



DECISION

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

CPSU, the Community and Public Sector Union
(E2024/15)

BILL STEENSON

SYDNEY, 6 MARCH 2025

Arrangement for conduct of election.

[1] On 14 February and 4 March 2025 the Victorian Branch (**Branch**) of the SPSF Group (**Group**) of the CPSU, the Community and Public Sector Union (**organisation**) lodged with the Fair Work Commission (**Commission**) prescribed information for an election to fill the following offices for a new term of office:

Branch Secretary	(1)
Branch Assistant Secretary	(1)
Branch President	(1)
Branch Vice Presidents	(2)

Branch Councillors elected by and from the following electorates:

Electorate 1: Health and Community Services	(4)
Electorate 2: Resources	(3)
Electorate 3: Education	(2)
Electorate 4: Justice	(9)
Electorate 5: Central Agencies	(7)
Electorate 6: Barwon/South Western Region	(4)
Electorate 7: North Western Region	(2)
Electorate 8: Gippsland Region	(2)
Electorate 9: North Eastern Region	(1)

Federal Council Delegates from Victorian Branch	(6)
Branch Representative to Federal Executive	(1)
Federal Vice President (subject to rule 32.4 outlined below)	(1)

[2] It is noted that the previous relevant elections were delayed due to issues related to Covid-19. The prescribed information for the most recent Branch scheduled election (**E2020/12**) was lodged in January 2020. However, due to restrictions associated with Covid-19, including on the ability of the Australian Electoral Commission (**AEC**) to conduct industrial elections, the election was not finalised until July 2021. As the terms of office are four (4) years, the next election is due this year, being 2025.

[3] The Group's federal office and branches have historically lodged prescribed information for elections around the same time. The prescribed information for the last Group federal office scheduled election (**E2020/25**) was lodged in March 2020, however, due to Covid-19 issues (as outlined above), the election was not finalised until August 2022.

[4] To resynchronise the Group's federal and branch elections, a transitional rule has been inserted in the Group's rulebook.¹ This rule provides that the next election cycle for both Branch offices and Federal offices will take place in 2025, which has the effect of truncating the terms of the current Group federal officers elected in E2020/25 by one year, in order to synchronise that election with the Branch elections. Under the transitional rule, all officers elected in the 2025 federal and branch elections will hold office for 3 years, and the next elections will then occur in 2028 and every 4 years thereafter (i.e. 2032, 2036 and following).

[5] This is particularly relevant because of the potential requirement for an election of Federal Vice President. The Group rules outline that each Branch Secretary will hold an office of Federal Vice President ex officio.² However, if a Branch Secretary is elected to the office of Federal Secretary, for example, in the impending separate election for that office (**E2024/17**, the prescribed information for which is to be lodged imminently), an election would then be required for a separate Federal Vice President, as the one person cannot hold both offices of Federal Vice President and Federal Secretary. As such, the election for Federal Vice President, as indicated above, is only required if the Branch Secretary is then elected as Federal Secretary.

[6] Further, in regard to the Federal Council Delegates, subrule 3.2(a) outlines the calculation for the number of delegates per Branch, which is based on the branch membership numbers in the year preceding the election. The Branch has indicated in the prescribed information that the number of members as at 31 December 2024 was 15,069, and therefore, under rule 3.2, the Branch would be entitled to 6 delegates. Subrule 32.3(b) further provides that one Delegate office will be held by the Branch Secretary, one Delegate office will be held by the Branch Representative to the Federal Executive, and the remainder (in this case, 4 Delegates) will need to be elected as Delegates to Federal Council.

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

[8] In respect of the office of the Federal Vice President, I am satisfied that, subject to the outcome of the election for Federal Secretary (**E2024/17**) triggering the requirement in Group rule 32.3 for an election for Federal Vice President from the Branch, an election for that office will then be required to be held under the rules of the organisation and, under subsection 189(3) of the RO Act, and arrangements for the conduct of an election for that office by the AEC will then be required.

¹ Rulebook R2023/80, rule 66.

² Ibid, rule 15.2.



