

03/12/2019

# Post-election report

**Australian Rail, Tram and Bus Industry Union –  
NSW & VIC Branches Casual Vacancies –  
E2019/149**

# Contents

Election(s) Covered in this Report.....	3
Rules .....	3
Roll of Voters .....	3
Irregularities .....	3
Other Matters.....	4
Attachments .....	4

## Election(s) Covered in this Report

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Organisation: Australian Rail, Tram and Bus Industry Union  
Election Decision Number(s): E2019/149

## Rules

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Rules used for the election: [139V: - Incorporates alterations of 23/04/2018 in matter R2017/282]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

For more details see the Model Rules on the AEC website:

([https://www.aec.gov.au/About\\_AEC/AEC\\_Services/Industrial\\_Elections](https://www.aec.gov.au/About_AEC/AEC_Services/Industrial_Elections))

## Roll of Voters

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As there were no contested offices, no Roll of Voters was required.

## Irregularities

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Details of written allegations of irregularities, and action taken by AEC: None

Other irregularities identified, and action taken: None

## Other Matters

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Returning Officer actions required (Section 193): No  
Details: N/A

## Signed

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Noopur Madan  
Returning Officer  
Australian Electoral Commission  
E: nswelections@aec.gov.au  
P: 02 9375 6321

3 December 2019

## Attachments

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- 1) Declaration of results for Uncontested Offices NSW and VIC Branches – E2019/149

**Australian Rail, Tram and Bus Industry Union**  
**DECLARATION OF RESULTS - E2019/149**  
**Uncontested Offices**

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**Casual Vacancy Election**

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 are:

**New South Wales Branch**

**Branch Delegate to National Executive (1)**

Candidates

BABINEAU David

**Locomotive Division**

**ETR Group Region 4 -**

**Sub- Divisional Representative on Branch Divisional Committee – (1)**

Candidates

CURLEVSKI Nick

**ETR/Railcorp Group Sub-Division - Hornsby**

**Sub Divisional Representative - Depot Organiser (1)**

Candidates

KEMP Lee

**Metropolitan Group 1 Sub-Division- PN Intermodal Port Kembla**

**Sub Divisional Representative - Depot Organiser (1)**

Candidates

*No Nominations Received*

**Rail Operations Division**

**Train Guards Sub-Division - Sydney InterCity**

**Depot Sub-Division Secretary (1)**

Candidates

*No Nominations Received*

**On Board Passenger Train Sub-Division Albury**

**Sub-Division Secretary - Albury (1)**

Candidates

*No Nominations Received*

**Victorian Branch**

**Locomotive Division**

**Metropolitan (incorporating Epping, Ringwood, Dandenong, Frankston,  
Broadmeadows, Sydenham & Newport Outstations)**

**Branch Sub-Divisional Committee Member (1)**

Candidates

*No Nominations Received*

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



Noopur Madan  
Returning Officer  
Telephone: 02 9375 6321  
Email: nswelections@aec.gov.au  
22/11/2019





## DECISION

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

### **Australian Rail, Tram and Bus Industry Union** (E2019/149)

MR ENRIGHT

MELBOURNE, 6 SEPTEMBER 2019

*Arrangement for conduct of election.*

[1] On 31 July 2019 the Australian Rail, Tram and Bus Industry Union lodged with the Registered Organisations Commission prescribed information for an election to fill casual vacancies in the following office positions for the remainder of the term:

#### **National**

NSW Branch Delegate to the National Executive (1)

#### **New South Wales Branch**

##### **Locomotive Division**

Sub-Divisional Representative on Branch Divisional Committee (Council) as follows:

ETR/Railcorp Group Region 4 (1)

#### **Victorian Branch**

##### **Locomotive Division**

Sub-Divisional Representative on Branch Divisional Committee as follows:

Metropolitan Sub-Division (1)

[2] Additionally, on 31 July 2019, the Australian Rail, Tram and Bus Industry Union also lodged with the Registered Organisations Commission prescribed information for an election to fill casual vacancies in the following non-office positions for the remainder of the term:

**New South Wales Branch**

**Locomotive Division**

Sub-Divisional Representatives (Depot Organisers) as follows:

ETR/Railcorp Group Sub-Division

Hornsby (1)

