MOLONEY, Carolyn

Subject:

FW: Post-Election Report and Declaration - AMIEU Qld Branch Elections - E2013/185

[DLM=For-Official-Use-Only]

Attachments:

Scanned Signed Post Election Report - E2013-185.pdf; Scanned Signed Uncontested

Declaration.pdf

From: Mark Townsend [mailto:Mark.Townsend@aec.gov.au]

Sent: Tuesday, 6 August 2013 12:09 PM **To:** industrial.elections@fwc.gov.au

Cc: Industrial Elections; Brian Crawford (Secretary) (brian@amieugld.asn.au); elliott@amieugld.asn.au

Subject: Post-Election Report and Declaration - AMIEU Qld Branch Elections - E2013/185 [DLM=For-Official-Use-

Only]

For-Official-Use-Only

Dear Brian

Post-Election Report

Australasian Meat Industry Employees' Union – Queensland Branch Elections - E2013/136

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 requires that if an organisation or branch is given a post-election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post-election report and the organisation's response to the report (if applicable) available to members.

Further, Regulation 141(4) of the Fair Work (Registered Organisations) Regulations requires an organisation or branch to publish a notice on its web site advising members that a copy of the post-election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report

Mark Townsend

Mark Townsend Senior Returning Officer - Industrial & Commercial Elections Queensland State Office Support Team Australian Electoral Commission GPO Box 2590 BRISBANE Qld 4001

T: 07 3834 3412 | M: 0401 140 672 | F: 07 3834 3469



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Australian Electoral Commission AEC

Fair Work (Registered Organisations) Act 2009 POST ELECTION REPORT

The Australasian Meat Industry Employees' Union Queensland Branch Elections

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:

E2013/185

RULES

Rules used for the election:

007V: incorporates alterations of 18/12/2012 certified in

R2012/166

Rules difficult to apply/interpret:

None

Model Rule reference (if any):

N/A

ROLL OF VOTERS

As there were no contested offices, the Roll of Voters was not required for this election.

IRREGULARITIES

Details of written allegations of irregularities and action taken by AEC:

Nil

Other irregularities identified, and action taken:

Nil

ATTACHMENTS

Declaration of Results for Uncontested Offices - dated 6 August 2013

Mark Townsend Returning Officer

August 2013

Australian Electoral Commission AEC

Fair Work (Registered Organisations) Act 2009 POST ELECTION REPORT

The Australasian Meat Industry Employees' Union Queensland Branch Elections

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:

E2013/185

RULES

Rules used for the election:

007V: incorporates alterations of 18/12/2012 certified in

R2012/166

Rules difficult to apply/interpret:

None

Model Rule reference (if any):

N/A

ROLL OF VOTERS

As there were no contested offices, the Roll of Voters was not required for this election.

IRREGULARITIES

Details of written allegations of irregularities and action taken by AEC:

Nil

Other irregularities identified, and action taken:

Nil

ATTACHMENTS

Declaration of Results for Uncontested Offices - dated 6 August 2013

Mark Townsend Returning Officer

August 2013

- The Australasian Meat Industry Employees Union Scheduled Qld Branch Elections 2013 E2013/185

Declaration of Results for Uncontested Offices

E2013/185

Below are 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.

Queensland Branch

Branch President

Candidates

HASLEM, Keith

Branch Vice-President

Candidates

WESTON, Ronald Charles

Branch Secretary

Candidates

CRAWFORD, Brian

Assistant Branch Secretary

Candidates

JOURNEAUX, Matthew

Branch Treasurer

<u>Candidates</u>

AINSWORTH, Michael Raymond

Branch Delegate to Federal Council (2)

Candidates

JOURNEAUX, Matthew NORRIS. Lee

Southern Region

Representative to Branch Committee of Management (6)

Candidates

ALLEN, Kristine BATESON, Mary BELL, Tori Jane MCKEY, Darryl PHILLIPS, David PRANGE, Kim

Central Region

Representative to Branch Committee of Management (3)

