



## DECISION

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

**Australian Education Union**  
(E2025/132)

MR STEENSON

SYDNEY, 15 AUGUST 2025

*Arrangement for conduct of election.*

[1] On 12 and 13 August 2025, the New South Wales Teachers Federation (NSWTF) Branch (the **Branch**) of the Australian Education Union (the **organisation**) lodged with the Fair Work Commission (the **Commission**) prescribed information and amended prescribed information for an election to fill a vacancy in the following office:

Alternative Representative on Branch Council – TAFE (1)

[2] The offices of Alternative Representatives on Branch Council (**Alternate Branch Councillors**) are required to be elected in accordance with subrule 36(7) of the Branch rules to allow for the alternate officers to step in and assume the Branch Council duties should a Representative on Branch Council (**Branch Councillor**) not be able to do so.

[3] One of these circumstances is where a person is, or becomes, a Branch Professional Officer, as the organisation's rules – in particular subrules 26(3)(a) and 26(4) – specify that a person who is elected to both Branch Council and as Branch Professional Officer is deemed to have taken leave from their duties on Branch Council while they remain a Branch Professional Officer.

[4] In scheduled election **E2024/100**, four (4) Alternate Branch Councillors from TAFE were declared elected on 2 December 2024, along with eleven Branch Councillors from TAFE. Four of the Branch Councillors have since been subsequently elected as Branch Professional Officers therefore requiring them to take leave from their Branch Council duties.

[5] In correspondence dated 13 August 2025, the Branch advised the Commission that three (3) Alternate Branch Councillors have since assumed Branch Council duties as provided in Branch subrules 26(5)(b) and (c). The Branch further advised that the fourth Alternate Branch Councillor ceased to hold that office in February 2025, thus leaving a vacancy for a fourth Alternate Branch Councillor, who would then assume the duties of the fourth Branch Councillor who has been elected as a Branch Professional Officer.

[6] I am satisfied that an election for the abovenamed office 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 (AEC).

[7] Additionally, on 24 July 2025, I issued an election decision [2025] FWCD 1069 as Delegate of the General Manager of the Commission arranging for an insufficient nominations election **E2025/125** to be conducted by the AEC for various Branch Council and Alternative Branch Council Representative offices.

[8] In the prescribed information for this election, the Branch has requested that this election for an Alternative Representative (E2025/132) and the pending election E2025/125 be conducted simultaneously. I agree that this approach would be an efficient use of resources and I strongly encourage the AEC accommodate this request if possible.



DELEGATE OF THE GENERAL MANAGER

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PR790614



## New South Wales Teachers Federation

a branch of the Australian Education Union  
AEU NSW Teachers Federation Branch ABN 86 600 150 697



13 August 2025

In reply please quote:GS648/2025/MS/ks

Mr Murray Furlong  
General Manager  
Fair Work Commission  
GPO Box 1994  
Melbourne VIC 3001

Via email: regorgs@fwc.gov.au

Dear Murray

**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, Mel Smith, being the Deputy Secretary (Operations) of the Australian Education Union NSW Teachers Federation Branch, designated by the Branch Secretary to perform the duties of the Branch Secretary in their absence (Rule 23(2)(b)), make the following statement:

1. I am authorised to sign this statement containing prescribed information for Australian Education Union NSW Teachers Federation Branch
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The election that is required is set out in the table in Annexure A. This position has occurred as a result of a by-election for a professional officer. The by-election took place in March and Councillor, Melissa O'Meara, was elected unopposed per election outcome letter (attached) from Federation's Returning Officer, Mr Neale Dawson.  
In line with Rule 26(7) Ms O'Meara was then deemed to be on leave from her Councillor position, and an alternate representative to be elected (Rule 26(8)(c)).
4. There was previously a member (Lorna Grear) elected to an alternate councillor position. As per Rule 26(8)(e)), this position was ceased when the previous professional officer resigned their position and resumed their councillor position. Federation provided a notice of change to Fair Work in relation to this update on Monday 10 March 2025, and it is attached for your reference.
5. No rule alterations are pending that will impact the election.
6. This statement **IS NOT** lodged at least 2 months before nominations open for the election(s) in Annexure A. The reason it is lodged after the prescribed time is because we would like the position to be filled at the same time as E2025/125; this position was missed at the time of the original Prescribed Information.
7. The rule number(s) that specify(ies) the process for election of Alternate Councillors is 36(7). Alternative association representatives and alternative representatives of members on the ATSI Members' Roll, as the case may be, the number of which, if any, is determined by the Returning Officer in consultation with the association, group of associations or members on the ATSI Members' Roll.

Yours sincerely

**Mel Smith**  
**Deputy Secretary (Operations)**

BRANCH	NAME OF OFFICE	FINANCIAL MEMBERS	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
NSW	Alternate Branch Council Representative - TAFE	2535	1	Direct voting system	Vacancy	Members of the association