DELEGATE OF THE GENERAL MANAGER

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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, KAREN BATT, being the BRANCH SECRETARY of the COMMUNITY AND PUBLIC SECTOR UNION/SPSF GROUP VICTORIAN BRANCH make the following statement:

1. I am authorised to sign this statement containing prescribed information for CPSU/SPSF GROUP VICTORIAN 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 set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.

Please note that an application to amend CPSU/SPSF Victorian Branch rules has been lodged with the FWC (Reference R2024/188). The amended rules do not impact on the election. Rule 13.3 is reformatted in table form but is not otherwise changed.

5. This statement **IS** lodged at least 2 months before nominations open for the election(s) in Annexure A.
6. If the number of elected representatives is calculated on a formula(s) defined in the rules]:
 - a. The rule number(s) which specify(s) the formula(s) is/are CPSU/SPSF Group Chapter C Rule 3.2, 7.1, and CPSU/SPSF Group Victorian Branch Rule 13:
 - b. The formula(s) is/are:

Federal Council Delegates.

CPSU/SPSF Group Chapter C Rule 3.2. The number of financial members in the Branch as at 31 December of the year preceding the election of Federal Council Delegates determines the number of delegates to be elected.

Branch Council Delegates

CPSU/SPSF Group Chapter C Rule 7.1; and CPSU/SPSF Group Victorian Branch Rule 13.1 provide for financial members to be allocated to Branch electorates on the basis of 1 Branch Council delegate per 500 members or part thereof. Branch rules describe the electorates.

c. The information for calculating the formula(s) is:

Federal Council Delegates.

As at 31 December 2024 the total number of financial members of the CPSU/SPSF Group Victorian Branch was 15,069. Chapter C Rule 3.2 therefore entitles the Branch to 6 Federal Council delegates.

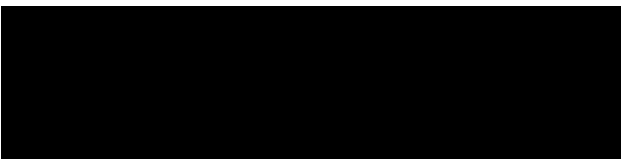
Branch Council Delegates

As at 31 December 2024 the total number of financial members of the CPSU/SPSF Group Victorian Branch for each electorate was:

Electorate Name	Electorate	No. of members as at 31 December 2024	1 delegate per 500 members (or part of)
Electorate 1 - Health & Community Services	All members whose work location is within the Melbourne metropolitan area and who are employed by an Employer which the Branch Council declares to be Health and Community Services.	1879	4
Electorate 2 - Resources	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Resources.	1066	3
Electorate 3 - Education	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Education.	878	2
Electorate 4 - Justice	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Justice.	4152	9
Electorate 5 - Central Agencies	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Central Agencies.	3246	7
Electorate 6 - Barwon / South Western Region	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the Barwon/South Western Region.	1969	4
Electorate 7 - North Western Region	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the North Western Region.	745	2
Electorate 8 - Gippsland Region	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the Gippsland Region.	654	2

Electorate Name	Electorate	No. of members as at 31 December 2024	1 delegate per 500 members (or part of)
Electorate 9 - North Eastern Region	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the North Eastern Region.	480	1
Total		15069	34

d. The relevant date(s) for this information is 31 December 2024



Karen Batt

CPSU/SPSF Victorian Branch Secretary

Dated: 4 March 2025

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 [insert as many pages as required]

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			Direct voting system; Collegiate electoral system	Scheduled; Casual vacancy; New office created; Insufficient nominations	
Victorian Branch	Branch Secretary	1	Direct Voting System	Scheduled	By and from all Branch members Chapter C Part 3A Rule 15. Victorian Branch Rule 10.1(c)
Victorian Branch	Assistant Branch Secretary	1	Direct Voting System	Scheduled	By and from all Branch members Chapter C Part 3A Rule 15 Victorian Branch Rule 10.1(d)
Victorian Branch	Branch President	1	Direct Voting System	Scheduled	By and from all Branch members Chapter C Part 3A Rule 15 Victorian Branch Rule 10.1(a)
Victorian Branch	Branch Vice President	2	Direct Voting System	Scheduled	By and from all Branch members Chapter C Part 3A Rule 15 Victorian Branch Rule 10.1(b)
Victorian Branch	Branch Council delegate – Electorate 1	4	Direct Voting System	Scheduled	All members whose work location is within the Melbourne metropolitan area and who are employed

