Workplace Relations Act 1996

s.189 RAO Schedule - arrangement for conduct of an election

Australian Rail, Tram and Bus Industry Union (E2007/112)

B. R. JENKINS DEPUTY INDUSTRIAL REGISTRAR

SYDNEY, 7 FEBRUARY 2007

DECISION

On 1 February 2007 the New South Wales Branch of the abovenamed organisation lodged in the Industrial Registry prescribed information in relation to an election to fill a vacancy in the following office:

Locomotive Division

Sub-Divisional Representative on Branch Divisional Council

Railcorp ETR Group Region 3 (1)

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 Schedule 1 of the *Workplace Relations Act* 1996, I am making arrangements for the conduct of the election by the Australian Electoral Commission.



Level 8, Terrace Towers 80 William Street, East Sydney, NSW-2011 Telephone: (02) 8374 6666

Fax: (02) 9380 6990 Email: sydney@air.gov.au

Mr Robert Hayden National Secretary Australian Rail, Tram and Bus Industry Union 83-89 Renwick Street REDFERN NSW 2016

Dear Mr Hayden

Re: Arrangements for the conduct of an Election (E2007/112)

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

I am making arrangements, under subsection 189(3) of Schedule 1 of the Workplace Relations Act 1996, 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.

Yours sincerely

Barry Jenkins

Deputy Industrial Registrar

7 February 2007

RATNASINGH, Chrishantha

From:

RATNASINGH, Chrishantha

Sent:

Wednesday, 7 February 2007 2:55 PM

To:

'industrial.elections@aec.gov.au'

Subject:

E2007/112 Decision

Attachments:

ARTBIU 139V (21-08-06).doc; 112.pdf

Please find attached Decision for E2007/112





ARTBIU 139V 21-08-06).doc (60..

Chris Ratnasingh Research Information and Advice Team - NSW Australian Industrial Registry 02 8374 6607

chrishantha.ratnasingh@air.gov.au

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

Under subsection 189 of Schedule 1 of the Workplace Relations Act 1996, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2007/112

RE: AUSTRALIAN RAIL, TRAM AND BUS INDUSTRY UNION - NSW BRANCH

Positions:

See Decision

Relevant Information: casual vacancy, direct voting system, secret postal ballot

Contact:

Mr Robert Hayden

Federal 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@air.gov.au

Deputy Industrial Registrar

7 February 2007

TEECE, Steve

From:

Robert Hayden [rhayden@rtbu-nat.asn.au]

Sent:

Friday, 2 February 2007 5:25 PM

To:

JENKINS, Barry

Cc:

TEECE, Steve; dsutton@rtbu-nat.asn.au

Subject: FW: Resignation

Barry

Dorothy has left for the day but I can confirm that it should be "Council" and not "Committee". Hope this is ok until Monday.

Robert Hayden National Secretary Rail, Tram & Bus Union office: 0293103966 fax: 0293192096

email: rhayden@rtbu-nat.asn.au

From: Robert Hayden [mailto:rhayden@rtbu-nat.asn.au]

Sent: Friday, 2 February 2007 5:24 PM

To: 'TEECE, Steve' Subject: RE: Resignation

Steve

Dorothy has left for the day but I can confirm that it should be "Council" and not "Committee". Hope this is ok until Monday.

Robert Hayden National Secretary Rail, Tram & Bus Union office: 0293103966

fax: 0293192096

email: rhayden@rtbu-nat.asn.au

From: TEECE, Steve [mailto:stephen.TEECE@air.gov.au]

Sent: Friday, 2 February 2007 4:53 PM To: Dorothy Sutton; rhayden@rtbu-nat.asn.au

Subject: RE: Resignation

Robert/Dorothy

We need some further clarification in relation to the vacancy that has occurred due to the resignation of Shanmuga Rathinam.

The election request names the position as "Sub-Divisional Representative on Branch Divisional Committee", Locomotive Division, Railcorp Group (ETR) Region 3.

Should this read Branch Divisional Council (rather than Committee?)

Please respond to barry.jenkins@air.gov.au, as soon as possible

Steve Teece

Research Information Advice Team **NSW Registry** Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990

2/02/2007

-- Original Message -----From: Robert Hayden To: dsutton@rtbu-nat.asn.au

Sent: Friday, February 02, 2007 10:13 AM

Subject: FW: Resignation

Dorothy

Have just received this from Alex in regards to the resignation of Shan Rathinam from the position of Sub-Divisional Representative on Branch Divisional Committee-Railcorp Group (ETR) Region 3, within the NSW Loco Division.

