



20 September 2023

Allen Hicks

National Secretary

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division

Sent via email: admin@etuaustralia.org.au

Dear Allen Hicks



IMMEDIATE ACTION REQUIRED:

You must take steps after your recent election E2023/68

An election has recently been completed by the Australian Electoral Commission (AEC) for the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division and a post-election report has been issued by the AEC.

This letter explains the next steps you must take, including what information you need to give to members and what information you need to lodge with the Fair Work Commission (the Commission).

What you must do right now

- Let your members know about the election report issued by the AEC
- Arrange financial training for officers newly elected to an office with financial management duties. (This includes all members of the committee of management).
- Complete the notification of change and email it to the Commission at regorgs@fwc.gov.au

This letter explains these steps and the tools available to help you.

STEP 1: Notify members

You must put a notice on your website once you receive your post-election report. It must tell your members they can request a copy of the post-election report from you or the AEC (regulation 141). The notice must be on your website for at least three months.



Can we put more information on our website?

Yes! Being transparent is part of good governance. You can publish the whole report or the declaration of results, as well as your notice and leave them up longer than three months. You can always do more than the regulatory minimum.

The Commission will also publish your declaration of results on our [website](#).

STEP 2: Financial training

You may have to arrange financial training for people elected to new roles.

All officers with financial management duties must complete approved financial training (section 293K). For information on when officers must redo training and hints on when to book training for officers taking up multiple offices [please see our fact sheet](#).

There are face-to-face and online [financial training packages on the Commission website](#).

You must act on this now, as affected officers **MUST** complete approved financial training OR receive an [exemption by the Commission](#) **within six months** of beginning to hold office.



Good governance tip:

Organisations should instruct officer holders about their other obligations. This is especially important for committee of management members.

Our podcast covers the [benefits of officer induction](#). Officers have responsibilities under the rules, the *Fair Work (Registered Organisations) Act 2009* (the RO Act), and disclosure requirements around conflicts of interest, remuneration and material personal interests. Officers will benefit from our [officer induction kit](#) and our [podcast](#), such as [episode 17 - conflicts of interest](#).

STEP 3: Notifications of change



A notification of change must be lodged with the Commission within **35 days** of the change occurring.

We have a [template](#) to help you with this, which you can send to regorgs@fwc.gov.au. An officer must sign the completed notification template.

You must lodge a notification of change if:

- any of your officers have not been re-elected;
- officers have changed offices; or
- you have new officers.

Only notify us of changes that have **already occurred**. If people take up office in the future, you must wait until the change happens before lodging the notification within 35 days of the change.

Note: One election may result in many notifications of change.



Penalties apply

Failing to lodge your notifications of change on time can expose your organisation and its officers to significant penalties.

Real-life example of penalties in Court An organisation failed to make a series of notifications of change on time.

The Full Court said ‘The record-keeping obligations imposed under the Registered Organisations Act are treated by the legislature as important and serious, and contravention of those obligations are correspondingly serious.’

The organisation was ordered to pay a penalty. More information is available in our [case summary](#).



Why do I need to tell you the results of the election when you’ve already received them?

The RO Act requires that **you** tell us this information about your officers – it is a legal obligation. The notification of change also contains information that is not in the declaration of results.

What if the officer has already done training?

Check out our [fact sheet](#) for when officers need to redo training, when they can get an exemption and when further training isn’t required.

If you have any queries we can be contacted on 1300 341 665 or by email at regorgs@fwc.gov.au.

Yours sincerely

Fair Work Commission



The Commission has an interim [Compliance Policy](#) which explains how we respond to issues of non-compliance. The policy is available on our website if you would like further information on the steps the compliance team may take in response to non-lodgement of a financial report.

Post-election report

**Communications, Electrical,
Electronic, Energy, Information,
Postal, Plumbing and Allied Services
Union of Australia**

Electrical, Energy and Services Division
Scheduled election
E2023/68

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Election(s) Covered in this Report

Organisation: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union - Electrical, Energy and Services Division

Election: Scheduled

Election Decision No/s: E2023/68

Rules

Rules used for the election: 128V-ELE: Incorporates alterations certified on 6 June 2023 in matter R2023/33]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website: www.aec.gov.au/ieb/

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

Rules regarding the timetable of the election were set aside as the AEC held concerns that the Timeframe for the lodgement and return of postal vote packs is unnecessarily restrictive, The Returning Officer will apply Sub paragraph 193(1)(b)(i) of the Fair Work (Registered Organisations) Act 2009 to set 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.

