

Australian Electoral Commission / AEC

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Rail, Tram & Bus Industry Union

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2009/176

RULES

Rules used for the election: 139V: - incorporates alterations certified on 8/4/2009 in R2009/246 & R2009/247

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 31,307

Number of apparent workplace addresses: Unavailable

Number of non-current addresses: Unavailable

Other matters pertaining to the roll of voters: nil

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: *No allegations*

Other irregularities identified, and action taken: *N/A*

ATTACHMENTS

1) Declaration of Results for Contested Office

Lee Jones
Returning Officer
3 November 2009

Australian Rail, Tram and Bus Industry Union

Vacancy Election for National Secretary

DECLARATION OF RESULTS FOR CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2009/E176

Total number of persons on the roll of voters	31307
Ballot papers issued	31307
Duplicate ballot papers issued	5
TOTAL BALLOT PAPERS ISSUED	31312
Ballot papers / envelopes returned for scrutiny	6902
Less ballot papers / envelopes rejected at preliminary scrutiny	195
Adjusting Balance	0
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	6707
Percentage of ballot papers returned to number issued	22%
Ballot papers returned as unclaimed mail	549
Ballot papers not returned	23861

National Secretary

<u>Candidates</u>	<u>First Preference Votes</u>
GALE, Bruce C	1947
BARDEN, Allan	4713
Exhausted Votes	
Loss/Gain by Fraction	
Total votes	6660
Formal ballot papers	6669
Informal ballot papers	38

I declare Allan Barden elected.

LEE JONES
Returning Officer
Australian Electoral Commission

30 October 2009



Fair Work Australia

14 July 2009

Mr Phillip Kessey
Acting National Secretary
Australian Rail, Tram and Bus Industry Union
83-89 Renwick St
REDFERN NSW 2016

Dear Mr Kessey

**Re: Arrangements for the conduct of an Election
(E2009/176)**

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

Fair Work Australia is making arrangements, under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act), with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

Please note that any future applications should be lodged under the *Fair Work (Registered Organisations Act) 2009* (a copy of which will shortly be made available on our web site).

Please do not hesitate to contact me on (02) 8374 6509 if you have any queries in regards to any of the above.

Yours sincerely

David Vale
Fair Work Australia



Fair Work
Australia

DECISION

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

Australian Rail, Tram and Bus Industry Union
(E2009/176)

B.R. JENKINS

SYDNEY, 14 JULY 2009

Arrangement for conduct of election.

[1] On 17 June 2009 the Australian Rail, Tram and Bus Industry Union lodged prescribed information in relation to an election for the following office:

National Secretary (1)

[2] I am satisfied that an election for the abovenamed office 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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<Price code A, PR987837 >

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

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

E No 2009/176

RE: AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION

Position:

National Secretary

Relevant Information: Casual vacancy; direct voting system, secret postal ballot.

Contact: Mr Phillip Kessey
Acting National Secretary

Phone: (02) 9310 3966

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.

David Vale
for Delegate of the General Manager
Fair Work Australia

14 July 2009

VALE, David

From: VALE, David
Sent: Wednesday, 15 July 2009 4:27 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/176
Attachments: E2009_176 signed decision 140709.pdf; E2009_176_ARTBIU_casual vacancy Nat Sec_150709.doc

Dear AEC,

Please find attached a copy of the Decision for the upcoming election of the Australian Rail, Tram and Bus Industry Union (E2009/176).

Yours sincerely,

David Vale
Manager, Registered Organisations
New South Wales

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

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@fwa.gov.au

VALE, David

From: VALE, David
Sent: Tuesday, 14 July 2009 4:53 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/176
Attachments: E2009_176 signed decision 140709.pdf

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Fair Work
Australia

DECISION

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

Australian Rail, Tram and Bus Industry Union
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B.R. JENKINS

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Delegate of the General Manager
Fair Work Australia

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<Price code A, PR987837 >



Australian Government
Australian Industrial Registry

18 June 2009

Mr Phillip Kessey
Acting National Secretary
Australian Rail, Tram & Bus Industry Union
83-89 Renwick Street
REDFERN NSW 2016

Dear Mr Kessey

**Re: Australian Rail, Tram and Bus Industry Union – Application for
Casual Vacancy Election (E2009/176)**

I wish to acknowledge receipt of your application dated 17 June 2009 in relation to an election of a casual vacancy following the sudden death of the National Secretary, Mr Greg Harvey. The application was lodged in the Registry on 17 June 2009 and has been allocated the reference number E2009/176.

On behalf of the Registry, I offer my condolences to his family, friends and the Australian Rail, Tram & Bus Industry Union.

Yours sincerely

A handwritten signature in black ink that reads 'David Vale'.

