	3.805255045	17.88469871	18
Western Australia 2	19	5489	3.89901903	18.32538944	19
Western Australia 3	16	4666	3.314414792	15.57774952	16
Western New South Wales	23	6775	4.812507547	22.61878547	23
Western Victoria	10	2788	1.98040901	9.307922346	10
Unknown		119			
<b>Total</b>	<b>484</b>	<b>140779</b>			<b>484</b>

Rule formula	469.2633333				
Rule formula rounded – Total Convention Delegation	470				