Signed

Chris King
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 03 9285 7111
19 September 2023

Attachments

- A. Declaration of Results for Uncontested Offices – National – Stage 1
- B. Declaration of Results for Uncontested Offices – National – Stage 2
– Affirmative Action
- C. Declaration of Results for Uncontested Offices – National – Stage 2
– Attendance Ballot

**Communications, Electrical, Electronic, Energy,
Information, Postal, Plumbing and Allied Services Union**
Electrical, Energy and Services Division
DECLARATION OF RESULTS - E2023/68 - Stage 2
Uncontested Offices

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:

Divisional Council

Divisional President (1)

Candidates

ONG Peter

Divisional Vice Presidents (2)

Candidates

ADLEY John

ANDERSON Michael

Divisional Branch Councillors - Victorian Branch

Divisional Executive Member (2)

Candidates

FILAZZOLA Daniel

GRAY Troy

Divisional Branch Councillors - Queensland

Divisional Executive Member (2)

Candidates

ONG Peter

YOUNG Jason

Divisional Branch Councillors - New South Wales

Divisional Executive Member (2)

Candidates

HICKS Allen

POTTER Glen

Divisional Branch Councillors - Western Australia

Divisional Executive Member (1)

Candidates

CARTER Peter

Divisional Branch Councillors - South Australia

Divisional Executive Member (1)

Candidates

ADLEY John

Divisional Branch Councillors - Tasmania

Divisional Executive Member (1)

Candidates

ANDERSON Michael

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

Chris King
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
13/09/2023





28 August 2023

Allen Hicks

National Secretary

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division

Sent via email: admin@etuaustralia.org.au

cc: Allen Hicks, allen@etuaustralia.org.au

Dear Allen Hicks



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**Communications, Electrical, Electronic, Energy,
Information, Postal, Plumbing and Allied Services Union
of Australia**

**Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union - Electrical, Energy and
Services Division**

**DECLARATION OF RESULTS - E2023/68 - Stage 1
Uncontested Offices**

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:

Electrical Energy and Services Division

Divisional Secretary (1)

Candidates

WRIGHT Michael

Divisional Assistant Secretary (1)

Candidates

GAULD Trevor

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

Amit Kumar
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
20/07/2023



**Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia**
Electrical, Energy and Services Division

DECLARATION OF RESULTS - E2023/68 - Stage 2
Uncontested Offices

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:

Affirmative Action (Women) Divisional State Councillors

Affirmative Action (Women) Divisional Councillor (1)

Candidates

MARIS Raven

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

Chris King
Returning Officer
Telephone: 03 9825 7111
Email: IEBevents@aec.gov.au
25/08/2023





DECISION

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

**Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and
Allied Services Union of Australia**
(E2023/68)

MR STEENSON

SYDNEY, 17 MAY 2023

Arrangement for conduct of election.

[1] On 28 April and 16 May 2023, the Electrical, Energy and Services Division (Division) of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia lodged with the Fair Work Commission prescribed information for an election to fill the following offices for a new term of office:

Divisional Secretary	(1)
Assistant Divisional Secretary	(1)
Affirmative Action (Women) Divisional Councillor	(1)
Divisional President	(1)
Divisional Vice Presidents	(2)

Divisional Executive members from the following Branches:

Victoria	(2)
Queensland	(2)
New South Wales	(2)
Western Australian	(1)
South Australia	(1)
Tasmania	(1)

[2] In regard to the number of Divisional Executive members to be elected, the prescribed information when initially lodged on 28 April 2023 noted that the number (which is based on a formula) had not yet been determined as the information to calculate this was not yet finalised. The Division subsequently advised, on 16 May 2023, that the number of Divisional Executive members to be elected is 10 – comprised of nine (9) from the Branches in the breakdown listed above, plus the Divisional Secretary who holds the office of Divisional Executive member ex officio.

[3] It should also be noted that the last election for the Divisional President, Divisional Vice Presidents, and Divisional Executive members was conducted in December 2021, being E2021/162. Division rule 15.5.2 provides that the terms of these offices will be 4 years from the 2023 quadrennial election (i.e. this election).

[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.



DELEGATE OF THE GENERAL MANAGER

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PR755060

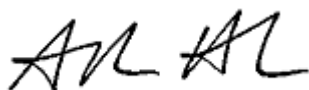
PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Allen Hicks, being the Divisional Secretary of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Electrical, Energy and Services Division, (the Division), make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Division.
2. The following information is lodged under section 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; and
5. This statement **IS** lodged at least 2 months before nominations open for the elections below.
6. The number of individuals to be elected by each Branch to the Divisional Executive are calculated in accordance with a formula defined in the rules. The rule numbers, positions, formula and relevant information including relevant date, are as follows:

