

Mr Cesar Melham Secretary, Victoria Branch AWU 685 Spencer Street WEST MELBOURNE VIC 3003

Dear Mr Melham

Re: Lodgement of Financial Statements and Accounts – Victoria Branch – for year ending 30 June 2009 (FR2009/10051)

Thank you for lodging an amended Secretary's Certificate. It has been added to the documents already lodged and the financial return has now been filed.

Yours sincerely,

Stephen Kellett

Statutory Services Branch

2 December 2009

Telephone: 0429 462 979 Facsimile: (02) 9380 6990 Email : stephen.kellett@fwa.gov.au

Internet : www.fwa.gov.au





VICTORIAN BRANCH 685 SPENCER STREET WEST MELBOURNE VIC 3003

TEL: (03) 8327 0888 FAX: (03) 8327 0899 CALL CENTRE: 1300 362 298 E-MAIL: office@awu.net.au INTERNET: www.awu.net.au/vic ABN 17 106 150 504

CESAR MELHEM Secretary

### THE AUSTRALIAN WORKER'S UNION VICTORIA BRANCH

#### SECRETARY'S CERTIFICATE

- I, Cesar Melhem, being the Secretary of The Australian Worker's Union Victoria Branch, do hereby state that the attached documents are copies of operating reports, auditor's report and audited accounts and financial statement for the year ending on the 30<sup>th</sup> of June 2009, that were:
- 1. presented to Victorian Branch Executive on 10<sup>th</sup> September 2009.
- 2. made available to the membership in the week commencing 15<sup>th</sup> September 2009.
- 3. presented by way of postal ballot to Victorian Branch Executive. The ballot was conducted on 7<sup>th</sup> October 2009, and closed at 4:00 pm on 16<sup>th</sup> October 2009. Postal ballot was completed with result in favour of adopting the 2008/2009 Victorian Branch Operating Report, Financial Accounts, Statements and Auditor's Report.

Date 30th of November 2009

Cesar Melhem Secretary



Mr Cesar Melham Secretary, Victoria Branch AWU 685 Spencer Street WEST MELBOURNE VIC 3003



Dear Mr Melham

Re: Lodgement of Financial Statements and Accounts – Victoria Branch – for year ending 30 June 2009 (FR2009/10051)

I refer to the abovementioned financial statements and accounts which were lodged with Fair Work Australia on 11 November 2009.

Before filing the documents I seek your clarification regarding the following:

In your Secretary's Certificate you state the report was presented to a meeting of the Branch Executive, but gave no date. It is not clear therefore whether the meeting to which you refer was a meeting held in accordance with s266 of the Act or whether you are referring to the first meeting held prior to the auditor's report and provision to the membership on 15 September.

If you were referring to the latter, then this would not satisfy s266.

Can you therefore indicate whether the documents were presented at a subsequent meeting, and, if so, when? Your advice would be greatly appreciated and I look forward to hearing from you.

Yours sincerely,

Stephen Kellett

Statutory Services Branch

25 November 2009

Telephone: 0429 462 979 Facsimile: (02) 9380 6990 Email: stephen.kellett@fwa.gov.au

Internet: www.fwa.gov.au





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CESAR MELHEM

Secretary

## THE AUSTRALIAN WORKER'S UNION VICTORIA BRANCH

#### SECRETARY'S CERTIFICATE

- I, Cesar Melhem, being the Secretary of The Australian Worker's Union Victoria Branch, do hereby state that the attached documents are copies of operating reports, auditor's report and audited accounts and financial statement for the year ending on the 30<sup>th</sup> of June 2009, that were:
- 1. made available to the membership in the week commencing 15th September 2009.
- 2. presented to Victoria Branch Executive and unanimously endorsed.