We sent an earlier email from Shan to the Industrial Registrar yesterday and ask that this be forwarded to them as well just as confirmation.

Robert Hayden National Secretary Rail, Tram & Bus Union office: 0293103966 fax: 0293192096

email: rhayden@rtbu-nat.asn.au

From: Alex Claassens [mailto:aclaassens@rtbu-nsw.asn.au]

Sent: Friday, 2 February 2007 9:35 AM To: Bob Hayden; dsutton@rtbu-nat.asn.au

Cc: Allan Barden; Helen Byron Subject: FW: Resignation

FYL

Alex Claassens

Divisional Secretary I N.S.W Locomotive Division Rail, Tram & Bus Union (NSW BRANCH) 02 9264 3400 畳 02 9264 7679 🕾 0419-219309

□ aciaassens@rtbu-nsw.asn.au

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From: shan Rathinam [mailto:shan_rathinam@hotmail.com]

Sent: Thursday, 1 February 2007 9:36 PM

To: aclaassens@rtbu-nsw.asn.au

Subject: RE: Resignation

Alex,

I am herewith forwarding my resignation for the position of Sub-Divisional Representative on Branch

2/02/2007

TEECE, Steve

From:

TEECE, Steve

Sent:

Friday, 2 February 2007 4:53 PM

To:

'Dorothy Sutton'; 'rhayden@rtbu-nat.asn.au'

Subject: RE: Resignation

Robert/Dorothy

We need some further clarification in relation to the vacancy that has occurred due to the resignation of Shanmuga Rathinam.

The election request names the position as "Sub-Divisional Representative on Branch Divisional Committee", Locomotive Division, Railcorp Group (ETR) Region 3.

Should this read Branch Divisional Council (rather than Committee?)

Please respond to barry.jenkins@air.gov.au, as soon as possible

Steve Teece

Research Information Advice Team NSW Registry Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990

steve.teece@air.gov.au

---- Original Message ----- From: Robert Hayden
To: dsutton@rtbu-nat.asn.au

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Subject: FW: Resignation

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Robert Hayden National Secretary Rail, Tram & Bus Union office: 0293103966 fax: 0293192096

email: rhayden@rtbu-nat.asn.au

From: Alex Claassens [mailto:aclaassens@rtbu-nsw.asn.au]

Sent: Friday, 2 February 2007 9:35 AM **To:** Bob Hayden; dsutton@rtbu-nat.asn.au

2/02/2007

-ſEECE, Steve

From:

TEECE, Steve

Sent:

Friday, 2 February 2007 11:28 AM

To:

'industrial.elections@aec.gov.au'; 'Brian.Peisley@aec.gov.au'

Subject:

Amended PI - Urgent ARTBIU NSW Casual Vacancy elections E2007/112

Importance:

High

Attachments:

ARTBIU E2007_112 Amended PI.pdf; ARTBIU PI E2007_112.pdf; ARTBIU139V210806.doc

Amended Notice, as discussed:



ARTBIU E2007_112 Amended PI.pd...

Steve Teece

Research Information Advice Team **NSW Registry** Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990

steve.teece@air.gov.au

From: TEECE, Steve

Sent: Friday, 2 February 2007 10:25 AM To: 'industrial.elections@aec.gov.au' Cc: 'Brian.Peisley@aec.gov.au'

Subject: Urgent ARTBIU NSW Casual Vacancy elections E2007/112

Importance: High

This is an urgent application for an election, along with the rulebook of the Australian Rail, Tram and Bus Industry Union

Brian Peisley is aware of this matter.

We have sought an amended Prescribed Information in line with "The Act" which will be forwarded as soon as it is received.