Office	(a) Rule; and (b) Formula for determining numbers	(c) Information for calculating the formula (e) Reason information for calculating the formula cannot be provided	(d) Relevant date for determining numbers	Number to be elected
Divisional Executive member	<p>8.2 Election to the Divisional Executive</p> <p>8.2.1 Each Divisional Branch shall be entitled to representation on the Divisional Executive by one Executive member who shall be a member of the Divisional Branch he/she represents. The Divisional President and Divisional Vice Presidents shall be deemed to represent the Divisional Branch of which they are members and the Divisional Secretary and the Affirmative Action (Women) Councillor shall be deemed not to represent any Divisional Branch.</p> <p>8.2.2 Provided that any Divisional Branch having in excess of 10% of the membership as calculated under sub rule 7.3.3 "Election to Divisional Council", shall be entitled to one additional Executive member for each additional 10% of the membership of the Division possessed by that Divisional Branch.</p> <p>7.3.3 For the purpose of determining the number of members of a Divisional Branch at meetings of the Divisional Council, the income recognised in the audited statement of comprehensive income less impairment of receivables in respect of membership contributions and entrance fees of such Divisional Branch for the preceding year, as expressed in dollars, shall be divided by the dollar amount charged by the Divisional Branch in the preceding year as the annual subscription rate for adults employed as tradespersons or in classifications receiving equal to or in excess of a tradesperson's rates of pay.</p>	The relevant information for calculating the formula to determine the number of Executive members for each Branch has not been provided because the audited statements of comprehensive income from all branches have not yet been finalised.	31 December 2022 (Divisional rules 8.2, 7.7.2, 7.7.3)	One for each Branch plus one additional Executive member for each branch for each additional 10% of members

Signed:



ALLEN HICKS

Dated:

28 April 2023

[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to regorgs@roc.gov.au.]

ANNEXURE A - Elections that are required:

Branch	Name of Office	Number required	Voting System <i>Direct voting system; Collegiate electoral system</i>	Reason for Election <i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	Electorate
For the election of officers					
Electrical, Energy & Services Division – Divisional Office	Divisional Secretary	1	Direct voting system (DVS)	<i>Scheduled</i>	Financial members of the Division (Divisional rule 15.3, 15.19.18)
Electrical, Energy & Services Division – Divisional Office	Assistant Divisional Secretary	1	DVS	<i>Scheduled</i>	Financial members of the Division (Divisional rule 15.3, 15.19.18)
Electrical, Energy & Services Divisional Council	Affirmative Action (Women) Divisional Councillor	1	Collegiate electoral system (CES)	<i>Scheduled</i>	Divisional Branch Affirmative Action (Women) Councillor on each Branch State Council (Divisional rules 7.3.4, 15.18.4, 15.20.6)
Electrical, Energy & Services Divisional Council	Divisional President	1	CES	<i>Scheduled</i>	Divisional Councillors (Divisional rule 15.18.4)
Electrical, Energy & Services Divisional Council	Divisional Vice Presidents	2	CES	<i>Scheduled</i>	Divisional Councillors (Divisional rule 15.18.4)
Electrical, Energy & Services Divisional Council	Divisional Executive ¹	Number determined by rule 8.2; 7.3.2 & 7.3.3	CES	<i>Scheduled</i>	Divisional Councillors from each Branch (Divisional rules 15.5, 15.18.4)

¹ Numbers to be determined in accordance with divisional rules 8.2, 7.3.2 and 7.3.3

- **IMPORTANT DATES:**

	Direct Voting System	Collegiate Electoral System
Nominations OPEN	The first Monday in July (3 July 2023) (Divisional rule 15.17.1)	<p>Except for the election of the Affirmative Action (Women) Divisional Councillor, nominations open at the first Divisional Conference following the declaration of each divisional branch quadrennial ballot and the divisional quadrennial ballot in 2023 (divisional sub-rules 15.5, 15.18)</p> <p>The election of the Affirmative Action (Women) Divisional Councillor shall be conducted in accordance with divisional sub-rules 15.5A, 15.17.3 and 15.18.2 after the declaration of the election of each Affirmative Action (Women) State Councillor in each Branch. The conduct of nominations shall be determined the Returning Officer.</p>
Nominations CLOSE	Close of business (5pm) on the second Monday in July (10 July 2023) (Divisional rule 15.17.1)	<p>Except for the election of the Affirmative Action (Women) Divisional Councillor, nominations close at the first Divisional Conference following the declaration of each divisional branch quadrennial ballot and the divisional quadrennial ballot in 2023 (divisional sub-rules 15.5A, 15.18)</p> <p>The election of the Affirmative Action (Women) Divisional Councillor shall be conducted in accordance with divisional sub-rules 15.5A, 15.17.3 and 15.18.2 after the declaration of the election of each Affirmative Action (Women) State Councillor in each Branch. The conduct of nominations shall be determined the Returning Officer.</p>
Roll of Voters cut-off date	7 days prior to the opening date for nominations (26 June 2023) (Divisional rule 15.19.7)	As determined by the Returning Officer pursuant to divisional rule 15.16.