

From: [Shane Lanning](#)
To: [Industrial Elections; KELLETT, Stephen; liam.o'brien@awu.net.au](#)
Subject: PER -E2013/178 AWU [DLM=For-Official-Use-Only]
Date: Monday, 17 June 2013 9:05:05 AM
Attachments: [image002.png](#)
[image004.png](#)
[Declaration of results.rtf](#)
[PER AWU VIC.doc](#)

For-Official-Use-Only

Good morning,

Please find attached the post election report for the Australian Workers' Union – E2013/178

Regards,

Shane T Lanning

Manager Industrial Elections Section

Australian Electoral Commission

T: 03 9285 7145 | M: 0422 433 922 | F: 03 9285 7149

For-Official-Use-Only

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Mr Ben Davis
Secretary
The Australian Workers' Union – Victorian Branch
685 Spencer St
WEST MELBOURNE VIC 3003

**Post Election Report For: Australian Workers Union
Election E No 2013/178**

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to Fair Work Australia and to the organisation or branch for whom the election was conducted. A copy of the report in relation to this election is attached.

Section 198 requires that if an organisation or branch is given a post election report under section 197 that identifies a rule that was difficult to interpret or apply, the organisation or branch must, within 30 days, give a written response to the AEC on that aspect of the report. The response must specify whether the organisation or branch intends to take any action in relation to the rule, and if so, what action it intends to take.

If the attached Report identifies a rule that was difficult to interpret or apply, you should forward your response to the AEC by email to 'industrial.elections@aec.gov.au' within thirty days of the date of the report.

Section 198 and the regulations also require an organisation to make the post election report and the organisation's response to the report (if applicable) available to members. Further, Regulation 141(4) of the Fair Work (Registered Organisations) Act 2009 requires an organisation or branch to publish a notice on its web site advising members that a copy of the post election report is available upon request. If a website is not available, publishing a notice in a journal or newsletter would be considered appropriate.

Please contact me if you wish to clarify any aspect of this report.

Jeff Webb
Returning Officer
13 June 2013

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Australian Workers Union

ELECTION COVERED IN THIS REPORT

Election Decision No.: E2013/178

RULES

Rules used for the election: [002N: This rule book includes all alterations up to and including the alterations of 2012/193 (issued on 23/11/2012

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: No ballot required

Number of apparent workplace addresses:

Number of non-current addresses:

Other matters pertaining to the roll of voters:

IRREGULARITIES

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results

Jeff Webb
Returning Officer

13 June 2013

The Australian Workers' Union Victorian Branch

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

Victorian Branch

Branch Secretary

Candidate

DAVIS, Ben

Branch Assistant Secretary

Candidate

O'BRIEN, Liam

Branch Vice-President (honorary)

Candidate

PILLAI, Percy

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



Jeff Webb
Returning Officer

4 June 2013



10 May 2013

Mr Paul Howes
National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street
SYDNEY NSW 2000

Dear Mr Howes

Re: Elections - The Australian Workers' Union, Victorian Branch (E2013/178)

I refer to the prescribed information lodged on 9 May 2013 under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* in relation to an election for three offices in the Victorian Branch.

The election has been granted. A copy of the Delegate's Decision is enclosed.

Yours sincerely

Stephen Kellett
Senior Adviser, Regulatory Compliance Branch

From: KELLETT, Stephen
To: ["paul.howes@nat.awu.net.au"](mailto:paul.howes@nat.awu.net.au)
Cc: ["debra.bushell@nat.awu.net.au"](mailto:debra.bushell@nat.awu.net.au)
Subject: Election Decision - Victorian Branch offices - E2013 178
Date: Friday, 10 May 2013 6:31:00 PM
Attachments: [E2013 178 AWU VICF letter 10 May 2013.pdf](#)
[E2013 178 AWU VICF Decision \(signed\) 100513.pdf](#)

Dear Mr Howes,

Please see correspondence and Decision attached.

Yours sincerely

STEPHEN KELLETT

Senior Adviser,

Regulatory Compliance Branch

Fair Work Commission

Tel: (02) 6723 7237

Mob: 0429 462 979

Fax: +61 2 9380 6990

stephen.kellett@fwc.gov.au

80 William Street, East Sydney NSW 2011

www.fwc.gov.au

From: KELLETT, Stephen
To: ["Industrial Elections"](#)
Subject: Decision - Election AWU - Victorian Branch - E2013 178
Date: Friday, 10 May 2013 6:33:00 PM
Attachments: [E2013 178 AWU VICF Decision \(signed\) 100513.pdf](#)
[E2013 178 AWU letter to AEC 10 May 2013.pdf](#)

Dear Returning Officer

Please see attached.

