



Fair Work
Commission

DECISION

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

Australian Education Union
(E2025/140)

MR STEENSON

SYDNEY, 18 SEPTEMBER 2025

Arrangement for conduct of election.

[1] On 28 August 2025 the Victorian Branch (**Branch**) of the Australian Education Union (**organisation**) lodged with the Fair Work Commission prescribed information for an election to fill the following offices for a new term of office:

Delegates to Branch Conference from the following:

Early Childhood Sector

<u>Region</u>	<u>Number of Delegates</u>
South East	22
North West	18
Goulburn	2
Barwon	4
Gippsland	3
Loddon	4
Central Highlands Wimmera	3

Primary Sector and Primary Allied Staff Sub-Sector

<u>Region</u>	
Geelong	17
Colac	2
Hamilton/Portland	2
Warrnambool	5
Ballarat	10
Stawell	2
Horsham	2
Benalla	2

Seymour	4
Kyabram	1
Shepparton	4
Wodonga	3
Wangaratta	3
South Gippsland	5
West Gippsland	4
La Trobe Valley	7
East Gippsland	3
Sale	3
Bendigo	8
Castlemaine/Kyneton	4
Maryborough	1
Bendigo/Echuca	3
Swan Hill	2
Mildura	4
Inner City	13
Latrobe/Plenty	15
Diamond Valley	6
Werribee	19
Inner West	15
Maribyrnong	13
Broadmeadows	15
Sunbury	4
Melton	11
Greater Waverley	12
Inner East	7
Doncaster/Warringal	12
Outer Eastern	10
Knox/Dandenong Ranges	10
Yarra Valley	2
South Eastern	8
Berwick/Pakenham	13
Cranbourne	12
Longbeach/Moorabbin/Prahran	22
Frankston	9
Peninsula	7
Primary Allied Staff Sub-Sector	101

Secondary Sector and Secondary Allied Staff Sub-Sector

<u>Region</u>	
Geelong	11
Colac	1
Hamilton/Portland	2
Warrnambool	4

Ballarat	7
Stawell	1
Horsham	3
Benalla	2
Seymour	3
Kyabram	1
Shepparton	3
Wodonga	4
Wangaratta	3
South Gippsland	4
West Gippsland	3
LaTrobe Valley	2
East Gippsland	2
Sale	2
Bendigo	6
Castlemaine/Kyneton	2
Maryborough	1
Bendigo/Echuca	2
Swan Hill	1
Mildura	4
Inner City	19
Latrobe/Plenty	12
Diamond Valley	5
Werribee	14
Inner West	12
Maribyrnong	12
Broadmeadows	9
Sunbury	3
Melton	7
Greater Waverley	11
Inner East	6
Doncaster/Warringal	10
Outer Eastern	7
Knox/Dandenong Ranges	7
Yarra Valley	1
South Eastern	7
Berwick/Pakenham	13
Cranbourne	5
Longbeach/Moorabbin/Prahran	18
Frankston	6
Peninsula	5
Secondary Allied Staff Sub-Sector	58

TAFE and Adult Provision Sector

TAFE Institutes Sub-Sector

Federation TAFE – Federation University Australia	1
Bendigo Kangan Institute	5
Box Hill Institute	4
Chisholm Institute of TAFE	5
TAFE Gippsland	2
The Gordon Institute of TAFE (The Gordon)	3
Goulburn Ovens Institute of TAFE	1
Holmesglen Institute of TAFE	2
Melbourne Polytechnic	5
RMIT	1
South West Institute of TAFE	1
Sunraysia Institute of TAFE	1
Swinburne University of Technology (TAFE Division)	1
Victoria University (TAFE Division)	3
William Angliss Institute of TAFE	1
Wodonga Institute of TAFE (Wodonga TAFE)	1
Disability Services Sub-Sector	8
AMES Sub-Sector	1

[2] During the assessment of the prescribed information for this election, Commission staff queried the Branch's interpretation of the rules for calculating the number of delegates for each region within the Sectors. Subrules 4(a)(ii) and 4(b)(ii)¹ indicate that, for the Early Childhood Sector and the Primary and Secondary Sectors, the total financial membership of the Sector shall be divided by 50 and the result rounded off to the nearest whole number. Subrules 4(a)(iii) and 4(b)(iii) then specify (for those respective sectors) that, having regard to the result obtained under the previous subrule, the Sector Council shall determine the number of delegates to be elected from each region or group of regions ensuring that the number of delegates is in proportion to the number of members in the region or group of regions.

