POST ELECTION REPORT

Fair Work (Registered Organisations) Act 2009

Client: Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia NSW Divisional Branch – Newcastle Sub-Branch

Contact details: David Broadley Branch Secretary	Email: Dave.broadley@nswplumbersunion.com.au Tel:
AIR contact James Hall officer:	Email: Industrial.elections@fwa.gov.au Tel:
ELECTIONS COVERED IN THIS REPORT Election Decision No/s: E2011/2680	RECEIVED
<u>RULES</u> Rules used for elections Rule ID:	[128V-PLU:alterations of Figure 10/111]
Rules difficult to apply/interpret: Model Rule reference (if any):	N/A
ROLL OF VOTERS	N/A

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and actions taken by AEC:	N/A
Other irregularities identified, and action taken:	N/A

ATTACHMENTS

A Uncontested Offices

Rhys Richards Returning Officer 14 February 2012



Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing & Allied Services Union NSW Divisional Branch Plumbing Division

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.

E2011/2680

Newcastle Sub-Branch

Sub-Branch President

Candidate CAMPBELL, Peter John

Sub-Branch Secretary

Candidate MCCARNEY, Stephen

Sub-Branch Committee of Management Members (3)

Candidates

CANT, Douglas HEDGES , Andrew John MACKAWAY, Ronald James

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

Rhys Richards Returning Officer

14 February 2012



Fair Work

Australia

24 November 2011

Mr Steve McCarney Newcastle Sub-Branch Secretary, Plumbing Division Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia Shop 1, 111 McEvoy Street ALEXANDRIA NSW 2015

Dear Mr McCarney

Re: Arrangements for the conduct of an Election (E2011/2680)

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

Fair Work Australia is making arrangements, under subsections 189(3) of the *Fair Work* (*Registered Organisations*) *Act 2009*, 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.

If you have any questions relating to any of the above matters please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

1

James Hall Organisations - NSW Fair Work Australia

> Level 8, Terrace Tower 80 William Street EAST SYDNEY NSW 2011

Telephone: (02) 8374 6666 Facsimile: (02) 9380 6990 Email : david.vale@fwa.gov.au Internet : www.fwa.gov.au



DECISION

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

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (E2011/2680)

T. NASSIOS

MELBOURNE, 24 NOVEMBER 2011

Arrangement for conduct of election.

[1] On 27 October 2011, the Newcastle Sub-Branch of the New South Wales Divisional Branch of the Plumbing Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia lodged with Fair Work Australia prescribed information for an election.

[2] On 15, 17 and 22 November 2011, the Newcastle Sub-Branch of the New South Wales Divisional Branch of the Plumbing Division of the abovenamed organisation lodged further prescribed information in relation to an election for the following offices:

Sub-Branch President	(1)
Sub-Branch Secretary	(1)
Sub-Branch Committee of Management member	(3)

[2] I am satisfied that an election for the abovenamed offices_is_required_to_be_held_under_therules 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 AUSTRALIA

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<Price code A, PR516289 >

HALL, James

From:	HALL, James
Sent:	Thursday, 24 November 2011 10:30 AM
То:	'industrial.elections@aec.gov.au'
Subject:	E2011/2680 - Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Plumbing Division, Newcastle Sub- Branch
Attachments:	E2011_2680 CEPU NEWC PLU signed Decision_24112011.doc; E2011_2680_CEPU letter to AEC_24112011.doc

Dear AEC

Please find a copy of the Decision for the upcoming election of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Plumbing Division, Newcastle Sub-Branch in election E2011/2680.

Regards

JAMES HALL

Registered Organisations Unit - Sydney Fair Work Australia

Level 8 Terrace Tower 80 William Street East Sydney NSW 2011



Facsimile

Australian Electoral Commission
·
02 9375 6336
James Hall
james.hall@fwa.gov.au
02 9380 6990 Phone No: 02 8374 6641
Date: 24 November 2011 Time: 10:24 am

Please notify sender if all pages were not received.

Any information about individuals contained in this fax is confidential and may not be used or disclosed further. If you are not the intended recipient, please contact the sender immediately.