<u>Candidates</u>

DE GIT, Glen MEIERS, Noel Brian SEXTON, Greville Francis

Northern Region

Representative to Branch Committee of Management (3)

Candidates

BRUNJES, Fred KEMP, Neil John KERLE, Tiffany

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

Mark Townsend Returning Officer

6 August 2013



6



12 June 2013

Mr Brian Crawford **Branch Secretary** Queensland Branch The Australasian Meat Industry Employees Union Level 1, 39 Lytton Road **EAST BRISBANE QLD 4169**

Dear Mr Crawford

Arrangements for the conduct of an Election (E2013/185)

Further to your correspondence on 6 June 2013, a copy of the amending decision in relation to the above matter is enclosed.

Fair Work Commission is making arrangements, under subsections 189(3) of the Fair Work (Registered Organisations) Act 2009, with the Electoral Commissioner for the conduct of the above election by the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

Carolyn Moloney

Regulatory Compliance Branch, NSW

for Fair Work Commission

Email: sydney@fwc.gov.au



DECISION

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

The Australasian Meat Industry Employees' Union (E2013/185)

CHRIS ENRIGHT

MELBOURNE, 11 JUNE 2013

(2)

Arrangement for conduct of election - amending decision.

Branch Delegate to Federal Council

- [1] On 23 May 2013 the Delegate of the General Manager issued a Decision for the conduct of an election for offices of the Queensland Branch of The Australasian Meat Industry Employees Union ([2013] FWCD 3255 [PR537177]).
- [2] On 6 June 2013 the Fair Work Commission received notification from the Queensland Branch of the abovenamed organisation advising that the offices listed in the Decision issued on 23 May 2013 were incorrect. The offices listed in the Decision issued on 23 May 2013 did not correspond to the offices listed in the prescribed information which was lodged with the application.
- [3] Accordingly, the Decision of 23 May 2013 requires amending by replacing the list of offices in that Decision with the list of offices named below:

Committee of Management **Branch President** (1)Branch Vice President (1) **Branch Secretary** (1) Assistant Branch Secretary (1) Branch Treasurer (1)Branch Committee of Management Representatives from the following Regions: Southern Region (6)Central Region (3) Northern Region (3)

[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 FAIR WORK COMMISSION

Printed by authority of the Commonwealth Government Printer

<Price code A, PR537670>

MOLONEY, Carolyn

From:

MOLONEY, Carolyn

Sent:

Wednesday, 12 June 2013 4:01 PM

To:

'Industrial Elections'

Subject:

E2013/185

Attachments:

E2013_185 AMIEU QLD_SIGNED AMENDING DECISION_11062013.pdf; E2013_185

AMIEU QLD_Amending decision letter to AEC_12062013.pdf

Dear AEC

Please find attached a copy of an amending Decision for the Queensland Branch of the AMIEU for its upcoming election (E2013/185).

Please note that this Decision replaces the Decision issued on 23 May 2013 for this election, as the Decision issued on 23 May 2013 was incorrect.

Kind regards,

CAROLYN MOLONEY

Assistant Adviser Regulatory Compliance Branch

Fair Work Commission

Tel: 02 8374 6510 Fax: 02 9380 6990

carolyn.moloney@fwc.gov.au

Level 8, Terrace Tower, 80 William Street East Sydney NSW 2011

www.fwc.gov.au

Please be aware that my email address has changed to <u>carolyn.moloney@fwc.gov.au</u> effective 1 January 2013. Please update your records accordingly.

From: MOLONEY, Carolyn

Sent: Thursday, 23 May 2013 4:44 PM

To: 'Industrial Elections' **Subject:** E2013/185

Dear AEC

Please find attached a copy of the Decision for the Queensland Branch of the AMIEU for its upcoming election (E2013/185).

Kind regards,

CAROLYN MOLONEY

Assistant Adviser Regulatory Compliance Branch

Fair Work Commission

Tel: 02 8374 6510 Fax: 02 9380 6990

carolyn.moloney@fwc.gov.au

Level 8, Terrace Tower, 80 William Street East Sydney NSW 2011

www.fwc.gov.au

Please be aware that my email address has changed to <u>carolyn.moloney@fwc.gov.au</u> effective 1 January 2013. Please update your records accordingly.