Metropolitan Group 1 Sub-Division

PN Intermodal Pt Kembla (1)

**Rail Operations Division**

Sub-Divisional positions as follows:

Train Guards Sub-Division

Depot Sub-Division Secretary – Sydney Inter-City (1)

On-Board Passenger Train Sub-Division

Sub-Division Secretary – Albury (1)

[3] I am satisfied that an election for the abovenamed office and non-office positions 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 COMMISSIONER**

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PR351465



**s PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 Fair Work (Registered Organisations) Act 2009 and Regulation 138 Fair Work (Registered Organisations) Regulations 2009**

I, ALLAN BARDEN, being the Assistant National Secretary of the Australian Rail, Tram and Bus Industry Union (known as the RTBU) make the following statement:

1. I am authorised to sign this statement containing prescribed information for the New South Wales and Victorian Branches of the RTBU..
2. The following information is lodged under subsections 187 and 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. The resignation letter is attached for each casual vacancy.
5. The current prescribed rules are rb-139V-r2017-282-effect-2018-04-23. No rule alterations are pending that will impact the election.

Signed:



Dated: 31<sup>st</sup> July 2019.

*[PLEASE NOTE: This statement should be lodged with the Registered Organisations Commission at least 2 months prior to nominations opening. It can be submitted to [regorgs@roc.gov.au](mailto:regorgs@roc.gov.au).]*

**ANNEXURE A**

- Elections that are required [insert as many pages as required]:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
			<i>Direct voting system; Collegiate electoral system</i>	<i>Scheduled; Casual vacancy; New office created; Insufficient nominations</i>	
New South Wales	Branch Delegate to National Executive	1 (rule 29(2))	First Past the Post (Rule 74)	Casual Vacancy (The resignation is attached)	The whole membership of the NSW Branch.
	Locomotive Sub-Division Representative on Branch Divisional Committee- ETR Group Region 4  <i>This is an office</i>	1 (rule 100(12))	Optional Preferential (Rule 105 (1))	Casual Vacancy ( The resignation is attached)	All Locomotive Division members in the sub divisions of Cronulla, Mortdale and Waterfall. (rule 100(12) )
	Locomotive Division Depot Organiser- Sydney Trains, Hornsby.  <i>This is a position</i>	1 (rule 100(12))	Optional Preferential (Rule 105 (1))	Casual vacancy (the resignation is attached)	All Locomotive Division members based at the Sydney Trains- Hornsby Maintenance Centre.
...	Locomotive Division Depot Organiser- Pacific National Intermodal, Port Kembla.  <i>This is a position</i>	1 (rule 100(12))	Optional Preferential (Rule 105 (1))	Casual Vacancy (the resignation is attached)	All Locomotive Division members based at the Pacific National Intermodal depot- Port Kembla.
	Rail Operations Division, Train Guards Sub-Division Committee Secretary- Sydney	1 (rule 100(12))	Optional Preferential (Rule 105 (1))	Casual Vacancy (the resignation is attached)	All Train Guard Sub Division members in the Sydney- Intercity depot.

	<i>Intercity Depot This is a position</i>				
	<i>Rail Operations Division, On Board Passenger Train Sub Division Secretary- Albury</i>	<i>1 (rule 100 (12))</i>	<i>Optional Preferential (Rule 105 (1))</i>	<i>Casual Vacancy (the resignation is attached)</i>	<i>All On Board Passenger Train Sub Division members based at Albury.</i>
<i>Victoria</i>	<i>Locomotive Division- Metropolitan- Sub Divisional Committee Member This is a position.</i>	<i>1 (rule 159(4))</i>	<i>First Past the Post (Rule 74)</i>	<i>Casual Vacancy (the resignation is attached)</i>	<i>All Locomotive Division members in the Metropolitan Sub Division incorporating Epping, Ringwood, Dandenong, Frankston, Broadmeadows, Sydenham and Newport Outstations. (Rule 156(3)(i) )</i>

- Important dates:

<b>Nominations OPEN</b>	<i>To be determined by the Returning Officer</i>
<b>Nominations CLOSE</b>	<i>To be determined by the Returning Officer</i>
<b>Roll of Voters cut off date</b>	<i>To be determined by the Returning Officer</i>