

13 October 2021

Post-election report

Australian Rail, Tram and Bus Industry
Union (ARTBIU) – NSW Branch - Tram
and Bus Division
Casual Vacancy election
E2020/132

Contents

Election(s) Covered in this Report.....	3
Rules.....	3
Other Matters	4
Signed	4
Attachments	5
A. Declaration of Results for Contested Offices – NSW Branch - Tram and Bus Division	5

Election(s) Covered in this Report

Organisation: Australian Rail, Tram and Bus Industry Union

Election: Casual Vacancy

Election Decision No/s: E2020/132

Rules

Rules used for the election: 139V: - Incorporates alterations of 30 September 2021 [D2021/3]
(replaces rulebook dated 27 March 2020 [R2020/1])

Rules difficult to apply/interpret: No

Other Matters

Returning Officer actions required (Section 193): Yes

Details:

- Rules regarding the timetable of the election were set aside as the AEC held concerns that the coronavirus pandemic may impact on the ability for stakeholders to fully participate in the election. A timetable for the conduct of the ballot which varied from the rules was set when the AEC was satisfied that stakeholders would be able to fully participate.
- Rules specifying the method of lodgement of nominations were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for potential candidates to nominate. Instead nominations were received electronically, via email/the AEC's portal.
- Rules requiring an in-person ballot were set aside as the AEC held concerns that the coronavirus pandemic would impact on the ability for all stakeholders to attend. Instead the ballot was conducted via post.

Signed



Robert Zammit
Returning Officer
Australian Electoral Commission
E: IEBevents@aec.gov.au
P: 03 9285 7111
13 October 2021

Attachments

A. Declaration of Results for Contested Offices – NSW Branch - Tram and Bus Division

Australian Rail, Tram and Bus Industry Union
DECLARATION OF RESULTS - E2020/132
Contested Offices

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:

Tram and Bus Division New South Wales - Tempe

VOTING MATERIAL ISSUED	
Total number of people on the roll of voters (a)	97
Number of voters issued with voting material	97
Total number of voters issued with replacement voting material	5
Total number of voting material packs issued	102
VOTING MATERIAL RETURNED	
Total number of envelopes returned for scrutiny by closing date of ballot (b)	67
Number of declaration envelopes rejected at preliminary scrutiny (minus)	3
Number of ballot papers returned outside declaration envelopes (minus)	0
COUNT	
Total ballot papers admitted to the count	64
LATE OR UNRETURNED VOTING MATERIAL	
Voting material returned as unclaimed mail by closing date of ballot	2
Voting material packs not returned by voters by closing date of the ballot	28
Percentage of voting material packs returned by voters to number of people on the roll of voters (b/a)	69.07%

Sub-Divisional Representative on Branch Divisional Committee (1)

<u>Candidates</u>	<u>Final Votes</u>
PAPADOPOULOS, Peter	45
STAMIRIS, George	19

Total ballot papers admitted for this office	64
Formal Ballot papers	64
Informal Ballot papers	0

I declare the following elected:

- PAPADOPOULOS, Peter

Robert Zammit
Returning Officer
Telephone: 03 9285 7111
Email: IEBevents@aec.gov.au
08/10/2021



DECISION

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

Australian Rail, Tram and Bus Industry Union
(E2020/132)

MR COYLE

MELBOURNE, 2 JULY 2020

Arrangement for conduct of election.

[1] On 3 June 2020 the Australian Rail, Tram and Bus Industry Union lodged with the Registered Organisations Commission prescribed information for an election to fill a casual vacancy in the following office for the remainder of the term:

New South Wales Branch

Tram and Bus Division

Sub-Divisional Representative on Divisional Committee for Tempe (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 COMMISSIONER

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 Branch of the RTBU..
2. The following information is lodged under subsections 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The election that is required is set out in the table in Annexure A.
4. The resignation letter is attached for the 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: 3rd June 2020.

[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.]

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>	
<i>New South Wales</i>	<i>Tram and Bus Divisional Committee Delegate for Tempe Depot This is an Office.</i>	<i>1 (Rule 100(12))</i>	<i>First Past the Post (Rule 105(2) and by Attendance Ballot Rule 75)</i>	<i>Casual Vacancy (The resignation is attached)</i>	<i>The whole membership of the NSW Branch, Tram and Bus Division Tempe depot.</i>

- Important dates:

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