Date 9th of November 2009

Cesar Melhem Secretary

TEL: (03) 5134 1961 FAX: (03) 5133 9334

#### (VICTORIAN BRANCH)

# AUDITORS' REPORT, FINANCIAL STATEMENTS AND NOTES THERETO FOR THE YEAR ENDED 30 JUNE 2009

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#### THE AUSTRALIAN WORKERS' UNION

#### (VICTORIAN BRANCH)

#### OPERATING REPORT JULY 2008 – JUNE 2009

#### PRINCIPAL ACTIVITIES AND CHANGES

The principal activities of the organisation continued to be those of a registered trade union working for the benefit of its members through negotiating enterprise bargaining agreements, varying Awards, representing members before industrial tribunals, training of delegates and members in Occupational Health and Safety, workplace organising, recruitment and public promotion of the interests of members. There were no significant changes to the activities of the organisation.

#### RESULTS

The surplus for the financial year amounted to \$749,882. (2008 \$ 741,305)

#### FINANCIAL AFFAIRS

There were no significant changes in the Union's financial affairs during the financial year

#### RIGHT OF MEMBERS TO RESIGN

AWU Rule 14 – Resigning as a member – provides for resignation of members in accordance with s174 of Schedule 1B of the Workplace Relations Act 1996

#### MEMBERSHIP OF SUPERANNUATION SCHEME

Pursuant to s.254 (2) (d) of schedule 113 of the Workplace Relations Act 1996 the following members held office in Superannuation Funds as stated below:

Melhem. C

**CBUS** 

Borowick. M

Australian Super (Alternate Director)

#### NUMBER OF MEMBERS

Number of persons in register of members: 23,969 (2008-23,185)

#### NUMBER OF EMPLOYEES

Number of employees (equivalent full time): 44

#### NAMES OF MEMBERS OF MANAGEMENT COMMITTEE:

Beechey, S Bellis, S Borowick, M Bond, S Bradford D Bugg, A Chopping, M Christie,R Cragg, D Davis, B Gray D Heath, C King, P Knight, A Krishnan R Langford, J Lee, T Leo, F Lloyd, V Lynn, R

Mastrandonakis, J

Melhem, C Moore, K Noonan, B Lineham, R Palemo, I Parker, G Penn, G

Petropoulos, C

Pillai, P Rudd, R Rae, G

Saddington, J Stojanovska.B Stomps, D Williamson, T Wilson, P

Lumanovski H

During the year no members resigned from the Committee of Management.

During the year, the following members were appointed to the Committee of Management:

N. Tacey 16/10/08

#### OTHER INFORMATION

There is no other information that the Union considers relevant

Signed:

Cesar M*e*lhem

Date

ate: ///09/2

#### (VICTORIAN BRANCH)

#### STATUTORY STATEMENTS

#### FOR THE YEAR ENDED 30 JUNE, 2009

#### COMMITTEE OF MANAGEMENT'S STATEMENT

On 10<sup>th</sup> September, 2009, the Branch Executive of the Victorian Branch passed the following resolution in relation to the general purpose financial report of this reporting unit for the financial year ended 30<sup>th</sup> June, 2009: -

The Branch Executive declares in relation to the General Purpose Financial Report that in its opinion:

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (c) the financial statements and notes give a true and fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable;
- (e) during the financial year to which the General Purpose Financial Report relates and since the end of that year:
  - (i) meetings of the Branch Executive were held in accordance with the rules of the organisation including the rules of the branch concerned; and
  - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the branch concerned; and
  - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the Workplace Relations Act 1996 Schedule and the Workplace Relations Act 1996 Regulations; and
  - (iv) where the organisation consists of 2 or more reporting units, the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation; and

- (v) there have been no requests for information sought by members of the reporting unit or a Registrar duly made under section 272 of the Workplace Relations Act 1996.
- (vi) there have been no compliance orders for inspection of financial records made by the Commission under section 273 of the Workplace Relations Act 1996 Schedule.

For and on behalf of the Branch Executive

MELHEM

SIGNED at West Melbourne this 10th day of September, 2009

#### INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF

#### AUSTRALIAN WORKERS UNION

#### (VICTORIAN BRANCH)

#### YEAR ENDED 30<sup>TH</sup> JUNE, 2009

#### Scope

We have audited the Financial Statements of the Australian Workers Union (Victorian Branch) for the year ended 30 June 2009 consisting of the Statement of Financial Position, Statement of Financial Performance, Statement of Cash Flows and accompanying notes. The Branch Executive is responsible for the preparation and presentation of the Financial Statements and the information they contain. We have conducted an independent audit of these Financial Statements in order to express an opinion on them to the members of the Australian Workers Union (Victorian Branch).