The decision will follow ASAP





ARTBIU139V21080 ARTBIU PI 007_112.pdf (94 KE 6.doc (593 KB)

Steve Teece

Research Information Advice Team **NSW Registry** Australian Industrial Registry



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 Email: rtbu@rtbu-nat.asn.au Fax: (02) 9319 2096

web: www.rtbu-natasn.au

RH:ds

2nd February, 2007

Deputy Industrial Registrar Australian Industrial Registry Level 8, Terrace Towers, 80 William Street, East Sydney, NSW 2011

Dear Sir,

RE: URGENT REQUEST FOR CONDUCT OF ELECTION

i, Robert Norman Hayden National Secretary of the Australian Rail, Tram & Bus Industry Union (RTBU) make the following statement:

- I am the National Secretary of the Australian Rail Tram & Bus Industry Union (RTBU).
- I am authorised to lodge the following prescribed information concerning forthcoming elections in the New South Wales Branch of the Australian Rail, Tram & Bus Industry Union (RTBU) and
- I confirm that the following information is being lodged under subsection 189(1) of the RAO Schedule.

Due to the resignation of Shanmuga Rathinam from the Sub-Divisional Representative on Branch Divisional Committee following our recent Elections a Casual Vacancy now exists and as such I write to seek that this vacancy be included in the current Recall of Nominations of the NSW Branch which is currently underway with the Electoral Office.

Attached is a copy of the resignation as received by Mr. Alex Claassens the Divisional Secretary NSW Locomotive Division.

It is requested for favorable consideration be given to the conduct of this election to be conducted simultaneously with the New South: Wales positions.

Yours faithfully,

Robert Hayden

NATIONAL SECRETARY

From: 61 2 93192096 To: AIRC/AIR Page: 3/8 Date: 2/02/2007 11:12:53 AM

Office/Position

RailCorp ETR Group Region 3, within the NSW Locomotive Division

• Sub-Divisional Representative on Branch Divisional Committee

Election for the above office is required to fill a casual vacancy that has recently occurred (documentary information relating to the resignation of the persons holding the office is attached).

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From: 61 2 93192096

To: AIRC/AIR

Page: 4/8

Date: 2/02/2007 11:12:53 AM

Page 1 of 1

Dorothy Sutton

From: To: "TEECE, Steve" <stephen.TEECE@air.gov.au>
"Dorothy Sutton" <dsutton@rtbu-nat.asn.au>

Sent:

Friday, 2 February 2007 10:56 AM

Subject:

RE: Draft Letter

Hi Dorothy,

Yes, that looks much better - I think that will be sufficient (names the position, includes statement by Robert, etc.)

I have spoken to Brian Peisley, since I spoke to you, and he is ready to go

If you can send a signed copy, I will forward it to the AEC and get Barry to look at the decision as soon as he is available.

Hopefully we can wrap this up before 2pm

Steve

From: Dorothy Sutton [mailto:dsutton@rtbu-nat.asn.au]

Sent: Friday, 2 February 2007 10:54 AM

To: TEECE, Steve; Steve Wright Subject: Re: Draft Letter

Hi Steve

Is this sufficient for your requirements before signing.

Dorothy Sutton Office Manager Rail Tram & Bus Union Phone (02)9310-3966 Fax: (02)9319-2096

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From: 61 2 93192096 To; AIRC/AIR Page: 6/8 Date: 2/02/2007 11:12:54 AM

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Page 2 of 2

From: 61 2 93192096

To: AIRC/AIR

Page: 8/8

Date: 2/02/2007 11:12:55 AM

Page 2 of 2

I understand that you have sent an email directly to Brian Peisley advising that you wish to resign from the DC, I have been advised that another election will now need to be held for that position (as I explained to you before).

There is a formal process that will begin when you formally advise me of your resignation, I will then have to write to the AIRC and they will then arrange for the AEC to hold the election.

Alex Claassens

Divisional Secretary I N.S.W Locomotive Division Rail, Tram & Bus Union (NSW BRANCH) 안 02 9264 3400 & 02 9264 7679 한 0419-219309 ☑ aclaassens@rtbu-nsw.asn.au

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NATIONAL OFFICE 83-89 Renwick Street REDFERN NSW 2016



Ph: (02) 93 10 3966 Fax: (02) 93 19 2096 rtbu@rtbu-nat.asn.au www.rtbu-nat.asn.au

FACSIMILE TRANSMISSION
DATE: 2.2-07
TIME: 11. 10 AM
TO:
ATTENTION: STEVE TEECE
AS DISCUSSED;
PLEASE FIND SIGNED BETTER FOR YOUR FILES.
SENDER: R. HAYDETV
Number of pages (including this page): 8 PAGES
(Please advise if total pages not received)

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"EECE, Steve

From:

TEECE, Steve

Sent:

Friday, 2 February 2007 10:25 AM 'industrial.elections@aec.gov.au'