[3] The Branch Secretary indicated, via email dated 17 September 2025, that the number of delegates for each region was obtained by dividing the number of members in each region by 50 and rounding to the nearest whole number. However, this is not strictly what the abovementioned sub-rules outline. It is open to interpretation as to how the delegates are proportionally divided amongst each region, and can in some instances, lead to a different total number of delegates than the number obtained using the calculation in subrules 4(a)(ii) and 4(b)(ii) in relation to the total membership number of the Sector – for example because of rounding up or down to a whole number. This is particularly so when subrules 4(a)(iii) and 4(b)(iii) allow a degree of discretion to the relevant Sector Councils.

[4] The Branch has indicated that the method that it used – i.e. dividing the number of members in each region by 50, in the same way that rules 4(a)(ii) and 4(a)(iii) require for the each sector as a whole – is the method that it routinely uses. In those circumstances, I recommend that the Branch consider giving formal effect to this by amending the rules to provide clarity that that is the process used. If the Branch intends for the number of delegates

¹ Rulebook R2025/117, Victorian Branch rules.

in each *region* (not just the whole of the sector, which is what the rules require) to be calculated by dividing by the number of members in the region by 50 and rounding to the nearest whole number, the rules should reflect this.

[5] I also note the last election for these offices (being **E2024/140**) was only completed in June 2025, with the election process being conducted over several months. The Australian Electoral Commission (AEC) declaration from that election shows that a significant number of offices were not filled due to no nominations being received. However, as the terms for those offices are only one year,² another scheduled election (being the election that this Decision relates to) is due to commence in early 2026. Given the length and frequency of the election cycle, and the number of offices not filled during previous elections, the Branch is also requested to consider whether an amendment to its rules – such as to the length of the term of office – may remedy this issue, which is currently faced each year.

[6] 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 AEC.



DELEGATE OF THE GENERAL MANAGER

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² Rulebook R2025/117, Victorian Branch rule 51(1).



28 August 2025

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

via email 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

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 election that is required is Election of Delegates to Branch Conference 2026 (AEU Vic Branch Rule 51).
4. Reason for the Election – Scheduled election. Pursuant to Rule 51 (1), the Delegates to the Branch Conference take office on the declaration of his or her election and hold office for one year or until his or her successor takes office.
5. No rule alterations are pending that will impact the election.
6. This statement is lodged at least 2 months before nominations open for the election as set out in the table in Annexure A.
7. **Voting system and number of positions**

The voting system to be employed in the conduct of the elections is a direct voting system by and from the financial members of the relevant Sectors or Sub-Sectors.

Pursuant to AEU Vic Branch rules 4(2) and 4(3), the financial branch and sector membership numbers as at 30 June 2025 will determine the number of persons elected as Delegates to Branch Conference. The number of positions to be elected is set out at Annexure A:

- Part 1 - Number of financial members as at 30 June 2025 by Sectors or Sub-Sectors; and number of 2026 Annual Conference Delegates;
- Part 2 - Calculations of delegate entitlements as per AEU Vic Branch rule 4(2);

8. Electorate

AEU Vic Branch rule 4(1) – *Branch Conference Composition* sets out the various electorates:

- (1) The Branch Conference shall consist of:
- (a) the members of the Branch Council;
 - (b) delegates elected by and from the financial members of the Early Childhood Sector in a region or group of regions;
 - (c) delegates elected by and from the financial members of the Primary Sector in each region **who are not members of the Primary Allied Staff Sub-Sector**;
 - (d) delegates elected by and from the financial members of the Primary Allied Staff Sub-Sector;
 - (e) delegates elected by and from financial members of the Secondary Sector in each region **who are not members of the Secondary Allied Staff Sub-Sector**;
 - (f) delegates elected by and from the financial members of the Secondary Allied Staff Sub-Sector;
 - (g) delegates elected by and from financial members of the TAFE Sub-Sector;
 - (h) delegates elected by and from all financial members of the Disability Services Sub-Sector; and
 - (i) delegates elected by and from all financial members of the Adult Migrant Education Service (AMES) Sub-Sector.

9. Important Dates

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 Rule 51 – *Election of Delegates to Branch Conference*.

The timetable as set out below is recommended to the Returning Officer, for consideration.

