



16 November 2015

Mr Les McLaughlan
Divisional State Secretary
Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services
Union of Australia - Electrical, Energy and Services Division - Western Australian Divisional Branch
cepu@etuwa.com.au

Dear Mr McLaughlan,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/207]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe.

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia - Electrical, Energy and Services Division - Western Australian Divisional Branch must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and
 - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Debbie Ball

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT

Election No E2015/207

Client: **Communications, Electrical, Electronic, Energy, Information, Postal,
Plumbing and Allied Services Union of Australia – WA Branch -
Electrical Division**

Contact: **Mr Les McLaughlan
Fair Work Australia**

Email: [REDACTED]
Email: orgs@fwc.gov.au

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 the General Manager 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 of 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 Regulations 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.


Carl Binning
Returning Officer
07 October 2015

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s:2015/207

RULES

Rules used for the election:

(128V-ELE: Incorporates alterations of 30/06/2014 in matter R2014/35)

Rules difficult to apply/interpret:

Nil

Model Rule reference (if any):

N/A

ROLL OF VOTERS

As there were no contested offices, no Roll of Voters was required.

IRREGULARITIES

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

Nil

Other irregularities identified, and action taken:

Nil

ATTACHMENTS

Declaration of Results for Uncontested Offices



Carl Binning
Returning Officer
07 October 2015

Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing & Allied Services Union Scheduled Collegiate Election E2015/207

Declaration of Results for Uncontested Offices

E2015/207

Below are 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.

Electrical Division

Divisional Branch Vice President

Candidates

COULTER, Matthew

Divisional Branch Executive Member from General Trades

Candidates

COLLIS, Jamie

Divisional Branch Executive Member from Supply Authorities

Candidates

COULTER, Matthew

Divisional Branch Executive Member from Transport

Candidates

MANHOOD, Robert

Divisional Branch Executive Member from the Manufacturing Industry Section

Candidates

DELLAVANZO, Jay

Divisional Branch Executive Member from Electrical Contracting Industry

Candidates

FOWLIE, Don

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



Carl Binning
Returning Officer

7 October 2015



FairWork
Commission

21 August 2015

Mr Leslie McLaughlan
Divisional Branch Secretary
Western Australian Divisional Branch
Electrical, Energy and Services Division
Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia
PO BOX 689
BALCATTWA WA 6914

Dear Mr McLaughlan

Arrangement for the conduct of an election - E2015/207

I refer to the prescribed information which was lodged with the Fair Work Commission on 16 July 2015 for an election of the WA Divisional Branch of the Electrical, Energy and Services Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (the CEPU).

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

The Fair Work Commission 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.

Yours sincerely

David Vale
Principal Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



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**
(E2015/207)

MR ENRIGHT

MELBOURNE, 20 AUGUST 2015

Arrangement for conduct of election.

[1] On 16 July 2015 the Western Australian Divisional Branch (the Branch) of the Electrical, Energy and Services Division of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia lodged with the Fair Work Commission (the Commission) the prescribed information in relation to an election for the following offices:

Divisional Branch Vice-President	(1)
Divisional Branch Executive Member representing the following Sections:	
General Trade	(1)
Supply Authorities	(1)
Transport Industry	(1)
Manufacturing Industry	(1)
Electrical Contracting Industry	(1)

[2] On 4 August 2015, the Fair Work Commission wrote to the abovenamed organisation informing them that it was unclear when nominations were to open for this election and that under section 189(2) of the *Fair Work (Registered Organisations) Act 2009* (the Act) prescribed information must be lodged before the prescribed day or a request for an extension of time to lodge would be required.

[3] On 5 August 2015, Mr Les McLaughlan, the Divisional Branch Secretary of the abovenamed organisation wrote to the Commission and stated that the above election had initially been planned to take place at the next State Council meeting on 5 August 2015 but was now planned to occur on 7 October 2015. Accordingly, the prescribed information has been lodged before the prescribed day. Mr McLaughlan also added that he was of the opinion under the rules that the need to lodge the prescribed information two months prior was in relation to the direct quadrennial election and that the collegiate election would follow from that.

[4] I am aware that the Divisional rulebook of the organisation provides that such an election is to occur at the first Divisional State Council meeting following the quadrennial elections however it is up to the organisation to ensure that its rules do not conflict with the requirements set out in the Act and its regulations.

[5] 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

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VALE, David

From: VALE, David
Sent: Friday, 21 August 2015 10:46 AM
To: 'Industrial Elections' (industrial.elections@aec.gov.au)
Subject: E2015/207
Attachments: E2015_207_CEPU WA_ELE_SIGNED Decision_20 August 2015.docx; CEPU_E2015_207 Decision to AEC_21082015.doc

Dear AEC

Please find a copy of the Decision in election E2015/207.

Yours sincerely

DAVID VALE

Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission

Tel: 02 8374 6509

Fax: 02 9380 6990

david.vale@fwc.gov.au

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011
www.fwc.gov.au

21 August 2015



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 2015/207

**RE: WA BRANCH, ELECTRICAL DIVISION;
COMMUNICATIONS, ELECTRICAL, ELECTRONIC,
ENERGY, INFORMATION, POSTAL, PLUMBING AND
ALLIED SERVICES UNION OF AUSTRALIA**

Offices: See Decision

Relevant Information: Collegiate Election

Contact: Mr Les McLaughlan, Secretary

Phone: (08) 9440 3522

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 orgs@fwc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read "David Vale", is written over a light blue horizontal line.