Message:

Please see attached decision regarding an upcoming election of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia, Plumbing Division Newcastle Sub-Branch in election E2011/2680.



24 November 2011

Electoral Commissioner Through Australian Electoral Officer (industrial.elections@aec.gov.au, fax: 02 9375 6336)

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 2011/2680

RE: COMMUNICATIONS, ELECTRICAL, ELECTRONIC, ENERGY, INFORMATION, POSTAL, PLUMBING AND ALLIED SERVICES UNION OF AUSTRALIA

Position:

See Decision

Relevant Information: Scheduled election; secret postal ballot

Contact:	Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Plumbing Division - Newcastle Sub-Branch
	Mr Steve McCarney, Newcastle Sub-Branch Secretary
Phone:	(02) 9310 3411

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 the election have been made, by email transmission at industrial.elections@fwa.gov.au

James Hall Fair Work Australia



AM _ PM PLOWBING TRADES EMPLOYEES UNION



FEDERAL OFFICE ABN 40 655 883 201

EARL SETCHES Federal Secretary

TONY MURPHY Federal President

52 Victoria St Cariton South 3053

Ph; 03 9662 3388 Fax: 03 9663 7516

Signed Statement of Prescribed Information for an Election

I, Steve McCarney being the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, New South Wales Branch, make the following statement:

I am the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, New South Wales Branch.

I am authorised to lodge the following prescribed information concerning forthcoming elections in the New South Wales Branch of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, Newcastle Sub-Branch, and

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

Signed: [signature]

Dated: 17 November 2011

Offices/Positions

 A
 Newcastle Sub-Branch President (1) (Direct Voting System)

 Newcastle Sub-Branch Secretary (1) (DVS)

 Newcastle Sub-Branch Committee of Management Members (3) (DVS)

Reasons for election:

 Election for offices and positions marked A respectively is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

> Plumbing Trades Employees Union of Australia '100 years of protecting the plumbing trades'

Elected by:

 The electorate for the direct voting system is the whole of the membership of the New South Wales Branch resident within a radius of forty kilometres from the Newcastle Post Office.

Nominations open:

For offices to elected by direct voting system - the last Monday in March. (see note below)

Nominations close:

For offices to be elected by direct voting system – The last Monday in April (see note below)

Cut off date for roll:

In all cases - 7 days prior to the opening date for nominations - rule 49.9.(see note below)

Notes:

 <u>The Elections in New South Wales (NSW) and the Australian Capital territory Sub-Branch could not be held on the dates above as there were rule changes that were going through the approval process. The rules have now been approved therefore the elections can now take place.</u>

<u>Rule 49.4</u>

Nominations shall be called for by advertisement in a daily newspaper circulating in the State or Territory in which the Branch is situated. Nominations must open no later than the last Monday in March in each election year. The closing date for nominations shall be the last Monday in April, 1995 and in each fourth year thereafter. Provided that any nomination may be withdrawn upon written notice of the nominee delivered to the Returning Officer within two weeks of the close of nominations.

HALL, James

From:	HALL, James
Sent:	Friday, 18 November 2011 12:19 PM
То:	'steve@pteu.asn.au'
Subject:	FW: E2011/2680 - Elections for the Newcastle Sub-Branch, Plumbing Division, CEPU
Attachments:	E2011_2681 CEPU NSW PLU_Signed Decision_03112011.pdf

Sorry, but I forgot to mention that our e-mail system is not functioning correctly at the moment so could you please fax the Pi to: 02 8374 6639.

From: HALL, James Sent: Friday, 18 November 2011 12:17 PM To: 'steve@pteu.asn.au' Subject: E2011/2680 - Elections for the Newcastle Sub-Branch, Plumbing Division, CEPU

Hi Steve

Thank you for lodging the amended PI for the above election yesterday.

I note that you have identified the correct electorate as the Newcastle Sub-Branch.

Unfortunately, you need to re-lodge the amended PI again as an additional office has been listed as requiring an election. This office was not provided for in the original PI. This office is:

Newcastle Sub-Branch Representative for the New South Wales Branch Committee of Management.

This office has already been provided for in the matter concerning the NSW Divisional Branch of the Plumbing Division (E2011/2681). The decision for this matter was issued on 3 November 2011.