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Australian Accounting Standards and statutory requirements so as to present a view which is consistent with our understanding of the Organisation's financial position and the results of its operations.

We received all the information and explanations that officers and employees of the branch were able to provide.

The audit opinion expressed in this report has been formed on the above basis.

#### Audit Opinion

#### In our opinion:

- 1. The Organisation kept satisfactory accounting records, including:
  - a) records of the sources and nature of the income of the Branch; and
  - b) records of the nature and purposes of the expenditure of the Organisation.

#### INDEPENDENT AUDITORS' REPORT TO THE MEMBERS OF

#### **AUSTRALIAN WORKERS UNION**

#### (VICTORIAN BRANCH)

#### YEAR ENDED 30<sup>TH</sup> JUNE, 2009

- 2. As required under Section 257 of the Registration and Accountability of Organisations Schedule (being schedule 1B of the Workplace Relations Act 1996), we are able to state that in our opinion: -
  - (i) The General Purpose Financial Report is presented fairly in accordance with:
    - (a) The requirements of the RAO Schedule;
    - (b) Applicable Australian Accounting Standards;
    - (c) Other mandatory professional reporting requirements

TROEDEL ADAMS & CO.

P. R. Troedel (F.C.A.) Chartered Accountants

Registered Company Auditor

Dated this day of September, 2009.

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# THE AUSTRALIAN WORKERS' UNION (VICTORIAN BRANCH) STATEMENT OF FINANCIAL POSITION AS AT 30TH JUNE, 2009

	2008	2009
	·\$	\$
ACCUMULATED FUNDS		
BALANCE @ YEAR END	3,381,874	4,108,043
DITENTION OF TENT END		4,100,010
THESE FUNDS ARE REPRESENTED BY:-		
CURRENT ASSETS		
CASH AT BANK		
General Operating Accounts	838,947	854,132
Long Services Leave Accounts	1,243,020	2,160,198
	2,081,967	3,014,330
		=
PETTY CASH	474	549
ACCOUNTS RECEIVABLE	358,939	297,074
SUBSCRIPTIONS OUTSTANDING	389,934 16,563	398,591 39,956
PREPAYMENTS MECHANDISE ON HAND	24,433	31,814
SHARES IN PUBLIC COMPANY	24,455 258	258
STARLES IN 1 OBEIG COM ANT	2,872,568	3,782,572
	2,012,000	0,.02,012
NON-CURRENT ASSETS		
NATIONAL OFFICE - LONG SERVICE LEAVE DEBT	292,387	282,328
NATIONAL OFFICE - LOAN	1,231,180	1,231,180_
	1,523,567	1,513,508
FIXED ASSETS (At Written Down Value)		
OFFICE FURNITURE, EQUIPMENT AND RENOVATIONS	137,245	215,941
MOTOR VEHICLES	640,343	592,496
	777,588	808,437
TOTAL ASSETS	5,173,723	6,104,517
LEGA GURBERTALABUTEG		
LESS: CURRENT LIABILITIES	398,725	4E0 700
TRADE CREDITORS ACCRUALS	396,725 189,954	450,728 209,230
ACCRUALS	588,679	659,958
	300,079	009,800
LESS: DEFERRED LIABILITIES		
PROVISION FOR ANNUAL LEAVE	330,547	321,785
PROVISION FOR LONG SERVICE LEAVE	896,336	1,014,731
	·1,226,883	1,336,516
TOTAL LIABILITIES	1,815,562	1,996,474
	3,358,161	4,108,043