David Vale
for Deputy Industrial Registrar

TRANSACTION REPORT

18/JUN/2009/THU 09:27

FAX(TX)

#	DATE	START T.	RECEIVER	COM.TIME	PAGE	TYPE/NOTE	FILE
001	18/JUN	09:26	0293192096	0:00:13	1	MEMORY OK	SG3 1756



Australian Government
Australian Industrial Registry

18 June 2009

Mr Phillip Kessey
Acting National Secretary
Australian Rail, Tram & Bus Industry Union
83-89 Renwick Street
REDFERN NSW 2016

Dear Mr Kessey

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Yours sincerely

A handwritten signature in black ink that reads "David Vale".

David Vale
for Deputy Industrial Registrar

VALE, David

From: VALE, David
Sent: Wednesday, 17 June 2009 3:57 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/176
Attachments: ARTBIU 139V R2009_246 & 247_08042009.doc; ARTBIU E2009_176 PI lodged 170609.pdf

Dear AEC,

Please find attached a copy of the prescribed information and a copy of the current rule book of the Australian Rail, Tram and Bus Industry Union for an upcoming election.

Yours sincerely,

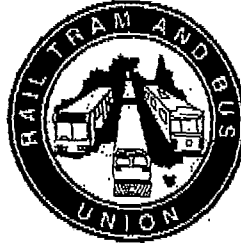
David Vale
Manager, Registered Organisations
New South Wales Registry

Australian Industrial Relations Commission
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@airc.gov.au

17/06/2009

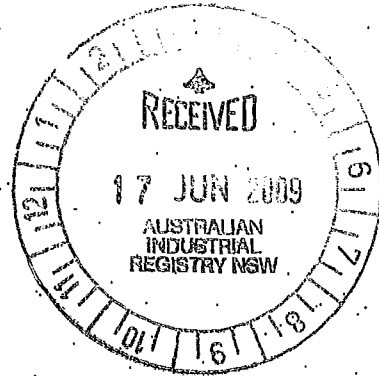
NATIONAL OFFICE
83-89 Renwick Street
REDFERN NSW 2016



Ph: (02) 9310 3966
Fax: (02) 9319 2096
rtbu@rtbu-nat.asn.au
www.rtbu-nat.asn.au

FACSIMILE TRANSMISSION

DATE: 17. 6. 09
TIME: 2-55pm
TO: Industrial Registry
ATTENTION: Deputy Industrial Registrar



SENDER: Bob Hayden

Number of pages (including this page): 2

(Please advise if total pages not received)

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RAIL, TRAM & BUS UNION

AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION

ABN 28 921 128 419

NATIONAL OFFICE: 83-89 Renwick Street, REDFERN NSW 2016

Phone: (02) 9310 3966

Fax: (02) 9319 2096

Email: rtbu@rtbu-nat.asn.au

web: www.rtbu-nat.asn.au

To Deputy Industrial Registrar
Australian Industrial Registry,
Level 8 – Terrace Towers,
80 William Street,
EAST SYDNEY NSW 2000

17th June 2009

Dear Sir / Madam

National Secretary – Casual Vacancy, Requirement to Conduct an Election.

I write to advise of the sudden passing of National Secretary Greg Harvey and the requirement to conduct an election to fill the casual vacancy in accordance with the Organisations Registered Rules.

In accordance with the Organisations rules the National President called a telephone conference of the National Executive, which was conducted on the 12th June at which the following resolutions were carried.

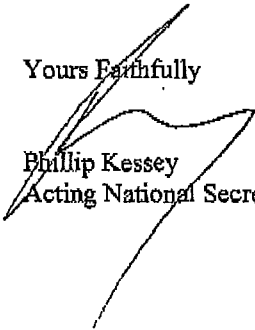
1. This special meeting of the Australian Rail, Tram and Bus Industry Union, National Executive, determines that due to the death of Greg Harvey, National Secretary, and in accordance with Rule 78 sub paragraph 2 the unexpired portion of the four year term of office is 6 months or more and a ballot needs to be held to fill the office.

2. This special meeting of the Australian Rail, Tram and Bus Industry Union, National Executive, resolves to appoint Mr Phillip Kessey, who is the current Assistant National Secretary, Administration, Supervisory, Technical and Professional Division, to fill the casual vacancy of National Secretary. The Acting National Secretary will take the necessary action in accordance with the rules to have a ballot conducted for the unexpired term of the casual vacancy of National Secretary.

As a result of the above I request that the AEC make the necessary arrangements for the conducting of an Election to fill the casual vacancy of National Secretary.

Please do not hesitate to contact myself if further information is required on 0418671532.

Yours Faithfully


Phillip Kessey
Acting National Secretary