Could you please re-lodge the PI by deleting the reference to that office. Please just delete this reference. You do not need to adjust the PI in any other way.

I have attached a copy of the decision in matter E2011/2681 for your reference and to confirm that the above office has already been provided for in a different election.

Regards

JAMES HALL

Registered Organisations Unit - Sydney Fair Work Australia

Level 8 Terrace Tower 80 William Street East Sydney NSW 2011



Facsimile

То:	Steve Rocco
Organisation:	CEPU - Plumbing Division
Fax No:	03 9663 7516
From:	James Hall
Email:	james.hall@fwa.gov.au
Fax No:	02 9380 6990 Phone No: 02 8374 6641
No. of Pages:	4 Date: 18 November 2011 Time: 12:45 pm (including cover)

Please notify sender if all pages were not received.

Any information about individuals contained in this fax is confidential and may not be used or disclosed further. If you are not the intended recipient, please contact the sender immediately.

Message:

ATTENTION: STEVE ROCCO

Hi Steve

Thank you for lodging the amended PI for the above election yesterday.

I note that you have identified the correct electorate as the Newcastle Sub-Branch.

Unfortunately, you need to re-lodge the amended PI again as an additional office has been listed as requiring an election. This office was not provided for in the original PI. This office is:

Newcastle Sub-Branch Representative for the New South Wales Branch Committee of Management.

This office has already been provided for in the matter concerning the NSW Divisional Branch of the Plumbing Division (E2011/2681). The decision for this matter was issued on 3 November 2011.

Could you please re-lodge the PI by deleting the reference to that office. Please just delete this reference. You do not need to adjust the PI in any other way.

I have attached a copy of the decision in matter E2011/2681 for your reference and to confirm that the above office has already been provided for in a different election.

Our e-mail system is not functioning correctly at the moment so could you please fax the Pi to: 02 8374 6639.

Regards

JAMES HALL

Registered Organisations Unit - Sydney Fair Work Australia

Level-8 Terrace Tower 80 William Street East Sydney NSW 2011



12 AM RECEIVEL ശ in σ 4

Signed Statement of Prescribed Information for an Election

I, Steve McCarney being the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, New South Wales Branch, make the following statement:

I am the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, New South Wales Branch,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the New South Wales Branch of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia – Plumbing Division, Newcastle Sub-Branch, and

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

Signed: [signature]

Dated: 17 November 2011

Offices/Positions

A	Newcastle Sub-Branch President (1) (Direct Voting System)
	Newcastle Sub-Branch Secretary (1) (DVS)
	Newcastle Sub-Branch Committee of Management Members (3) (DVS)
	Newcastle Sub-Branch Representative for the New South Wales Branch Committee of Management (1) (DVS)

Reasons for election:

Election for offices and positions marked A respectively is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

> Plumbing Trades Employees Union of Australia '100 years of protectify the plumbing trades'

ABN 40 655 883 201

Fecteral Secretary

TONY MURPHY Federal President

52 Victoria St

Carlton South 3053

Plu 03 9662 3388 Fax: 03 9663 7516

Elected by:

 The electorate for the direct voting system is the whole of the membership of the New South Wales Branch resident within a radius of forty kilometres from the Newcastle Post Office.

Nominations open:

For offices to elected by direct voting system - the last Monday in March. (see note below)

Nominations close:

For offices to be elected by direct voting system – The last Monday in April (see note below)

Cut off date for roll:

In all cases - 7 days prior to the opening date for nominations - rule 49.9.(see note below)

Notes:

 The Elections in New South Wales (NSW) and the Australian Capital territory Sub-Branch could not be held on the dates above as there were rule changes that were going through the approval process. The rules have now been approved therefore the elections can now take place.

<u>Rule 49.4</u>

Nominations shall be called for by advertisement in a daily newspaper circulating in the State or Territory in which the Branch is situated. Nominations must open no later than the last Monday in March in each election year. The closing date for nominations shall be the last Monday in April, 1995 and in each fourth year thereafter. Provided that any nomination may-be-withdrawn-upon-written notice of the nominee delivered to the Returning Officer within two weeks of the close of nominations.

