



## DECISION

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

**Australian Education Union**  
(E2024/137)

MR STEENSON

SYDNEY, 12 AUGUST 2024

*Arrangement for conduct of election.*

[1] On 23 July 2024 the Victorian Branch (**Branch**) of the Australian Education Union lodged with the Fair Work Commission prescribed information for an election to fill the following offices for a new term of office:

Ordinary Members of Branch Council representing the following sectors:

Early Childhood Sector	(7)
TAFE and Adult Provision Sector	(6)

Ordinary Members of Branch Executive representing the following sectors:

Primary Sector	(7)
Secondary Sector	(5)
Early Childhood Sector	(1)
TAFE and Adult Provision Sector	(1)

[2] In addition to the Branch Council offices named above, the rules of the Branch provide that ‘all members of the Primary Sector Council and the Secondary Sector Council’ are also ordinary members of the Branch Council.<sup>1</sup>

[3] Those Primary Sector Council and the Secondary Sector Council offices were the subject of my decision dated 4 June 2024 in matter E2024/101 for the Stage 1 (direct-voting system) election for senior Branch officers and members of Sector Councils.

[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*

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<sup>1</sup> Rulebook R2024/81 and R2024/90, certified 24 July 2024, Branch rule 8(2)(a).

*Organisations) Act 2009*, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



DELEGATE OF THE GENERAL MANAGER

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PR755319



23 July 2024

Murray Furlong  
General Manager  
Fair Work Commission  
GPO Box 1994 Melbourne VIC 3001  
via email [regorgs@fwc.gov.au](mailto:regorgs@fwc.gov.au)

Dear General Manager Furlong

**PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009* - AEU Victorian Branch – Election of Ordinary Members of Branch Council; and Election of Ordinary Members of Branch Executive**

I, **Erin Aulich**, being the **Branch Secretary of the Australian Education Union Victorian Branch**, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Australian Education Union Victorian Branch (AEU Vic Branch).
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:  
**Election of Ordinary Members of Branch Council (AEU Vic Branch Rule 48); and**  
**Election of Ordinary Members of Branch Executive (AEU Vic Branch Rule 49)**  
as set out in the table in Annexure A.
4. No rule alterations are pending that will impact these elections.
5. This statement **IS** lodged at least 2 months before nominations open for the elections as set out in the table in Annexure A.
6. **Voting system and number of positions**  
The voting system to be employed in the conduct of the elections is a collegiate electoral system. The number of positions to be elected is set out at Schedule 1 to Annexure A:
  - Part A - Number of financial members as at 30 June 2024 by Sectors (AEU Vic Branch rules 8(3) and 11(3) respectively);
  - Part B - Calculations as per AEU Vic Branch rule 8 determining the Ordinary Members of Branch Council from the Early Childhood Sector Council and the TAFE and Adult Provision Sector Council respectively;
  - Part C – Calculations as per AEU Vic Branch rule 11 determining the number of persons elected as Ordinary Members of Branch Executive

**Dates and Times:**

The dates and times for nominations open and close to be determined by the Returning Officer from the Australian Electoral Commission with regards to AEU Vic Branch rules 48(2), 48(5), 49(2) and 49(5).

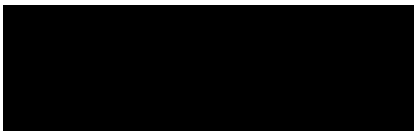
AEU Vic Branch Rules contain respective timetables for the conduct of these elections as set out at *Annexure A - Important dates*.

**7. Contact:**

The contact person for lists of members and other necessary information is:

Erin Aulich  
Branch Secretary  
Australian Education Union Victorian Branch  
PO Box 363 Abbotsford VIC 3067  
Phone: (03) 9418 4817 (direct)  
Email: [erin.aulich@aeuvic.asn.au](mailto:erin.aulich@aeuvic.asn.au)

Yours sincerely



**Erin Aulich**  
**Branch Secretary**  
**AEU Victoria**

**ANNEXURE A**

- Election required for **AEU Vic Branch - Election of Ordinary Members of Branch Council**

