



18 January 2016

Ms Gillian Robertson
Secretary
Australian Education Union-Victorian Branch

gillian.robertson@aeuvic.asn.au

Dear Ms Robertson,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/237]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe.

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Australian Education Union-Victorian Branch must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and
 - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Christine Hibberd
Regulatory Compliance Branch

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Ms Gillian Robertson
Branch Secretary
Australian Education Union
PO Box 363
ABBOTSFORD VIC 3067

**Post-Election Report For: Australian Education Union
Election E2015/237**

I refer to the above election for your organisation.

Section 197(1) of Schedule 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 Fair Work Commission 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 of Schedule 1 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) Act 2009 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.



Laura Leavy
Returning Officer
14 December 2015

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Education Union

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2015/237

RULES

Rules used for the election: 284V: Incorporates various alterations

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: Ballot not required

Number of apparent workplace addresses: Nil

Number of non-current addresses: Nil

Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

E2015-237 - Declaration



Laura Leavy
Returning Officer
14 December 2015

**Australian Education Union
Scheduled Election - Ordinary Members of Branch Council -
E2015/237**

Declaration of Results

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.

Early Childhood Sector

Ordinary Member of Branch Council (6)

Candidates

BUNDY, Sean
DAVIS, Gayle
DELLE-VERGIN, Ty
MURRAY, Ann
O'DWYER, Dianne
PATRICK, Sue

I declare Sean Bundy, Gayle Davis, Ty Delle-Vergin, Ann Murray, Dianne O'Dwyer and Sue Patrick elected.

TAFE and Adult Provision Sector

Ordinary Member of Branch Council (7)

Candidates

COLLINS, Mary
JONES, Craig
KIRBY, Susan
LACK, Ian
LAMBIE, Christine
MALONE, Peter
VAN LEEST, Barbara

I declare Mary Collins, Craig Jones, Susan Kirby, Ian Lack, Christine Lambie, Peter Malone and Barbara Van Leest elected.



Laura Leavy
Returning Officer
Australian Electoral Commission
7 December 2015



DECISION

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

Australian Education Union
(E2015/237)

MR ENRIGHT

MELBOURNE, 21 SEPTEMBER 2015

Arrangement for conduct of an election.

[1] On 3 September 2015 the Victorian Branch of the Australian Education Union lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Ordinary Members of Branch Council:

TAFE and Adult Provision Sector (7)
Early Childhood Sector (6)

[2] 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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AUSTRALIAN EDUCATION UNION

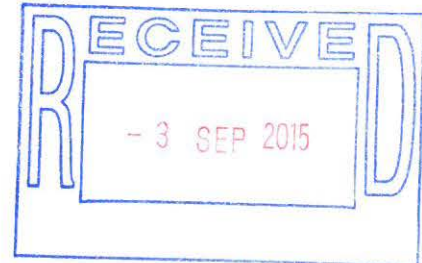
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31 August 2015

Ms Bernadette O'Neill
General Manager Fair Work Australia
GPO Box 1994
MELBOURNE VIC 3001



Dear Ms O'Neill

Re: **Australian Education Union Victorian Branch**

I, Gillian Robertson, Branch Secretary of the Australian Education Union Victorian Branch, am authorised to lodge the following prescribed information in relation to elections in the Australian Education Union Victorian Branch. The information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Regulations 2009

As the term of office of **ordinary members of Branch Council** from the TAFE and Adult Provision Sector and the Early Childhood Sector expires on 31 December 2015, elections are required to determine the holders of those offices for the years 2016 to 2018, inclusive. The numbers to be elected are specified in ATTACHMENT 1 and ATTACHMENT 2 and have been determined under Rule 8.

The date and times for the opening and closing of nominations are:

The dates and times for the opening and closing of nominations **will be determined by the Returning Officer from the Australian Electoral Commission** having regard to 48(5).

I would suggest the Returning Officer consider the following;

Early, TAFE & Adult Provision Sectors:

- | | |
|--------------------------------------|---|
| 23rd November 2015 | Nominations Open |
| 4th December 2015 | Nominations close during the various Sectors' Council Meetings to be held on Friday December 4, |
| 4th December 2015 | If a ballot is necessary it can be conducted at the Sector Council Meetings on Friday December 4. |

1. Roll of voters shall close:

In accordance with Rule 57 (2A), the roll of voters closes 7 days before the opening of nominations.

2. Voting system: Direct Method 48(5)

Members shall be elected by a secret ballot conducted at a meeting of members elect of the relevant sector council held immediately following the conclusion of the sector council elections for the purpose of conducting the election.

ATTACHMENT 1

TAFE and Adult Provision

Rule 8 (d) specifies that the number of persons representing the TAFE and Adult Provision Council on the Branch Council be determined by the formula:

$\frac{a}{b}$ where a = the number of TAFE and Adult Provision Sector Members (2,847)
where $b = \frac{x}{y}$

x = total membership of the Branch in the Primary and Secondary Sectors (42,678)
y = 100

$$\text{Therefore } \frac{42,678}{100} = 426.78 = b$$

$$\frac{a}{b} = \frac{2,847}{426.78} = 6.6708 \quad \text{rounded off to} \quad \mathbf{7}$$

ATTACHMENT 2

Early Childhood

Rule 8 (c) specifies that the number of persons representing the Early Childhood Sector on Branch Council be determined by the formula:

$\frac{a}{b}$ where a = the number of Early Childhood Sector Members (2,352)
where $b = \frac{x}{y}$

x = total membership of the Branch in the Primary and Secondary Sectors (42,678)
y = 100

$$\text{Therefore } \frac{42,678}{100} = 426.78 = b$$

$$\frac{a}{b} = \frac{2,352}{426.78} = 5.5110 \quad \text{rounded off to} \quad \mathbf{6}$$



Gillian Robertson
Branch Secretary