HALL, James

From: Sent: To: Subject: Attachments: HALL, James Wednesday, 16 November 2011 2:25 PM 'steve@pteu.asn.au' E2011/2680 - Elections for the Newcastle Sub-branch, Plumbing Division, CEPU CEPU E2011 2680- PLU - NEW PI Lodged 27102011.pdf

Hi Steve

As discussed, could you please re-lodge prescribed information for the election of offices for the Newcastle Sub-Branch of the Plumbing Division, CEPU.

The prescribed information that was lodged on 27 October 2011 (which is attached) provided that the offices would be elected by the whole of the New South Wales Branch.

Could you please re-lodge a signed statement containing the same information as the original but changing the electorate identified by noting that it is the Newcastle Sub-Branch.

A change we could suggest is the following:

"Elected by:

• The electorate for the direct voting system is the whole of the membership of the New South Wales Branch resident within a radius of forty kilometres from the Newcastle Post Office."

This is consistent with rule 48.1.4.1 of the Divisional Rules.

As noted above, the rest of the statement is satisfactory.

Thanks

JAMES HALL

Registered Organisations Unit - Sydney Fair Work Australia

Level 8 Terrace Tower 80 William Street East Sydney NSW 2011



CEPU - PLUMBING DIVISION

FEDERAL OFFICE ABN 40 655 883 201

EARL SETCHES Federal Secretary

52 Victoria St Caritøn South 3053

Ph; 03 9662 3386 Fax: 03 9663 7516

Friday 15th October 2011

Resolution

At this special meeting of the Newcastle Sub-Branch called on Friday 15th October 2011 we endorse the following positions for re-election for the term of 4 years to represent the Newcastle members of the CEPU Plumbing Division.

Offices/Positions

 A
 Newcastle Sub-Branch President (1) (Direct Voting System)

 Newcastle Sub-Branch Secretary (1) (DVS)

 Newcastle Sub-Branch Committee of Management Members (3) (DVS)

The motion was put by: Ted Maybury

Seconded: Peter Campbell

The-motion-was carried

Signed: Steve McCarney Secretary





CEPU - PLUMBING DIVISION

FEDERAL OFFICE ABN 40 655 883 201

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EANL SETCHES Federal Secretary

52 Victoria St Carlton South 3053

Ph: 03 9662 3388 Fax; 03 9663 7516

14th November 2011

David Vale

Manager, Organisations-NSW

Fair Work Australia

Please be advised that the resolution dated 15th October 2011 for the election of previously advised nominations for positions did not call for the election of Sub-Branch Vice President, and only one Sub-Branch Trustee for the Newcastle Sub-Branch election.

Steve McCarney

Communications Electrical Electronic Energy Information Postal Plumbing and Aliled Services Union of Australia



Fair Work Australia

31 October 2011

Mr Steve McCarney Newcastle Sub-Branch Secretary, Plumbing Division Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia Shop 1, 111 McEvoy Street ALEXANDRIA NSW 2015

Also by facsimile: 02 9310 1380

Dear Mr McCarney

Re: Arrangements for the conduct of an Election (E2011/2680)

I acknowledge receipt of prescribed information dated 20 October 2011 lodged with Fair Work Australia (**FWA**) on 27 October 2011 for the conduct of an election for the Newcastle Sub-Branch of the New South Wales Branch, Plumbing Division, Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**CEPU**).

The prescribed information appears to exhibit the following errors and/or omissions:

- 1. The offices listed as requiring an election do not include the office of Newcastle Sub Branch Vice-President. Pursuant to rules 48.2.1(b) and 63.3 of the rules of the Plumbing Division of the CEPU (**the rules**), the office of Vice-President should be included within the prescribed information unless the Branch Committee of Management has determined otherwise. FWA has not received any documentation to indicate that the Branch Committee of Management has determined not to hold elections for the office of Newcastle Sub-Branch Vice President.
- 2. The electorate identified in the prescribed information is the "whole of the New South Wales Branch". Pursuant to rule 48.1.4.1 the members of the Newcastle Sub-Branch comprise all members of the New South Wales Branch resident within a radius of forty kilometres from the Newcastle Post Office.