<b>AEU VIC BRANCH ELECTION OF ORDINARY MEMBERS OF BRANCH COUNCIL:</b>						
In accordance with Australian Education Union Victorian Branch Rule 48 elections are required for Ordinary Members of Branch Council (Refer AEU Vic Branch Rule 48)						
<b>Branch</b>	<b>Name of Office</b>	<b>Term of Office</b>	<b>Number required</b>	<b>Voting System</b>	<b>Reason for Election</b>	<b>Electorate</b>
				<b>Direct voting system (DVS); Collegiate electoral system</b>	<b>Scheduled; Casual vacancy; New office created; Insufficient nominations</b>	
VIC	Ordinary Members of Branch Council (from the Early Childhood Sector Council)	1 January 2025 to 31 December 2027	7	Collegiate electoral system	Scheduled - current term of office expires on 31 December 2024.	The ordinary members of Branch Council from the Early Childhood Sector shall be elected by a secret ballot conducted at a meeting of members elect of the Early Childhood Sector Council held immediately following the conclusion of the sector council elections for the purpose of conducting the election.
	Ordinary Members of Branch Council (from the TAFE and Adult Provision Sector Council)	1 January 2025 to 31 December 2027	6	Collegiate electoral system	Scheduled - current term of office expires on 31 December 2024	The ordinary members of Branch Council from the TAFE and Adult Provision Sector shall be elected by a secret ballot conducted at a meeting of members elect of the TAFE and Adult Provision Sector Council held immediately following the conclusion of the sector council elections for the purpose of conducting the election.

- **Important dates - AEU Vic Branch Election of Ordinary Members of Branch Council:**

	<b>Collegiate electoral system</b>	<b>Notes</b>
<b>Nominations OPEN</b>	<p><i>To be determined by returning officer.</i></p> <p><i>It is recommended that nominations open on <b>Wednesday 20 November 2024.</b></i></p>	<p><i>AEU Vic Branch Rule 48(2) states - The ordinary members of Branch Council from the Early Childhood Sector and the TAFE and Adult Provision Sector shall be elected by a secret ballot conducted at a meeting of members elect of the relevant sector council held immediately following the conclusion of the sector council elections for the purpose of conducting the election.</i></p> <p><i>AEU Vic Branch Rule 50(6) states – “The election for ordinary members of Sector Council shall be completed by 1 November”.</i></p> <p><i>AEU Vic Branch Rule 48(5) states The notice calling for nominations referred to in the previous sub-rule shall specify a date for the opening of nominations which shall be a date not less than 14 days before the date for holding the meeting to conduct the ballot.</i></p> <p><i>Respective Sectors’ Council Meetings are scheduled to take place on <b>Friday 6 December 2024.</b></i></p>
<b>Nominations CLOSE</b>	<p><i>To be determined by returning officer.</i></p> <p><i>It is recommended that nominations close during the respective Sectors’ Council Meetings on <b>Friday 6 December 2024.</b></i></p>	<p><i>Refer to Note above</i></p>
<b>Roll of Voters cut- off date</b>	<p><i>7 days prior to nominations opening [rule 57(2A)]</i></p>	
<b>Ballot (if required)</b>	<p><i>If a ballot is required it can be conducted at the respective Sector Council Meetings on <b>Friday 6 December 2024.</b></i></p>	

**AEU VIC BRANCH ELECTION OF ORDINARY MEMBERS OF BRANCH EXECUTIVE:**

In accordance with Australian Education Union Victorian Branch Rule 49 elections are required for Ordinary Members of Branch Executive (Refer AEU Vic Branch Rule 49)

<b>Branch</b>	<b>Name of Office</b>	<b>Term of Office</b>	<b>Number required</b>	<b>Voting System</b>  <b>Direct voting system (DVS); Collegiate electoral system</b>	<b>Reason for Election</b>  <b>Scheduled; Casual vacancy; New office created; Insufficient nominations</b>	<b>Electorate</b>
VIC	Ordinary Members of Branch Executive (from Primary Sector Council)	1 January 2025 to 31 December 2025	7	Collegiate electoral system	Scheduled - current term of office expires on 31 December 2024	The electorate is all the ordinary members of the Primary Sector Council. [Rule 11(1)(b)]
	Ordinary Members of Branch Executive (from Secondary Sector Council)	1 January 2025 to 31 December 2025	5	Collegiate electoral system	Scheduled - current term of office expires on 31 December 2024	The electorate is all the ordinary members of the Secondary Sector Council. [Rule 11(1)(b)]
	Ordinary Members of Branch Executive (from Early Childhood Sector Council)	1 January 2025 to 31 December 2025	1	Collegiate electoral system	Scheduled - current term of office expires on 31 December 2024	The electorate is persons elected as ordinary members of the Branch Executive by members of the Early Childhood Sector Council from persons who are ordinary members of the Branch Council from the relevant sector council. [Rule 11(1)(b)]
	Ordinary Members of Branch Executive (from TAFE and Adult Provision Sector Council)	1 January 2025 to 31 December 2025	1	Collegiate electoral system	Scheduled - current term of office expires on 31 December 2024	The electorate is persons elected as ordinary members of the Branch Executive by members of TAFE and Adult Provision Sector Council from persons who are ordinary members of the Branch Council from the relevant sector council. [Rule 11(1)(b)]

- Important dates - AEU VIC Branch Election of Ordinary Members of Branch Executive:

	Collegiate electoral system	Notes
<b>Nominations OPEN</b>	<p>To be determined by returning officer.</p> <p>It is recommended that nominations open on <b>Wednesday 20 November 2024.</b></p>	<p>The notice calling for nominations ...shall specify a date for the opening of nominations which shall be a date not less than 14 days before the date for holding the meeting provided that, where the election is to be conducted at the meeting of the sector council at which ordinary members of the Branch Council are elected, nominations shall be called by the Branch Returning Officer announcing to the meeting that nominations are open and allowing sufficient time for persons seeking to nominate to submit their nominations [Rule 49(5)]</p>
<b>Nominations CLOSE</b>	<p>To be determined by returning officer.</p> <p>It is recommended that nominations close during the respective Sectors' Council Meetings on <b>Friday 6 December 2024.</b></p>	<p>The Branch Returning Officer shall call for nominations for the positions of ordinary members of the Branch Executive by sending a notice to each member or member elect of the relevant sector council provided that, where the election is to be conducted at the meeting of the sector council at which ordinary members of the Branch Council are elected, nominations shall be called immediately after the conclusion of the election of ordinary members of Branch Council. [Rule 49 (4)]</p>
<b>Roll of Voters cut- off date</b>	<p>7 days prior to nominations opening [rule 57(2A)]</p>	
<b>Ballot (if required)</b>	<p>If a ballot is required it can be conducted at the respective Sector Council Meetings on <b>Friday 6 December 2024.</b></p>	



## SCHEDULE 1 – PART A

### AEU VIC BRANCH FINANCIAL MEMBERSHIP AS AT 30 JUNE 2024 BY SECTOR

SECTOR		FINANCIAL MEMBERS
EARLY CHILDHOOD		2,697
PRIMARY		21,797
SECONDARY		15,658
TAFE & ADULT PROVISION (TAP)		2,303
	<b>TOTAL</b>	<b>42,455</b>

## SCHEDULE 1 – PART B: ELECTION OF ORDINARY MEMBERS OF BRANCH COUNCIL

### EARLY CHILDHOOD

Pursuant to Rule 8(2)(c) – the number of persons to be elected as ordinary members of Branch Council from the Early Childhood Sector Council shall be determined in accordance with the following formula:

Number of persons representing the Early Childhood Sector Council =

a where **a** = number of Early Childhood Sector Members (**2,697**)

**b** where **b** =  $\frac{x}{y}$

where: x = the total membership of the Branch in the Primary and Secondary Sectors (**37,455**)

y = 100

Therefore  $37,455/100 = 374.55 = \mathbf{b}$

a = 2,697 = 7.20 rounded off to **7**

**b** **374.55**

### TAFE AND ADULT PROVISION

Pursuant to Rule 8(2)(d) – the number of persons to be elected as ordinary members of Branch Council from the TAFE and Adult Provision Sector shall be determined in accordance with the following formula:

Number of persons representing the TAFE and Adult Provision Sector =

a where **a** = number of TAFE and Adult Provision Sector Members (**2,303**)

**b** where **b** =  $\frac{x}{y}$

where:- x = the total membership of the Branch in the Primary and Secondary Sectors (**37,455**)

y = 100

Therefore  $37,455/100 = 374.55 = \mathbf{b}$

a = 2,303 = 6.15 rounded off to **6**

**b** **374.55**

**SCHEDULE 1 – PART C: ELECTION OF ORDINARY MEMBERS OF BRANCH EXECUTIVE**

Pursuant to AEU Vic Branch Rule 11(3) the financial membership numbers of the Branch and each sector as at 30 June 2024 will determine the number of persons elected as ordinary members of Branch Executive.

The financial membership of the Branch at 30 June 2024 was **42,455**

The financial membership of each Sector at 30 June 2024 was:

<b>SECTOR</b>		<b>FINANCIAL MEMBERS</b>
<b>EARLY CHILDHOOD</b>		2,697
<b>PRIMARY</b>		21,797
<b>SECONDARY</b>		15,658
<b>TAFE &amp; ADULT PROVISION (TAP)</b>		2,303
	<b>TOTAL</b>	<b>42,455</b>

The application of Rule 11(2)(a) results in a quota of **3266**. This determination is based on the total financial membership of the Branch divided by 13 and the result rounded off to the nearest whole number (the quota) =  $42,455 / 13 = 3,265.77$

Therefore:

Primary	$21,797 / 3,266 = 6.67$
Secondary	$15,658 / 3,266 = 4.79$
Early Childhood	$2,697 / 3,266 = 0.83$
TAFE & Adult Provision	$2,303 / 3,266 = 0.71$

When Rule 11(2)(b) is applied to each Sector, the entitlement to ordinary members of Branch Executive is:

Primary	<b>7</b>
Secondary	<b>5</b>
Early Childhood	<b>1</b>
TAFE & Adult Provision	<b>1</b>