	<u>2008</u> \$	<u>2009</u> \$
INCOME	•	•
MEMBERSHIP CONTRIBUTIONS	5,948,235	6,068,992
PROJECT FUNDING	744,283	979,000
BROKERAGE FEES	241,187	398,737
OCC, HEALTH & SAFETY TRAINING	125,908	123,185
PAID EDUCATION INCOME	103,463	102,801
RED CARD TRAINING	83,101	909
NET DISTRIBUTION FROM TAPS	75,039	-
SPONSORSHIP INCOME	36,673	92,727
ADVERTISING IN MEMBERSHIP CARD	2,727	2,773
AWU FUNCTIONS	123,949	91,314
DIRECTORS FEES	14,780	-
MISC STRIKE INCOME	-	6,959
INTEREST	63,196	138,964
RENTAL INCOME	20,000	•
SALE OF MERCHANDISE	644	922
OTHER INCOME	6,528	15,958
TOTAL INCOME	7,589,713	8,023,241
<u>EXPENSES</u>		
DIRECT MEMBERSHIP EXPENSES		•
AWU SUBSIDY TRANSFERS	823,166	850,154
IR CAMPAIGN	120,931	78,341
AFFILIATION FEES	137,890	146,762
AMBULANCÈ CLAIMS	132,051	150,423
LEGAL EXPENSES - MEMBERS	108,069	53,020
GROWTH CAMPAIGN	2,794	3,623
COMMISSION PAID - DELEGATES	203	591
COMMISSION PAID - COMPANY	11,708	13,574
SUBSCRIPTION	•	3,749
DONATIONS	28,324	37,136
PRINTING (MEMBERS)	6,507	26,951
DEPN OF M/SHIP COMPUTER SYSTEM	20,670	18,620
MEMBERSHIP MAILOUTS	44,036	78,423
PROMOTIONAL VIDEOS	•	16,015
RESEARCH EXPENSES	64,710	81,374
MERCHANDISE EXPENSE	33,340	37,063
AWU FUNCTIONS & PROMOTIONS	140,582	166,871
MEMBERS SHOPPER	7,088	4,255
TOTAL	1,682,067	1,766,945

	<u>2008</u> \$	<u>2009</u> \$
OH&S EXPENSES		
NATIONAL EXECUTIVE MEETING	4,199	4,021
TRAINING	53,599	64,719
ECORECYCLE PROJECT	12,011	-
FARM SAFE PROJECT	15,909	20,758
FABRICATED METALS INDUSTRY PROJECT	15,000	
	100,718	89,498
SHOP STEWARDS & DELEGATES		
MEDIA EXPENSES	619	1,075
SPONSORSHIP EXPENSES	1,000	14,
LOST TIME & OTHER EXPENSES	2;114	1,886
PROTEST EXPENSES	1,164	32,319
MEETING COSTS	15,020	44.054
MEETING EXPENSES - DELEGATES NATIONAL CONFERENCE COSTS	16,255 350	14,954
TOTAL	36,522	68,670 118,904
TOTAL	30,022	110,904
PAYROLL EXPENSES		
SALARIES & WAGES	2,813,223	2,976,427
SUPERANNUATION - EMPLOYER	352,666	396,954
WORKCOVER EXPENSES	43,620	43,164
PAYROLL TAX	146,769	147,096
FRINGE BENEFITS TAX ANNUAL LEAVE EXPENSE	73,922	59,500 (45,466)
LONG SERVICE LEAVE ACCRUAL	20,224 64,182	(15,166) 128,454
CONSULTANCY	26,217	38,394
CASUAL EMPLOYMENT	13,260	400
RDO EXPENSES	· -	6,592
TOTAL	3,554,083	3,781,815
TRAINING & THITION		
TRAINING & TUITION DELEGATES & SHOP STEWARDS	657	2,431
RED CARD TRAINING	21,436	ک <sub>ا</sub> 431 **
UNIVERSITY FEES	24,239	8,467
SEMINAR & CONFERENCE COSTS	12,702	3,648
TRAINING EXP	15,832	(139)
RECRUITING	3,760	14,892
PAID EDUCATION EXPENSES	80,777	84,667
CONSTRUCTION DATA	450 400	4,541
TOTAL	159,403	118,507
OFFICIALS		
ACCOMMODATION & MEALS	72,105	100,073
AIR FARES	45,948	29,589
TRAVEL EXPENSES	878	822
MISC. EXPENSES	433	183
PARKING & TAXIS	18,344	23,564
WEB SITE EXPENSES	827	40.500
INTERNET EXPENSES OFFICIALS & STAFF	8,689 1 441	12,582
TOTAL	1,441 148,664	2,136 168,949
IOIAL	170,004	100,348