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
	– Health and Community Services		Direct voting system; Collegiate electoral system	Scheduled; Casual vacancy; New office created; Insufficient nominations	by an Employer which the Branch Council declares to be Health and Community Services. Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Branch Council delegate – Electorate 2 – Resources	3	Direct Voting System	Scheduled	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Resources. Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Branch Council delegate – Electorate 3 – Education	2	Direct Voting System	Scheduled	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Education. Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Branch Council delegate – Electorate 4 – Justice	9	Direct Voting System	Scheduled	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Justice. Chapter C Part 3A Rule 15 Victorian Branch Rule 13

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
Victorian Branch	Branch Council delegate – Electorate 5 – Central Agencies	7	Direct Voting System	Scheduled	All members whose work location is within the Melbourne metropolitan area and who are employed by an employer the Branch Council declares to be Central Agencies. Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Branch Council delegate – Electorate 6 – Barwon/South Western Region	4	Direct Voting System	Scheduled	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the Barwon/South Western Region. Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Branch Council delegate – Electorate 7 – North Western Region	2	Direct Voting System	Scheduled	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the North Western Region . Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Branch Council delegate – Electorate 8 – Gippsland Region	2	Direct Voting System	Scheduled	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the Gippsland Region.

Branch	Name of Office	Number required	Voting System Direct voting system; Collegiate electoral system	Reason for Election Scheduled; Casual vacancy; New office created; Insufficient nominations	Electorate
Victorian Branch	Branch Council delegate – Electorate 9 – North Eastern Region	1	Direct Voting System	Scheduled	All members whose work location is not within the Melbourne metropolitan area and is within an area which the Branch Council declares to be the North Eastern Region . Chapter C Part 3A Rule 15 Victorian Branch Rule 13
Victorian Branch	Federal Council delegate	6	Collegiate electoral system	Scheduled	All financial members of the Victorian Branch Council Chapter C Part 3A Rule 15 1 position reserved ex officio for Branch Secretary who will hold the office of Federal Vice President. Chapter C Part 3B Rule 32.3(b)(i) 1 position reserved for Branch Representative to Federal Executive. Chapter C Part 3B Rule 32.3(b)(ii)
Victorian Branch	Federal Vice President	1	Collegiate electoral system	Scheduled	Branch Secretary is ex-officio Federal Vice President. An election is only required if the Branch Secretary is elected to the office of Federal Secretary. Elected (if required) concurrently with Federal Council delegates Chapter C Part 3A Rule 15 Chapter C Part 3B Rule 32.3(b)(i)
Victorian Branch	Branch Representative to Federal Executive	1	Collegiate electoral system	Scheduled	All financial members of the Victorian Branch Council Elected concurrently with Federal Council delegates

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			Direct voting system; Collegiate electoral system	Scheduled; Casual vacancy; New office created; Insufficient nominations	Chapter C Part 3A Rule 15 Chapter C Part 3B Rule 32.3(b)(ii)

- Important dates:

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	To be determined by the returning officer Chapter C Part 3B. Rule 19.1	To be determined by the returning officer Chapter C Part 3C. Rule 32.1(b). Election for Federal Officers take place after the Federal Secretary election is declared. Chapter C Part 3C. Rule 32.2(a). 14 days prior to meeting at which election to be held or prior to sending out of postal votes. Preferred date is the Victorian Branch Council meeting on the last Monday of the month. The election must be held at the first meeting after the Federal Secretary election is declared.
Nominations CLOSE	To be determined by the returning officer Chapter C Part 3B. Rule 19.2. Nominations are open for 14 days	To be determined by the returning officer Chapter C Part 3B. Rule 32.2(a).
Roll of Voters cut off date	Chapter C Part 3B. Rule 25.1(c). 7 days before the day on which nominations for election open	Chapter C Part 3B. Rule 37.1(a). Date of meeting where ballot conducted.