

**Australian Education Union
Branch Council - TAPS & Early Childhood**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2012/374

Early Childhood Sector

Ordinary Member of Branch Council (5)

Candidate

O'DWYER, Dianne

No further nominations were accepted

TAFE and Adult Provision Sector

Ordinary Member of Branch Council (10)

Candidates

CLARK, Stacey
CROWLEY, Caitlin
GILLESPIE, Elaine
HANNAH, Lyn
JONES, Craig
KIRBY, Susan
LACK, Ian
LAMBIE, Christine Mary
SMITH, Phillip Donald
ZANGMEISTER, Michael

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



Laura Leavy
Returning Officer

Mr Brian Henderson
Victorian Branch Secretary
Australian Education Union
PO Box 363
ABBOTSFORD VIC 3067

**Post Election Report For: Australian Education Union
Election E2012/374**

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 Fair Work Australia 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

17 December 2012

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Education Union

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2012/374

RULES

Rules used for the election: [284V: Incorporates alterations of 19/10/2012 - R2012/140]
(replaces 18/07/2012 version)

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: Nil

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

1. Uncontested Declaration

Laura Leavy
Returning Officer

17 December 2012



FAIR WORK
AUSTRALIA

DECISION

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

Australian Education Union
(E2012/374)

LINTON DUFFIN

MELBOURNE, 29 OCTOBER 2012

Arrangement for conduct of election.

[1] On 26 September 2012 the Victorian Branch of the Australian Education Union lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

Ordinary Members of Branch Council:

TAFE and Adult Provision Sector	(10)
Early Childhood Sector	(5)

[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
FAIR WORK AUSTRALIA

Printed by authority of the Commonwealth Government Printer

<Price code A, PR530520 >



AUSTRALIAN EDUCATION UNION

Victorian Branch

112 Trenerry Crescent Abbotsford 3067

PO Box 363 Abbotsford 3067

telephone: 03 9417 2822: 1800 013 379 fax: 03 9417 6198 web: www.aeuvic.asn.au email: melbourne@aeuvic.asn.au

24 September 2012

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, **Brian John Henderson, 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 2012, elections are required to determine the holders of those offices for the years 2013 to 2015, 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 2012 Nominations Open

7th December 2012 Nominations close during the various Sector Council Meetings to be held on Friday December 7,

7th December 2012 If a ballot is necessary it can be conducted at the Sector Council Meeting on Friday December 7.

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 (4,142)
where b = $\frac{x}{y}$

x = total membership of the Branch in the Primary and Secondary Sectors (42,085)
y = 100

$$\text{Therefore } \frac{42,085}{100} = 420.85 = b$$

$$\frac{a}{b} = \frac{4,142}{420.85} = 9.8419 \quad \text{rounded off to} \quad \mathbf{10}$$

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 (2079)
where b = $\frac{x}{y}$

x = total membership of the Branch in the Primary and Secondary Sectors (42,085)
y = 100

$$\text{Therefore } \frac{42,085}{100} = 420.85 = b$$

$$\frac{a}{b} = \frac{2079}{420.85} = 4.9400 \quad \text{rounded off to} \quad \mathbf{5}$$



Brian Henderson
Secretary