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		2008	2009
		<u> </u>	\$
MOTOR VEHICLE EXP.		•	•
REGISTRATION		16,299	15,862
CAR INSURANCE		18,371	42,601
PETROL		177,503	193,132
SERVICES		34,045	74,893
TYRES		9,104	9,178
MOTOR VEHICLE EXPENSES OTHER	₹S	38,680	37,432
PROFIT ON REALISATION		(3,132)	(9,035)
DEPRECIATION MOTOR VEHICLES		214,704	225,821
TOTAL	_	505,575	589,884
TELEPHONE EXPENSES			
TELEPHONE MAIN ACCOUNT		40,492	22,731
MOBILE PHONES		79,610	108,445
HOME PHONES		5,727	5,657
SERVICE & EQUIP MAINTENANCE	_	3,923	10,228
TOTAL		129,752	147,061
DDODEDTY EVECUCES			
PROPERTY EXPENSES RENTAL		26,753	19,658
PROPERTY RATES & INSURANCE		19,061	20,281
PROPERTY MAINTENANCE		24,678	18,260
DEPRECIATION OF FURNITURE &		24,070	10,200
EQUIP		42,988	29,517
BODY CORPORATE FEES		3,494	6,988
OFFICE FURNITURE		1,203	325
SUNDRY EXPENSES		19,219	26,724
TOTAL	-	137,396	121,753
	<del>-</del>		
GENERAL EXPENSES	•		
ADVERTISING		7,202	-
AUDITING & ACCOUNTING		14,500	14,500
BANK FEES & CHARGES		18,959	21,602
CLEANING		31,543	39,628
HEATING AND LIGHTING		20,744	24,585
GENERAL INSURANCE		20,419	14,131
STAFF AMENITIES AND		04.000	40.400
DISPENSIBLES		21,903	19,499
BEREAVEMENT EXPENSES		-	800 1.705
SUNDRY EXPENSES		125 270	1,705
TOTAL		135,270	136,450
OFFICE EXPENSES			
STATIONERY		11,256	10,884
POSTAGE & COURIER		37,579	29,561
PRINTING		41,806	38,101
COPIER CHARGE & PAPER		13,280	13,655
OFFICE RENTAL EQUIPMENT		32,132	39,670
MAINTENANCE OF OFFICE		•	·
EQUIPMENT		251	1,210
COMPUTER MAINTENANCE &			
SUPPORT		73,284	83,591
SOFTWARE EXPENSES		10,573	15,578
AMALGAMATION COSTS		38,797	1,343
TOTAL		258,958	233,593
TOTAL EVECNI	· ·	6 646 400	7 070 050
TOTAL EXPENS	<u>5=5</u>	6,848,408	7,273,359
NET SURPLUS /(DEFICIT)		741,305	749,882
WEL SOULTOS VIDELICITY		171,000	140,002