12 June 2013



Electoral Commissioner Through

Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2013/185

RE: THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES UNION -QUEENSLAND BRANCH

Positions:

See amending Decision, dated 11 June 2013

Relevant Information:

Scheduled quadrennial Branch election.

Contact:

Brian Crawford, Branch Secretary, Queensland Branch, The

Australasian Meat Industry Employees Union

Phone:

(02) 3217 3766

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au

Carolyn Moloney

Assistant Adviser

Fair Work Commission

MOLONEY, Carolyn

From:

Elliott Dalgleish [Elliott@amieuqld.asn.au]

Sent:

Thursday, 6 June 2013 11:43 AM VALE, David; MOLONEY, Carolyn

To: Cc:

Mark Townsend; Brian Crawford (Secretary); Lee Norris

Subject:

FW: Change of AMIEU Elected Positions from PI to FWC Decision [DLM=For-Official-

Use-Only]

Attachments:

AMIEU QLD E2013_185 lodged 20052013.pdf; E2013_185 AMIEU QLD_Signed

Decision_23052013.pdf; E2013185scanoffile23052013.pdf

Good morning Carolyn (& David)

Thank you Carolyn for taking my call today. See attached documents.

As discussed, the notification from the AMIEU Branch Secretary is correct and the decision (E2013/185) paragraph 1 is incorrect and will need to be amended. That is, the prescribed information in relation to the election for officer bearers.

Please note, Mr Townsend (AEC) has been included in this email. His email to the union is listed below for your reference.

I look forward to hearing from you.

Kind regards

ELLIOTT DALGLEISH

Industrial Officer

AMIEU Queensland Branch

Australasian Meat Industry Employees' Union

Tel:

(07) 3217 3766 (07) 3217 4462

Fax:

0419 999 808 Mob:

Email: elliott@amieugld.asn.au

Level 1, 39 Lytton Road, East Brisbane QLD 4169

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From: Mark Townsend [mailto:Mark.Townsend@aec.gov.au]

Sent: Thursday, 6 June 2013 11:08 AM

To: Elliott Dalgleish Cc: Paul Davis

Subject: Change of AMIEU Elected Positions from PI to FWC Decision [DLM=For-Official-Use-Only]

For-Official-Use-Only

Hi Elliott,

As discussed, there has been a substantial change between the AMIEU's Prescribed information requesting elections be held for the Qld Branch and what FWC has issued in their Decision.

I have attached the PI and Decision for you to compare.

Could you please investigate and let me know if FWC's Decision is correct or if the AMIEU intends to seek an amendment to the Decision.

For you information, the Decision is the legal authority for the AEC to conduct the election for those only offices listed in the Decision.

Regards.

Mark Townsend

Mark Townsend Senior Returning Officer - Industrial & Commercial Elections Queensland State Office Support Team Australian Electoral Commission GPO Box 2590 BRISBANE Qld 4001

T: 07 3834 3412 | M: 0401 140 672 | F: 07 3834 3469



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23 May 2013

Mr Brian Crawford **Branch Secretary** Queensland Branch The Australasian Meat Industry Employees Union Level 1, 39 Lytton Road EAST BRISBANE QLD 4169

Dear Mr Crawford

Arrangements for the conduct of an Election (E2013/185)

I acknowledge receipt of your prescribed information in relation to the scheduled quadrennial election of the Queensland Branch of The Australasian Meat Industry Employees Union.

Section 189(2) of the Fair Work (Registered Organisations) Act 2009 states that prescribed information must be lodged before the prescribed day, which under regulation 138(3) of the Fair Work (Registered Organisations) Regulations 2009 is two months before the first day when a person may become a candidate. Paragraph (e)(i) of the prescribed information states that nominations are scheduled to open on 19 July 2013. Accordingly, the prescribed day for this election is 2 months prior to 19 July 2013, which is 19 May 2013.

