

**Australian Education Union
Branch Executive - Victorian Branch E2012/375**

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.

Early Childhood Sector

Ordinary Member of Branch Executive

Candidate

O'DWYER, Dianne

Primary Sector

Ordinary Member of Branch Executive (7)

Candidates

AULICH, Seona
BURTON, Tanya
COHEN, Daniel
LYLAK, Nicole
PONTIKIS, Mary-Anne
RENTON, Jennifer
TENSON, Katrina

Secondary Sector

Ordinary Member of Branch Executive (5)

Candidates

BUTLER, Michael
HUMPHRIES, Jessie Ann
KUMAR, Andrew
O'FLAHERTY, Maureen
STEANE, Valerie

TAFE and Adult Provision Sector

Ordinary Member of Branch Executive

Candidate

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 E2012/375**

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: E2012/375

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
(E2012/375)

LINTON DUFFIN

MELBOURNE, 29 OCTOBER 2012

Arrangement for conduct of election.

[1] On 23 October 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 Executive:

Primary Sector (7)
Secondary Sector (5)
Early Childhood Sector (1)
TAFE and Adult Provision Sector (1)

[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

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AUSTRALIAN EDUCATION UNION

Victorian Branch

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23 October 2012

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

Dear Ms O'Neill

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

1. **The offices and positions in respect of which an election is required are:**
Ordinary members of Branch Executive from all sectors.
2. **The reason for the elections:**
Consistent with Rule 49 (1), ordinary members of Branch Executive take office on 1 January following their election and hold office for one year or until their successors take office. The term of the current ordinary members is due to expire on 31 December 2012.
3. **The electorate:**
 - a) Seven ordinary members of Branch Executive elected by and from all ordinary members of Primary Sector Council
 - b) Five ordinary members of Branch Executive elected by and from all ordinary members of Secondary Sector Council
 - c) One ordinary member of Branch Executive elected by ordinary members of Early Childhood Sector Council from those councillors who are also ordinary members of Branch Council. Rule 11 (1) (b).
 - d) One ordinary member of Branch Executive elected by ordinary members of the TAFE & Adult Provision Sector Council from those councillors who are also ordinary members of Branch Council. Rule 11 (1) (b).

At the **TAFE and Adult Provision Sector Council** meeting to be held on **Friday 7 December 2012** it is proposed that the Australian Electoral Commission conducts a ballot pursuant to Rule 49 to fill **1** vacancy for **ordinary member of Branch Executive** from that sector.

At the **Early Childhood Sector Council** meeting to be held on **Friday December 7 2012** it is proposed that the Australian Electoral Commission conducts a ballot pursuant to Rule 49 to fill the **1** vacancy for **ordinary member of Branch Executive** from that sector.

At the **Primary Sector Council** meeting to be held on **Friday 7 December 2012** it is proposed that the Australian Electoral Commission conducts a ballot pursuant to Rule 49 to fill the **6** vacancies for **ordinary members of Branch Executive** from that sector.

At the **Secondary Sector Council** meeting to be held on **Friday 7 December 2012** it is proposed that the Australian Electoral Commission conducts a ballot pursuant to Rule 49 to fill the **5** vacancies for **ordinary members of Branch Executive** from that sector.

4. Roll of voters shall close:

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

5. Voting system:

- a) The voting system to be used in the conduct of the election of ordinary members of Branch Executive from Primary and Secondary Sectors is direct election by and from ordinary members of the relevant Sector Councils.
- b) The voting system to be used in the conduct of the election of ordinary members of Branch Executive from Early Childhood and TAFE & Adult Provisions Sectors is by ordinary members of the relevant Sector Council from the ordinary members of Branch Council from the relevant Sector

6. Contact

The person to contact for lists of members and other necessary information in relation to this election is:

Brian Henderson
Branch Secretary
Australian Education Union Victorian Branch
PO Box 363
Abbotsford Vic 3067

Direct Phone: (03) 9418 4814
Fax: (03) 9417 6198
E-mail: brian.henderson@aeuvic.asn.au

7. Additional Information

Subject to Rule 11(3), the financial membership of the Branch at 30 June 2012 was **48,306**

The financial membership of each Sector at that date was:

Primary	24,328
Secondary	17,757
Early Childhood	2,079
TAFE & Adult Provision	<u>4,142</u>
	<u>48,306</u>

The application of Rule 11 (2) (a) results in a quota of **3,716**.
(48,306 ÷ 13 = 3,715.8416)

Therefore:

Primary	24,328 ÷ 3,716 = 6.5468
Secondary	17,757 ÷ 3,716 = 4.7785
Early Childhood	2,079 ÷ 3,716 = 0.5994
TAFE & Adult Provision	4,142 ÷ 3,716 = 1.1146

When Rule 11 (2) (b) is applied to each Sector, the entitlement to ordinary members of Branch Executive is:

Primary	7
Secondary	5
Early Childhood	1
TAFE & Adult Provision	1

Yours sincerely



BRIAN HENDERSON
Branch Secretary