To: Cc:

'Brian.Peisley@aec.gov.au'

Subject:

Urgent ARTBIU NSW Casual Vacancy elections E2007/112

importance:

High

Attachments:

ARTBIU PI E2007_112.pdf; ARTBIU139V210806.doc

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The decision will follow ASAP





ARTBIU PI ARTBIU139V21080 007_112.pdf (94 KE 6.doc (593 KB)

Steve Teece

Research Information Advice Team NSW Registry Australian Industrial Registry

Ph: (02) 8374 6516 Fax: (02) 9380 6990 steve.teece@air.gov.au

TFCCE, Steve

From:

Dorothy Sutton [dsutton@rtbu-nat.asn.au]

Sent:

Friday, 2 February 2007 10:56 AM

To:

TEECE, Steve

Subject:

Fw: Resignation

Attachments: ATT00011.txt

---- Original Message ---From: Robert Hayden
To: dsutton@rtbu-nat.asn.au

Sent: Friday, February 02, 2007 10:13 AM

Subject: FW: Resignation

Dorothy

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Robert Hayden National Secretary Rail, Tram & Bus Union office: 0293103966 fax: 0293192096

email: rhayden@rtbu-nat.asn.au

From: Alex Claassens [mailto:aclaassens@rtbu-nsw.asn.au]

Sent: Friday, 2 February 2007 9:35 AM **To:** Bob Hayden; dsutton@rtbu-nat.asn.au

Cc: Allan Barden; Helen Byron **Subject:** FW: Resignation

-Y!

Alex Claassens

Divisional Secretary I N.S.W Locomotive Division Rail, Tram & Bus Union (NSW BRANCH) 환 02 9264 3400 & 02 9264 7679 환 0419-219309

🛚 aclaassens@rtbu-nsw.asn.au

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From: shan Rathinam [mailto:shan_rathinam@hotmail.com]

Sent: Thursday, 1 February 2007 9:36 PM

To: aclaassens@rtbu-nsw.asn.au

Subject: RE: Resignation



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

RH:ds

1st February, 2007

The Deputy
Australian Industrial Registry
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

Dear Sir,

RE: URGENT RECALL NOMINATION

Due to the resignation of Shanmuga Rathinam from the Sub-Divisional Representative on Branch Divisional Committee following our recent Elections a casual vacancy now exists and as such I write to seek that this vacancy be included in the current Recall of Nominations in the NSW Branch which is currently underway with the Electoral Office.

Attached is a copy of the resignation as received by Mr. Alex Claassens the Divisional Secretary NSW Locomotive Division.

Yours faithfully.

Robert Hayden

NATIONAL SECRETARY



Dorothy, 💸

As discussed with bob please find attached the resignation from shan.

Alex Claassens

Divisional Secretary I N.S.W Locomotive Division Rail, Tram & Bus Union (NSW BRANCH) 할 02 9264 3400 & 02 9264 7679 할 0419-219309 ☑ aclaassens@rtbu-nsw.asn.au

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yourreghtsatwork worth fighting for

From: Allan Barden [mailto:abarden@rtbu-nsw.asn.au]

Sent: Thursday, 1 February 2007 8:55 AM

To: 'Alex Claassens'; 'Mark Morey'

Subject: FW: RE; order of preference E No.199 of 2006

REGARDS

ALLAN BARDEN
ORGANISER- PASSENGER SECTION
LOCOMOTIVE DIVISION
RAIL, TRAM & BUS UNION
NSW BRANCH

your aghtsatwork worth fighting for

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From: shan Rathinam [mailto:shan_rathinam@hotmail.com]

Sent: Thursday, February 01, 2007 7:17 AM

To: abarden@rtbu-nsw.asn.au; cityrail@rtbu-nsw.asn.au Subject: FW: RE: order of preference E No.199 of 2006

From: Brian.Peisley@aec.gov.au

To: "shan Rathinam" <shan_rathinam@hotmail.com> Subject: RE: order of preference E No.199 of 2006 Date: Wed, 31 Jan 2007 14:35:58 +1100 From: 61 2 93192096 To: AIRC/AIR Page: 5/5 Date: 1/02/2007 2:43:32 PM

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To: AIRC/AIR

Page: 1/5

Date: 1/02/2007 2:43:31 PM

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
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TIME: 2.45 fm
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ATTENTION: THE DEPUTY

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