Given the above, could you please re-lodge amended prescribed which includes the office of Newcastle Sub-Branch Vice-President as requiring an election and correctly identifies the electorate for the election.

If you have any questions relating to any of the above matters please do not hesitate to contact me on (02) 8374 6509.

Yours sincerely

diel

David Vale Manager, Organisations - NSW Fair Work Australia

Level 8, Terrace Tower 80 William Street EAST SYDNEY NSW 2011 Telephone: (02) 8374 6666 Facsimile: (02) 9380 6990 Email : david.vale@fwa.gov.au Internet : www.fwa.gov.au

ALL, James

From:	HALL, James
Sent:	Friday, 28 October 2011 11:03 AM
То:	'industrial.elections@aec.gov.au'
Subject:	E2011/2680 - Application/Notification by Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Plumbing Division NSW Divisional Branch
Attachments:	CEPU Plumbing 128V-PLU_R2011 110_R2011 111.pdf; CEPU E2011_2680- PLU - NEW PI Lodged 27102011.pdf

Dear AEC

Please find the prescribed information and a copy of the current rulebook for an upcoming election of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia – Plumbing Division –Newcastle Sub-Branch (E2011/2680).

Regards

JAMES HALL

Registered Organisations Unit - Sydney Fair Work Australia

Level 8 Terrace Tower 80 William Street East Sydney NSW 2011

Ê 2011/2680





CEPU - PLUMBING DIVISION

FEDERAL OFFICE ABN 40 655 883 201

EARL SETCHES Federal Secretary

52 Victoria St Carlton South 3053

Ph: 03 9662 3388 Fax: 03 9663 7516

Signed Statement of Prescribed Information for an Election

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I am the Newcastle Sub-Branch Secretary of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia - Plumbing Division, New South Wales Branch,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the New South Wales Branch of the Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia - Plumbing Division, Newcastle Sub-Branch, and

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

Signed: [signature]

Dated: 20 October 2011

Offices/Positions

•

Reasons for election:

Election for offices and positions marked A respectively is required as the terms of 2 office are due to expire in the normal course of events under the rules of the organisation.

Communications Electrical Electronic Energy Information Postal Plumbing and Allied Services Union of Australia

Elected by:

 The electorate for the direct voting system is the whole of the New South Wales Branch.

Nominations open:

For offices to elected by direct voting system - the last Monday in March. (see note below)

Nominations close:

For offices to be elected by direct voting system – The last Monday in April (see note below)

Cut off date for roll:

 In all cases - 7 days prior to the opening date for nominations - rule 49.9.(see note below)

Notes:

The Elections in New South Wales (NSW) and the Australian Capital territory Sub-Branch could not be held on the dates above as there were rule changes that were going through the approval process. The rules have now been approved therefore the elections can now take place.

Rule 49.4

Nominations shall be called for by advertisement in a daily newspaper circulating in the State or Territory in which the Branch is situated. Nominations must open no later than the last Monday in March in each election year. The closing date for nominations shall be the last Monday in April, 1995 and in each fourth year thereafter. Provided that any nomination may be withdrawn-upon-written-notice-of-the-nominee-delivered-to-the-Returning Officer within two weeks of the close of nominations.



CEPU - PLUMBING DIVISION

FEDERAL OFFICE ABN 40 655 883 201

EARL SETCHES Federal Secretary

52 Victoria St Carlton South 3053

Ph; 03 9662 3388 Fax: 03 9663 7516

Friday 15th October 2011

Resolution

At this special meeting of the Newcastle Sub-Branch called on Friday 15th October 2011 we endorse the following positions for re-election for the term of 4 years to represent the Newcastle members of the CEPU Plumbing Division.

Offices/Positions

 A
 Newcastle Sub-Branch President (1) (Direct Voting System)

 Newcastle Sub-Branch Secretary (1) (DVS)

 Newcastle Sub-Branch Committee of Management Members (3) (DVS)

The motion was put by: Ted Maybury

Seconded: Peter Campbell

The motion was carried

Signed: Steve McCarney Secretary