David Vale
Principal Adviser,
Regulatory Compliance Branch, NSW
Fair Work Commission

5 August 2015

Carolyn Moloney
Assistant Advisor
Regulatory Compliance Branch
Fair Work Commission

E2015/207
Amended Pl
rec'd. 5/8.

Dear Carolyn

ARRANGEMENT FOR THE CONDUCT OF AN ELECTION – E2015/207

I refer to your letter dated 4 August 2015 in relation to the request for a collegiate election to be conducted.

Foundry Divisional Branch Executive Member

We have not requested the election of a Foundry Executive Member because the position of Divisional Branch Councillor for the Foundry Section was left unfilled following the declaration of the quadrennial election, therefore there was no one eligible to fill the position.

Electrical Contracting Divisional Branch Executive Member

Rule 11.11.2.1 and 11.11.2.2 only apply in relation to our Victorian Branch. The Rule that applies to our Branch in relation to the number of Divisional Branch Executive Members is 11.11.1. We have complied with this Rule.

Date of Divisional State Council Meeting

The date of the first State Council meeting after the declaration of results is 5 August 2015. We lodged the document the day after the declaration of our quadrennial election.

We were of the opinion under the Rules that the need to lodge the prescribed information two months prior was in relation to the direct quadrennial election and that the collegiate election would follow from that, given that it is dependent on the declaration of those results.

If we were mistaken in that interpretation, then we seek an extension of time for the lodgement of the prescribed information and the reason for the lateness is our misinterpretation as above.

Our next State Council meeting is the 7 October 2015 and we would seek the conduct of the collegiate elections on that date.

Yours faithfully



Les McLaughlan
Divisional State Secretary



4 August 2015

Mr Leslie McLaughlan
Divisional Branch Secretary
Western Australian Divisional Branch
Electrical, Energy and Services Division
Communications, Electrical, Electronic, Energy, Information,
Postal, Plumbing and Allied Services Union of Australia
PO BOX 689
BALCATTA WA 6914

Also by fax: (08) 9440 3544 and by email: Nashell@etuwa.com.au

Dear Mr McLaughlan

Arrangement for the conduct of an election - E2015/207

I refer to the prescribed information lodged on 16 July 2015 for the conduct of an election for offices within the Western Australian Divisional Branch (**the Branch**) of the Electrical, Energy and Services Division (**the Division**) of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**CEPU**).

The election is a collegiate election, which follows the quadrennial Branch election in E2015/158.

Number of Divisional Branch Executive Members

The prescribed information does not list any Divisional Branch Executive Members from the Foundry Industry Section. However, the decision in E2015/158 listed one Divisional State Councillor from the Foundry Industry Section. In accordance with sub-rule 11.11.2.1 of the rulebook of the Division, it appears that a Divisional Branch Executive Member from the Foundry Industry Section was omitted from the prescribed information.

The amended prescribed information for E2015/158, which was lodged on 21 May 2015, showed that the Electrical Contracting Industry Section had 3,875 members. In accordance with sub-rules 11.11.2.1 and 11.11.2.2 of the rules of the Division it appears that two Divisional Branch Executive Members are required to be elected in this instance. However, only one Divisional Branch Executive Member from the Electrical Contracting Industry was listed in the current prescribed information for the current election.

If you agree with the above analysis, could you please provide amended prescribed information which includes a Divisional Branch Executive Member from the Foundry Industry Section and two Divisional Branch Executive Members from the Electrical Contracting Industry Section.

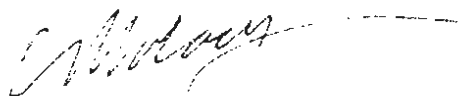
Date of Divisional State Council Meeting

Sub-rules 15.7 and 15.11 of the rules of the Division provide that this election will occur at the first meeting of the Divisional State Council after the ballot for the quadrennial election. The prescribed information does not include the date of this meeting. In the amended prescribed information, could you please include the date on which the Divisional State Council Meeting is scheduled to be held. Further, if the date of that meeting is before 17 September 2015, could you please provide a request for an extension of time, including brief reasons for lodging the

prescribed information after the prescribed day in accordance with section 189(2) of the *Fair Work (Registered Organisations) Act 2009*.

If you have any questions in relation to the above, please don't hesitate to contact me on 02 8374 6510 or email orgs@fwc.gov.au.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'Carolyn Moloney', followed by a horizontal line.

Carolyn Moloney
Assistant Advisor
Regulatory Compliance Branch



16 July 2015

General Manager
Fair Work Commission
Level 10
80 William Street
EAST SYDNEY NSW 2011

Re: Request for an election pursuant to Section 182 & 189 of the Fair Work (Registered Organisations) Act 2009

Dear Sir,

In accordance with its rules, the WA Branch of the Electrical, Energy and Services Division of the CEPU, is required to hold a collegiate election.

Pursuant to the above sections of the Act the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU) requests formally that Fair Work Australia arrange for the Australian Electoral Commission to conduct an election.

I have attached to this correspondence (Attachment A) the prescribed information required by section 189(1) and regulation 138. I would appreciate your attention to this matter.

Yours faithfully,

L. McLaughlan
Branch Secretary



I, **Leslie McLaughlan**, state that I am the officer authorised to make a statement pursuant to s 189(1) of *The Fair Work (Registered Organisations) Act 2009* with respect to the election of the CEPU of the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (CEPU).

The information required by reg. 138 is appended as Attachment "A"

Signed:

L. McLaughlan

Branch Secretary

16 July 2015