# AUSTRALIAN WORKERS' UNION VICTORIAN BRANCH STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30TH JUNE, 2009

	<u>2008</u> \$	<u>2009</u> \$
CASH FUNDS AT COMMENCEMENT	1,487,011	2,081,968
OAOLUNELOW		
CASH INFLOW  ADD: PROCEEDS FROM OPERATING ACTIVITIES		·
MEMBERSHIP FEES	5,948,235	6,052,444
RECEIPTS FROM MEMBERSHIP ACTIVITIES	833,999	836,285
INTEREST RECEIVED	63,196	138,964
	6,845,430	7,027,693
		÷
ADD: PROCEEDS FROM FINANCING ACTIVITIES		
PROCEEDS FROM GRANT FUNDING	744,283	919,227
PROCEEDS FROM THE DISPOSAL OF MOTOR VEHICLES	23,923	72,467
	768,206	991,694
TOTAL INFLOW	7,613,636	8,019,387
CASH OUTFLOW		
LESS: OUTFLOW FROM OPERATING ACTIVITIES		
SUBSIDY TO NATIONAL OFFICE	823,166	850,154
PAYMENTS TO EMPLOYEES	3,549,733	2,976,827
OTHER OUTGOINGS	1,932,830	2,170,682
	6,305,729	5,997,663
LESS: OUTFLOW FROM FINANCING ACTIVITIES		
BUILDING RENOVATIONS	-	86,402
PURCHASE OF EQUIPMENT AND MOTOR VEHICLES	232,064	276,835
PAYMENTS OUT OF GRANT FUNDING	480,886	726,125
	712,950	1,089,362
TOTAL OUTELOW	7.040.070	7,007,000
TOTAL OUTFLOW	7,018,679	7,087,025
·		
CASH FUNDS AT YEAR END	2,081,968	3,014,330

#### (VICTORIAN BRANCH)

#### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

#### FOR THE YEAR ENDED 30 JUNE, 2009

#### 1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The significant policies which have been adopted in the preparation of these financial statements are:

#### 1.1 BASIS OF PREPARATION

The financial statements of the Union have been drawn up in accordance with applicable Accounting Standards, the RAO Schedule of the Workplace Relations Act 1996 and other requirements of law. They have been prepared on the basis of historical costs and do not take into account changing money values or, except where stated, current valuations of non-current assets. The accounting policies have been consistently applied and, except where there is a change in accounting policy, are consistent with those of the previous year. The accounting records have been kept on an accrual basis.

#### 1.2 INCOME TAX

No provision for income tax is necessary as the Union is exempt from income tax under Section 23(f) of the Income Tax Assessment Act.

#### 1.3 EMPLOYEE ENTITLEMENTS

#### Provision for Annual Leave

The provision for employee entitlements to Annual Leave represents the amount which the Union has a present obligation to pay resulting from employees' services provided up to the balance date. The provision has been calculated at nominal amounts based on current wage and salary rates plus leave loading.

#### 2. PROVISION FOR LONG SERVICE LEAVE

- 2.1 The liability for Long-Service Leave of Branch officials has been taken up in the books of account. Because this debt is still partly the responsibility of National Office, a corresponding asset exists under Current Assets (\$282,328).
- 2.2 In accordance with the decision of the National Executive, each Branch now brings to account the annual indebtedness to Long service Leave of its officials.

#### (VICTORIAN BRANCH)

#### NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

#### FOR THE YEAR ENDED 30 JUNE, 2009

#### 3. SALARIES AND WAGES

In accordance with Sub-regulations 107 (a) (XIV) and (XV) of the Workplace Relations Regulations, we report that the figure Salaries and Wages in the Statement of Financial Performance is made up of the following:-

	2008 \$	2009 \$
Elected Representatives	1,255,310	1,209,027
Employees	1,557,913	1,767,400
•	<u>\$ 2,813,223</u>	<u>\$ 2,976,427</u>

#### 4. MATTERS SUBSEQUENT TO THE END OF THE FINANCIAL YEAR

The Branch Executive is not aware of any post-balance date event or contingent liability which may materially affect the operating results or financial position of the Branch for the year under review or in future years.

#### 5. INFORMATION TO BE PROVIDED TO MEMBERS OR REGISTRAR

In accordance with the requirements of the Workplace Relations Act, 1996, the attention of members is drawn to the provisions of Section 274 which reads as follows:

- a) "A member of an organisation, or a Registrar, may apply to the organisation for specified prescribed information in relation to the organisation;
- b) An organisation shall, on application made under Subsection (1) by a member of the organisation or a Registrar, make the specified information available to a member or the Registrar in such manner, and within such time, as is prescribed;
- c) A Registrar may only make an application under Subsection (1) at the request of a member of the organisation concerned, and the Registrar shall provide to a member information received because of an application made at the request of the member."