



23 January 2017

Ms Gillian Robertson  
Secretary  
Australian Education Union-Victorian Branch  
gillian.robertson@aeuvic.asn.au

Dear Ms Robertson,

cc: National Branch

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election of uncontested/contested offices/positions Ordinary Members of Branch Executive [E2016/202]. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

#### **A notice must be published on the organisation's website**

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the Fair Work (Registered Organisations) Regulations 2009).

#### **Holders of office required to undertake approved training**

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. A list of approved training providers is attached.

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.

#### **Organisation must notify the Commission of changes**

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** 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.

11 Exhibition Street  
Melbourne VIC 3000  
GPO Box 1994  
Melbourne VIC 3001

Telephone:  
Email : [orgs@fwc.gov.au](mailto:orgs@fwc.gov.au)  
Internet : [www.fwc.gov.au](http://www.fwc.gov.au)

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. A template notification of changes, which may assist you, is attached. If any change does not apply until a date in the future, you do not 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

Debbie Ball  
Regulatory Compliance Branch

# List of approved governance training packages

Approved training material	Provider	Contact person	Contact details
AHAWA Governance and Financial Training	Australian Hotels Association (WA Branch)	Mr Bradley Woods	(08) 9321 7701 <a href="mailto:ceo@ahawa.asn.au">ceo@ahawa.asn.au</a>
APTIA Governance and Financial Training Package	Australian Public Transport Industrial Association	Mr Ian MacDonald	(02) 6247 5900 <a href="mailto:imacdonald@bic.asn.au">imacdonald@bic.asn.au</a>
Handbook for Councillors of the Australian Industry Group	Australian Industry Group (for provision to Ai Group Councillors only. Not for external parties)	Ms Jenifer Leuba	(03) 9867 0174 <a href="mailto:jenifer.leuba@aigroup.asn.au">jenifer.leuba@aigroup.asn.au</a>
The Australian Workers' Union Professional Training Program Financial Duties of Officers	Australian Workers' Union	General enquiries	(02) 8005 3333 <a href="mailto:members@nat.awu.net.au">members@nat.awu.net.au</a>
In-Boardroom: Governance and Finance for Registered Organisations	Australian Institute of Company Directors	Various	<a href="#">AICD state-based contacts</a>
ACTU s.154C Training— Union Governance	Australian Council of Trade Unions (ACTU)	Organising Centre Enquiries	(03) 9664 7360 <a href="mailto:orgcentre@actu.org.au">orgcentre@actu.org.au</a>
Governance of Registered Organisations	Weston Woodley & Robertson Chartered Accountants	Mr Dennis Robertson	(02) 9264 9144 <a href="mailto:dennisr@wwr.com.au">dennisr@wwr.com.au</a>
Governance and Financial Accountability for Registered Organisations	Local Government New South Wales	Ms Sarah Artist	(02) 9242 4182 <a href="mailto:learning@lgnsw.org.au">learning@lgnsw.org.au</a>
Australian Hotels Association Financial Management Training	Australian Hotels Association (for provision to AHA officers only. Not for external parties)	Mr Stephen Ferguson	(02) 6273 4007 <a href="mailto:ceo@aha.org.au">ceo@aha.org.au</a>
Governance and Finance Training for Registered Organisations	Dickson Wohlsen Pty Ltd, trading as CTA Training	Mr Tom Streater	(07) 3878 9355 <a href="mailto:tom@dws.net.au">tom@dws.net.au</a>
The Registered Organisation Training Act for Organisations and Boards	Vibe Public Relations Consultancy	Ms Anne Andrews	0400 021 679 <a href="mailto:vibeprctraining@bigpond.com">vibeprctraining@bigpond.com</a>
Training Course for Registered Organisations - Governance and Finance	Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union	Mr Andrew Johnson	<a href="mailto:andrew.johnson@lgrceu.org">andrew.johnson@lgrceu.org</a>
MTAQ Registered Organisation Governance Course	Motor Trades Association of Queensland Industrial Organisation of Employers	Mr Paul Murray	<a href="mailto:paulm@mtaq.com.au">paulm@mtaq.com.au</a>

**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].<sup>1</sup>
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:<sup>2</sup>
  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]:<sup>3</sup>
  - COMMENCED operation:
    1. *[include name of each new branch]*
    2. ...
  - CEASED operation:
    1. *[include name of each closed 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](mailto:orgs@fwc.gov.au).]*

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<sup>1</sup> s.230(1)(d); reg.147(d)

<sup>2</sup> s.230(1)(d); reg.147(a) & (d)

<sup>3</sup> 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	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder	Occupation of <u>New</u> Office Holder
National	1.1.2014	Secretary	Full Name	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Full Name	As above	mechanic
...						
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Full Name	As above	mechanic
		Treasurer	Full Name	vacant	vacant	vacant
...						

Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**  
**Australian Education Union**  
**Victorian Branch**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No/s: E2016/202

**RULES**

Rules used for the election: 284V: Incorporates alterations of 3 October 2016 [R2016/164]  
Rules difficult to apply/interpret: Nil  
Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: 31  
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**

E2016-202 - Declaration - VIC



Allison Valentine  
Returning Officer

19 December 2016

**Australian Education Union**  
**E2016-202 - Ordinary Members of Branch Executive**

**Declaration of Results for Contested and Uncontested Offices**

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 Executive**

Candidates

RATJE, Heidi

I declare Heidi Ratje elected.

**Primary Sector**  
**Ordinary Member of Branch Executive (7)**

Candidates

BURTON, Tanya  
CLIFTON, Peter  
MASIERO, Antoinette  
PONTIKIS, Mary-Anne  
SANTAERA, Diana  
SLATTER, Vivien  
TENSON, Katrina

I declare Tanya Burton, Peter Clifton, Antoinette Masiero, Mary-Anne Pontikis, Diana Santaera, Vivien Slatter and Katrina Tenson elected.

**Secondary Sector**  
**Ordinary Member of Branch Executive (5)**

Candidates

HARRIS, Justin  
HUMPHRIES, Jessie Ann  
MORTON, Euan  
QUINN, Wendy  
SMITH, Wayne

I declare Justin Harris, Jessie Ann Humphries, Euan Morton, Wendy Quinn and Wayne Smith elected.

## TAFE and Adult Provision Sector

Total number of names on the roll of voters	31
Ballot papers issued	24
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>24</b>
Ballot papers / envelopes returned for scrutiny	24
Less ballot papers / envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>24</b>
Percentage of ballot papers returned to number issued	100
Ballot papers not returned	0

## Ordinary Member of Branch Executive

<u>Candidates</u>	<u>Votes</u>
MALONE, Peter	9
BRAXTON, Rebekah	14
Total votes	23
Formal ballot papers	23
Informal ballot papers	1

I declare Rebekah Braxton elected.



Allison Valentine  
Returning Officer  
Australian Electoral Commission

2 December 2016





## DECISION

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

**Australian Education Union**  
(E2016/202)

MR ENRIGHT

MELBOURNE, 5 OCTOBER 2016

*Arrangement for conduct of election.*

[1] On 16 August 2016, 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 Executive representing the following:

Primary Sector	7
Secondary Sector	5
Early Childhood Sector	1
TAFE & 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

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12 August 2016

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

Dear Ms O'Neill

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.

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 2016.
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).



**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 Rule 49(5).

I would suggest the Returning Officer **consider** the following;

**For the Primary, Secondary, Early Childhood and TAFE & Adult Provision Sectors;**

**21<sup>st</sup> November 2016** Nominations Open

**2<sup>nd</sup> December 2016** Nominations close during the various Sectors' Council Meetings to be held on Friday December 2,

**2<sup>nd</sup> December 2016** If a ballot is necessary it can be conducted at the Sector Council Meetings on Friday December 2.

**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:

Gillian Robertson  
Branch Secretary  
Australian Education Union Victorian Branch  
PO Box 363  
Abbotsford Vic 3067

Direct Phone: (03) 9418 4814  
Fax: (03) 9417 6198  
E-mail: [gillian.robertson@aeuvic.asn.au](mailto:gillian.robertson@aeuvic.asn.au)

7. **Additional Information**

Subject to Rule 11(3), the financial membership of the Branch at **30 June 2016** was **47,772**

The financial membership of each Sector at that date was:

<b>Primary</b>	25,598
<b>Secondary</b>	16,884
<b>Early Childhood</b>	2,672
<b>TAFE &amp; Adult Provision</b>	<u>2,618</u>
	<b><u>47,772</u></b>

The application of Rule 11 (2) (a) results in a quota of **3675**  
(47,772 ÷ 13 = 3674.7692)

Therefore:

<b>Primary</b>	25,598 ÷ 3675 = 6.9654
<b>Secondary</b>	16,884 ÷ 3675 = 4.5942
<b>Early Childhood</b>	2,672 ÷ 3675 = 0.7270
<b>TAFE &amp; Adult Provision</b>	2,618 ÷ 3675 = 0.7123

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

<b>Primary</b>	<b>7</b>
<b>Secondary</b>	<b>5</b>
<b>Early Childhood</b>	<b>1</b>
<b>TAFE &amp; Adult Provision</b>	<b>1</b>

Yours sincerely



**Gillian Robertson**  
*AEU Branch Secretary*