In this instance, given the very brief period with which the lodgment was later than the prescribed day, the Delegate of the General Manager of the Fair Work Commission has granted the election without requesting an extension of time. However, since s.189(2) is a civil penalty provision. I respectfully request that future prescribed information for elections be lodged before the prescribed day.

A copy of the decision in relation to the above matter is enclosed.

Fair Work Commission is making arrangements, under subsections 189(3) of the Fair Work (Registered Organisations) Act 2009, with the Electoral Commissioner for the conduct of the above election by the Australian Electoral Commission, who will contact you in the near future about the election.

Yours sincerely

Carolyn Moloney

Regulatory Compliance Branch, NSW

for Fair Work Commission

Terrace Towers East Sydney NSW 2011

Telephone: (02) 8374 6666 80 William Street International: (612) 8374 6666 Facsimile: (02) 9380 6990

Email: sydney@fwc.gov.au



DECISION

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

The Australasian Meat Industry Employees' Union (E2013/185)

AILSA CARRUTHERS

MELBOURNE, 23 MAY 2013

Arrangement for conduct of election.

Committee Member

[1] On 20 May 2013 the Queensland Branch of The Australasian Meat Industry Employees' Union lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Federal Council Delegate	(2)
Branch Committee of Management	
President	(1)
Vice-President	(2)
Secretary-Treasurer	(1)
Organiser	(5)

[2] Section 189(2) of the Fair Work (Registered Organisations) Act 2009 states that prescribed information must be lodged before the prescribed day, which under regulation 138(3) of the Fair Work (Registered Organisations) Regulations 2009 is two months before the first day when a person may become a candidate. Paragraph (e)(i) of the prescribed information states that nominations are scheduled to open on 19 July 2013. Accordingly, the prescribed day is 2 months prior to 19 July 2013, which on this occasion is 19 May 2013.

(12)

- [3] Since s.189(2) is a civil penalty provision, I would usually require a written request for an extension of time, providing reasons for the delay in lodgement, if the prescribed information was not lodged before the prescribed day. However, considering that in this instance the lodgement was only one day later than the prescribed day, and that the prescribed information was dated before the prescribed day, I will not in the circumstances, require a written request for an extension of time.
- [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 FAIR WORK COMMISSION

Printed by authority of the Commonwealth Government Printer

<Price code A, PR537177>

MOLONEY, Carolyn

From:

MOLONEY, Carolyn

Sent:

Thursday, 23 May 2013 4:44 PM

To:

'Industrial Elections'

Subject: Attachments:

E2013/185 E2013_185 AMIEU QLD_letter to AEC_23052013.pdf; E2013_185 AMIEU QLD_Signed

Decision_23052013.pdf

Dear AEC

Please find attached a copy of the Decision for the Queensland Branch of the AMIEU for its upcoming election (E2013/185).

Kind regards,

CAROLYN MOLONEY

Assistant Adviser Regulatory Compliance Branch

Fair Work Commission

Tel: 02 8374 6510 Fax: 02 9380 6990

carolyn.moloney@fwc.gov.au

Level 8, Terrace Tower, 80 William Street East Sydney NSW 2011

www.fwc.gov.au

Please be aware that my email address has changed to <u>carolyn.moloney@fwc.gov.au</u> effective 1 January 2013. Please update your records accordingly.

23 May 2013



Electoral Commissioner Through

Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2013/185

RE: THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES UNION - QUEENSLAND BRANCH

Positions:

See Decision

Relevant Information:

Scheduled quadrennial Branch election.

Contact:

Brian Crawford, Branch Secretary, Queensland Branch, The

Australasian Meat Industry Employees Union

Phone:

(02) 3217 3766

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwa.gov.au

Carolyn Moloney

Assistant Adviser

Fair Work Commission

Email: sydney@fwc.gov.au

VALE, David

From:

VALE, David

Sent:

Monday, 20 May 2013 10:19 AM 'Industrial Elections'

To:

Subject:

E2013/185

Attachments:

AMIEU QLD E2013_185 lodged 20052013.pdf; AMIEU 007V R2012_166 18122012.doc

Dear AEC

Please find the prescribed information and a copy of the current rulebook of the AMIEU in election number E2013/185.

