



DECISION

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

Local Government, Racing and Cemeteries Employees Union
(E2024/130)

MR STEENSON

SYDNEY, 30 JULY 2024

Arrangement for conduct of election.

[1] On 8 July 2024 the Local Government, Racing and Cemeteries Employees Union (the **Union**) lodged with the Fair Work Commission (the **Commission**) prescribed information for an election to fill the following offices for a new term of office:

Executive

President	(1)
Vice President	(1)
Treasurer	(1)
Secretary	(1)
Assistant Secretary	(1)
Trustee	(2)
Executive Committee Members	(6)

Conference

Delegates to Conference:

Metropolitan Zone	(1)
Rural Zone	(4)
General Zone	(2)

[2] This decision relates to an inaugural election for the Union following recent rule alterations.¹ The alterations effected substantial changes to the Union's rules, including the abolition of the Western Australian Division (WA Division) and modification of the Union

¹ R2024/84 certified on 20 June 2024.

structure to largely replicate that of the now-former WA Division and the existing State Counterpart association.² The new rules set out provisions facilitating the transition to the new structure, including the requirement for an election for all offices in 2024.

[3] Rule 58 further provides that the Union Conference and Executive shall commence upon declaration of the 2024 election, at which time the currently operating Union Council will cease to exist.³

[4] 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 Australian Electoral Commission (the AEC).

[5] Transitional rule 58 of the Union's rules provides that the 2024 election shall occur 'as soon as practicable after certification of the transitional rule.'⁴ For this reason, I request that the AEC prioritise the conduct of this election.



DELEGATE OF THE GENERAL MANAGER

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² Western Australian Municipal, Road Boards, Parks and Racecourse Employees' Union of Workers, Perth.

³ Sub rule 58(6).

⁴ Sub rule 58(3).



July 8 2024

The General Manager,
Fair Work Commission,
11 Exhibition Street,
MELBOURNE VIC 3000
BY EMAIL: regorgs@fwc.gov.au

Dear Delegate,

RE: ELECTION REQUEST

The Union hereby requests conduct of an election in accordance with the current rules of the organisation (copy attached).

The offices for which an election is required are set out in Rule 58 -TRANSITIONAL PROVISIONS,UNION COUNCIL,UNION EXECUTIVE, WESTERN AUSTRALIAN DIVISION CONFERENCE, WESTERN AUSTRALIAN DIVISION EXECUTIVE AND OTHER VACANT POSITIONS, **sub rule (3)**.

Rule 24 ELECTION OF DELEGATES TO CONFERENCE and Rule 26 ELECTION OF EXECUTIVE.

Rule 26 sets out for the purpose of proper conduct of elctions the following:

This request is made in substitution of the request comunciated in October 2023.

Attached is the requisite PRESCRIBED INFORMATION FOR ELECTION document pursuant to section 189 of the Fair Work (Registered Organisations) Act and Regulation 138 of the Fair Work (Registered Orgnaisations) Regulations 2009.

Yours sincerely



Andrew Johnson
Federal Secretary



The LGRCEU acknowledges the Whadjak people of the Nyoongar Nation, as the Traditional Custodians the lands on which our head office is situated today, and pay our respect to Elders past, present and future.

IN UNITY

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

I, **Andrew Johnson**, being the **Secretary of the Local Government, Racing and Cemeteries Employees Union** make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Local Government, Racing and Cemeteries Employees Union.
2. The following information is lodged under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. This follows rule alterations certified by the Fair Work Commission, with the first scheduled election under the new structure to be held in 2024. There are no further rule alterations are pending that will impact the election.
5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.

Signed: [SECRETARY, OR OTHER AUTHORISED OFFICER]



Dated: [DATE]

Federal Secretary July 8, 2024

NOTE: This statement should be lodged with the Fair Work Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@fwc.gov.au.

Annexure A

- Elections that are required

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
	President	1	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Vice President	1	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Treasurer	1	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Secretary	1	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Assistant Secretary	1	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Trustee	2	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Executive Committee Member	6	Direct Voting System	Scheduled	Financial members – rule 26(1)
	Delegate to Conference – Metropolitan Zone	1	Direct Voting System	Scheduled	Financial members of the Metropolitan Zone – rules 24(2) and 26(1)
	Delegate to Conference – Rural Zone	4	Direct Voting System	Scheduled	Financial members of the Rural Zone – rules 24(2) and 26(1)
	Delegate to Conference – General Zone	2	Direct Voting System	Scheduled	Financial members of the General Zone – rules 24(2) and 26(1)

Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the Returning Officer, at least 28 days before the date for closing of nominations – rule 26(d)(iv)	N/A
Nominations CLOSE	To be determined by the Returning Officer, at least 28 days after nominations open – rule 26(d)(iv)	N/A
Roll of Voters cut off date	7 days prior to the day of which nominations open – rule 26(3)(c)	N/A

NOTES: For insufficient nominations and casual vacancies, the date nominations open and close, unless specified in the rules, should be listed as 'To be determined by the returning officer'. This also applies where rules are silent as to the nominated dates.

if the nomination dates are 'To be Determined by the Returning Officer', but your organisation has a preference, please state 'To be Determined by Returning Officer' and clearly indicate that your nominated date is a preference.

If the P.I. includes a position that is not an office, please refer to our template *Prescribed information for the election of officer and non-officer positions.*