	Direct Voting System
Nominations OPEN	<i>It is recommended that nominations open on 4 February 2026</i>
Nominations CLOSE	<i>It is recommended that nominations close on 4 March 2026</i>
Roll of Voters cut - off date	<i>7 days prior to nominations opening [rule 57(2A)]</i>
Ballot (if required) OPEN	<i>It is recommended that the ballot open on 30 March 2026, if required.</i>
Ballot CLOSE	<i>It is recommended that the ballot close on 30 April 2026</i>

Yours sincerely



Erin Aulich
Branch Secretary
AEU Victorian Branch

ANNEXURE A- PART 1 - AEU VIC BRANCH FINANCIAL MEMBERSHIP AS AT 30 JUNE 2025 BY SECTOR

2026 ANNUAL CONFERENCE DELEGATES

SECTOR	NUMBER OF MEMBERS	NUMBER OF DELEGATES**
Early Childhood	2766 DIVIDED BY 50	56
Primary	16677 DIVIDED BY 50	336
Primary Allied Staff Sub Sector	5042 DIVIDED BY 50	101
Secondary	13131 DIVIDED BY 50	264
Secondary Allied Staff Sub-Sector	2911 DIVIDED BY 50	58
TAFE & Adult Provision		
TAFE Sub-sector	1870 DIVIDED BY 50	37
Disability Sub-Sector	383 DIVIDED BY 50	8
AMES Sub-Sector	22 DIVIDED BY 50	1

Notes

**The number of delegates to be elected has been determined pursuant to AEU Victorian Branch sub-rule 4(2)(a)(b) and (c).

ANNEXURE A - PART 2 - CALCULATIONS OF DELEGATE ENTITLEMENTS AS PER AEU VIC BRANCH RULE 4(2)

EARLY CHILDHOOD SECTOR

GROUP OF REGIONS	NUMBER OF MEMBERS	NUMBER OF DELEGATES
SOUTH EAST		
GREATER WAVERLEY	126	
INNER EAST	76	
DONCASTER/WARRINGAL	119	
OUTER EASTERN	120	
KNOX/DANDENONG RANGES	113	
YARRA VALLEY	10	
SOUTH EASTERN	67	
BERWICK/PAKENHAM	112	
CRANBOURNE	35	
LONGBEACH/MOORABBIN/PRAHRAN	187	
FRANKSTON	67	
PENINSULA	74	
SOUTH EAST TOTALS	1106	22
NORTH WEST		
INNER CITY	148	
LATROBE/PLENTY	126	
DIAMOND VALLEY	37	
WERRIBEE	134	
INNER WEST	124	
MARIBYRNONG	135	
BROADMEADOWS	112	
SUNBURY	43	
MELTON	54	
NORTH WEST TOTALS	913	18
GOULBURN		
BENALLA	16	
SEYMOUR	18	
SHEPPARTON	25	
WODONGA	11	
WANGARATTA	13	
GOULBURN TOTALS	83	2
BARWON		
GEELONG	151	
COLAC	15	
HAMILTON/PORTLAND	11	
WARRNAMBOOL	39	
BARWON TOTALS	216	4

GROUP OF REGIONS	NUMBER OF MEMBERS	NUMBER OF DELEGATES
GIPPSLAND		
SOUTH GIPPSLAND	39	
WEST GIPPSLAND	19	
LA TROBE VALLEY	45	
EAST GIPPSLAND	23	
SALE	15	
GIPPSLAND TOTALS	141	3
LODDON		
BENDIGO	48	
CASTLEMAINE/KYNETON	36	
MARYBOROUGH	14	
BENDIGO/ECHUCA	27	
SWAN HILL	6	
MILDURA	44	
LODDON TOTALS	175	4
CENTRAL HIGHLANDS WIMMERA		
BALLARAT	80	
STAWELL	8	
HORSHAM	44	
CENTRAL HIGHLANDS WIMMERA TOTALS	132	3
EARLY CHILDHOOD SECTOR TOTALS	2766	56

**ANNEXURE A - PART 2 - CALCULATIONS OF DELEGATE ENTITLEMENTS AS PER AEU VIC BRANCH RULE 4(2)
PRIMARY SECTOR AND PRIMARY ALLIED STAFF SUB-SECTOR**