Yours sincerely

DAVID VALE

Principal Adviser, Regulatory Compliance Branch, NSW

Fair Work Commission

Tel: 02 8374 6509 Fax: 02 9380 6990 david.vale@fwc.gov.au

Please be aware that my email address has changed to david.vale@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

Level 8, Terrace Tower 80 William Street East Sydney NSW 2011

www.fwc.gov.au

THE AUSTRALASIAN MEAT INDUSTRY EMPLOYEES' UNION

(Queensland Branch)

ABN 68 929 349 791

The state of the s

Branch Secretary
BRIAN CRAWFORD

Level 1, 39 Lytton Road, East Brisbane Qld 4169, Australia

Telephone: (07) 3217 3766
Facsimile: (07) 3217 4462
Email: admin@amleuqld.asn.au
Website: http://qld.amleu.net

17 May 2013

The General Manager
Fair Work Commission
Level 8, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011

By email: orgs@fwc.gov.au

RECEIVED

RECEIVED

2 0 MAY 2013

FAIR WORK COMMISSION NEW SOUTH WALES

E E | WY

Dear Sir or Madam

Re: Lodgment of Prescribed Information for the Conduct of Election

I am writing on behalf of the Committee of Management of the Queensland Branch of the Australasian Meat Industry Employees' Union.

Please find below the prescribed information in respect of the quadrennial elections of the branch, which must be conducted in 2013. The information is as follows:

- (a) the name of each office or position for which an election is required, is as follows:
 - (i) Branch President
 - (ii) Branch Vice-President
 - (iii) Branch Secretary
 - (iv) Assistant Branch Secretary
 - (v) Branch Treasurer
 - (vi) Two (2) delegates to Federal Council
 - (vii) Representatives elected from the undermentioned Regions of the Branch;
 - a. Six representatives from the Southern Region;
 - b. Three representatives from the Central Region;
 - c. Three representatives from the Northern Region;

(b) in respect of each of the above offices, the reason for the election is that the term of the office is due to expire in the normal course of events

Regional Offices

- (c) The Rules of the AMIEU provide (at clause 47.13) that there are to be a total of 12 committee of management representatives, in addition to the named positions six from the Southern Region, three from the Central Region, and Three from the Northern Region. The Rules (clause 13.2.2) further specify that there are to be two Federal Council delegates elected by all of the members of the Queensland branch.
- (d) The electorate for each office is as follows:
 - (i) For each of the offices of Branch President, Branch Vice-President, Branch Secretary, Assistant Branch Secretary, Branch Treasurer, and Federal Council delegates, the electorate consists of the entire membership of the Queensland branch of the AMIEU [clause 47.14 of the AMIEU rules and clause 13.2.2].
 - (ii) For the six committee of management representatives from the Southern Region, the electorate comprises those members of the Union who are members of the Southern Region of the Queensland Branch of the AMIEU [see clause 47.14 and 47.16 of the AMIEU rules].
 - (iii) For the three committee of management representatives from the Central Region, the electorate comprises those members of the Union who are members of the Central Region of the Queensland Branch of the AMIEU [see clause 47.14 and 47.16 of the AMIEU rules].
 - (iv) For the three committee of management representatives from the Northern Region, the electorate comprises those members of the Union who are members of the Northern Region of the Queensland Branch of the AMIEU [see clause 47.14 and 47.16 of the AMIEU rules].
- (e) the date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation or branch in relation to the election

The Committee of Management has proposed the following timetable for the election of officers:

- (i) Opening (calling for) nominations: 19 July 2013
- (ii) Close of Nominations: 2 August 2013
- (f) the rules of the AMIEU do not specifically provide for the day on which the roll of voters is to be closed;
- (g) the kind of voting system to be used in the conduct of the election is a direct voting system

The above information is the information prescribed by Regulation 138 of the Fair Work (Registered Organisations) Regulation 2009, and is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

Yours faithfully,

BRIAN CRAWFORD SECRETARY

AMIEU QUEENSLAND BRANCH