STEPHEN KELLETT

Senior Adviser,

Regulatory Compliance Branch

Fair Work Commission

Tel: (02) 6723 7237

Mob: 0429 462 979

Fax: +61 2 9380 6990

stephen.kellett@fwc.gov.au

80 William Street, East Sydney NSW 2011

www.fwc.gov.au



10 May 2013

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

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

E No 2013/178

RE: The Australian Workers' Union

Positions:

See Decision

Relevant Information:

Contact: Mr Paul Howes, National Secretary

Phone: (02) 8005 3333; (email) paul.howes@nat.awu.net.au

A copy of the decision is attached.

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.

Stephen Kellett
Regulatory Compliance Branch
Fair Work Commission



DECISION

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

The Australian Workers' Union
(E2013/178)

AILSA CARRUTHERS

MELBOURNE, 10 MAY 2013

Arrangement for conduct of election.

[1] On 9 May 2013 The Australian Workers' Union lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Victorian Branch

Branch Secretary	(1)
Branch Assistant Secretary	(1)
Branch Vice-President (honorary)	(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
FAIR WORK COMMISSION

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From: KELLETT, Stephen
To: ["Industrial Elections"](#)
Subject: FW: Statement and Notice of Prescribed Information under Regulation 138
Date: Friday, 10 May 2013 7:50:00 AM
Attachments: [SSAOP10410013050914050.pdf](#)

Dear Electoral Officer,

Please see attached Statement and Notice – Casual Vacancy election – Matter number E2013/178

Yours sincerely

Stephen Kellett
FAIR WORK COMMISSION

(ph) (02) 6723 7237

From: Debra Bushell [mailto:debra.bushell@nat.awu.net.au]
Sent: Thursday, 9 May 2013 2:14 PM
To: KELLETT, Stephen
Subject: Statement and Notice of Prescribed Information under Regulation 138

Dear Mr Kellett

Please find attached correspondence from AWU National Secretary Paul Howes.

Kind regards

Debra Bushell
Personal Assistant to the National Secretary
The Australian Workers' Union
Level 10, 377-383 Sussex Street, Sydney, NSW 2000
p.02 8005 3333 | f.02 8005 3300 |
debra.bushell@nat.awu.net.au | www.awu.net.au
AWU Twitter: www.twitter.com/AWUnion



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**STRONGER
TOGETHER**

NATIONAL OFFICE
Level 10, 377-383 Sussex Street
Sydney NSW 2000
T: (02) 8005 3333 F: (02) 8005 3300
W: www.awu.net.au E: members@nat.awu.net.au
Members Hotline 1300 885 653
PAUL HOWES National Secretary



9 May 2013

The General Manager
Fair Work Australia
Level 8, Terrace Towers
80 William Street
EAST SYDNEY NSW 2011

Dear Sir / Madam

Please find enclosed our Statement and Notice of Prescribed Information under Regulation 138.

Should you require any additional information, please don't hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Paul Howes', is written over a horizontal line. The signature is fluid and cursive, with a small dot at the end.

Paul Howes
NATIONAL SECRETARY

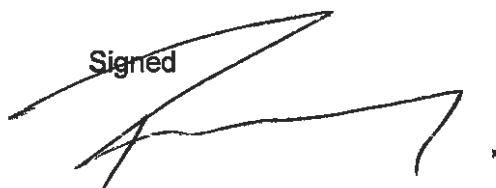
Statement and Notice of Prescribed Information under Regulation 138

I, Paul Andrew Howes, National Secretary of The Australian Workers' Union, make the following statement:

I am the National Secretary of The Australian Workers' Union,

I am authorised to lodge the following prescribed information concerning forthcoming elections in The Australian Workers' Union, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

Signed


Paul Howes
National Secretary
The Australian Workers' Union

Dated: 9 May 2013

Offices/Positions

Victorian Branch

Branch Secretary/National Executive Member/National Conference Delegate
Branch Assistant Secretary
Branch Vice President (honorary)

Reasons for election:

Resignation of Cesar Melhem from the position of Branch Secretary within the first twelve months of the term of office.

Resignation of Ben Davis from the position of Branch Assistant Secretary within the first twelve months of the term of office.

Resignation of Liam O'Brien from the position of Branch Vice President (Honorary) within the first twelve months of the term of office.

Elected by:

The positions are elected by direct voting system, the electorate is the entire Victorian Branch.

Nominations open:

15 May 2013

Nominations close:

29 May 2013

Cut off date for roll

Subject to the requirements of Rule (63 (1)) 8 May 2013