REGION	NUMBER OF MEMBERS	NUMBER OF DELEGATES
GEELONG	831	17
COLAC	84	2
HAMILTON/PORTLAND	123	2
WARRNAMBOOL	241	5
BALLARAT	475	10
STAWELL	80	2
HORSHAM	102	2
BENALLA	83	2
SEYMOUR	212	4
KYABRAM	46	1
SHEPPARTON	202	4
WODONGA	170	3
WANGARATTA	151	3
SOUTH GIPPSLAND	241	5
WEST GIPPSLAND	197	4
LA TROBE VALLEY	326	7
EAST GIPPSLAND	147	3
SALE	160	3
BENDIGO	386	8
CASTLEMAINE/KYNETON	186	4
MARYBOROUGH	48	1
BENDIGO/ECHUCA	136	3
SWAN HILL	91	2
MILDURA	222	4
INNER CITY	659	13
LATROBE / PLENTY	754	15
DIAMOND VALLEY	318	6
WERRIBEE	942	19
INNER WEST	748	15
MARIBYRNONG	635	13
BROADMEADOWS	726	15
SUNBURY	196	4
MELTON	536	11
GREATER WAVERLEY	611	12
INNER EAST	334	7
DONCASTER/WARRINGAL	590	12
OUTER EASTERN	521	10
KNOX/DANDENONG RANGES	514	10
YARRA VALLEY	100	2
SOUTH EASTERN	420	8
BERWICK/PAKENHAM	674	13
CRANBOURNE	591	12
LONGBEACH/MOORABBIN/PRAHRAN	1082	22
FRANKSTON	426	9
PENINSULA	360	7
TOTAL PRIMARY SECTOR	16677	336
TOTAL PRIMARY ALLIED SUB-SECTOR	5042	101

**ANNEXURE A - PART 2 - CALCULATIONS OF DELEGATE ENTITLEMENTS AS PER AEU VIC BRANCH RULE 4(2)
SECONDARY SECTOR AND SECONDARY ALLIED STAFF SUB-SECTOR**

REGION	NUMBER OF MEMBERS	NUMBER OF DELEGATES
GEELONG	563	11
COLAC	68	1
HAMILTON/PORTLAND	80	2
WARRNAMBOOL	195	4
BALLARAT	328	7
STAWELL	42	1
HORSHAM	158	3
BENALLA	86	2
SEYMOUR	143	3
KYABRAM	32	1
SHEPPARTON	171	3
WODONGA	178	4
WANGARATTA	140	3
SOUTH GIPPSLAND	201	4
WEST GIPPSLAND	151	3
LA TROBE VALLEY	174	3
EAST GIPPSLAND	120	2
SALE	94	2
BENDIGO	302	6
CASTLEMAINE/KYNETON	103	2
MARYBOROUGH	41	1
BENDIGO/ECHUCA	81	2
SWAN HILL	60	1
MILDURA	199	4
INNER CITY	927	19
LATROBE / PLENTY	619	12
DIAMOND VALLEY	258	5
WERRIBEE	678	14
INNER WEST	608	12
MARIBYRNONG	590	12
BROADMEADOWS	465	9
SUNBURY	138	3
MELTON	357	7
GREATER WAVERLEY	553	11
INNER EAST	299	6
DONCASTER/WARRINGAL	478	10
OUTER EASTERN	360	7
KNOX/DANDENONG RANGES	346	7
YARRA VALLEY	61	1
SOUTH EASTERN	328	7
BERWICK/PAKENHAM	627	13
CRANBOURNE	254	5
LONGBEACH/MOORABBIN/PRAHRAN	919	18
FRANKSTON	311	6
PENINSULA	245	5
TOTAL SECONDARY SECTOR	13131	264
TOTAL SECONDARY ALLIED SUB-SECTOR	2911	58

ANNEXURE A - PART 2 - CALCULATIONS OF DELEGATE ENTITLEMENTS AS PER AEU VIC BRANCH RULE 4(2)

TAFE AND ADULT PROVISION SECTOR

TAFE INSTITUTES SUB-SECTOR	NO. OF MEMBERS	NO. OF DELEGATES
Federation TAFE - Federation University Australia	72	1
Bendigo Kangan Institute	258	5
Box Hill Institute	179	4
Chisholm Institute of TAFE	226	5
TAFE Gippsland	79	2
The Gordon Institute of TAFE (The Gordon)	159	3
Goulburn Ovens Institute of TAFE	62	1
Holmesglen Institute of TAFE	116	2
Melbourne Polytechnic	245	5
RMIT	69	1
South West Institute of TAFE	59	1
Sunraysia Institute of TAFE	43	1
Swinburne University of Technology (TAFE Division)	34	1
Victoria University (TAFE Division)	152	3
William Angliss Institute of TAFE	58	1
Wodonga Institute of TAFE (Wodonga TAFE)	59	1
TOTAL	1870	37
DISABILITY SERVICES SUB-SECTOR	383	8
Disability Services Sub-Sector TOTALS	383	8
AMES SUB-SECTOR	22	1
AMES Sub-Sector TOTALS	22	1