

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

FORESTRY, FURNISHING, BUILDING PRODUCTS AND MANUFACTURING DIVISION

PULP AND PAPER WORKERS' DISTRICT OF THE NO. 1 DIVISIONAL BRANCH

DECLARATION OF RESULTS

Results of the election for the following office conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2009/141

SYDNEY SUB BRANCH PRESIDENT

Total number of persons on the roll of voters	93
Ballot papers issued	93
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	93
Ballot papers returned for scrutiny	54
Less ballot papers rejected at preliminary scrutiny	1
TOTAL BALLOT PAPERS ADMITTED TO SCUTINY	53
Percentage of ballot papers returned to number issued	58%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	39

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Final Votes</u>
WALKER, Shane	5	1 st excluded
MORELL, Albert	15	30
MORGAN, Gordon	10	3 rd excluded
LAFOU, Michael Joseph	16	23
O'CONNELL, Gerry	7	2 nd excluded
Formal ballot papers	53	
Informal ballot papers	0	

I declare Albert Morell elected.

Michael Pryor
Returning Officer
Australian Electoral Commission

2 June 2009

Ms Jane Calvert
Divisional President
CFMEU
148-152 Miller Street
WEST MELBOURNE VIC 3003

**Post Election Report For: Construction, Forestry, Mining and Energy Union
Forestry, Furnishing, Building Products and Manufacturing
Division
Pulp and Paper Workers' District of the No. 1 Divisional Branch
Election E2009/141**

I refer to the above election for your organisation.

Section 197(1) of Schedule 1 of the Workplace Relations Act 1996 requires the AEC to provide a written report on the conduct of the election to the Industrial Registrar 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 Schedule 1 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 Workplace Relations (RAO) Regulations 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.

Michael Pryor
Returning Officer

4 June 2009

Workplace Relations Act 1996 – Schedule 1

POST ELECTION REPORT

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

FORESTRY, FURNISHING, BUILDING PRODUCTS AND MANUFACTURING DIVISION

PULP AND PAPER WORKERS' DISTRICT OF THE NO. 1 DIVISIONAL BRANCH

ELECTION/S COVERED IN THIS REPORT

Election Decision No: E2009/141

RULES

Rules used for the election: [105N-ATAI: Incorporates alterations in matter
R2008/313, R2008/338 and FR2008/512 certified on
28/08/08

Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: 671
Number of apparent workplace addresses: Nil
Number of non-current addresses: 1
Other matters pertaining to the roll of voters: Nil

IRREGULARITIES

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

ATTACHMENTS

Declaration of Results

Michael Pryor
Returning Officer

4 June 2009

CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION

FORESTRY, FURNISHING, BUILDING PRODUCTS AND MANUFACTURING DIVISION

PULP AND PAPER WORKERS' DISTRICT OF THE NO. 1 DIVISIONAL BRANCH

DECLARATION OF RESULTS

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2009/141

MARYVALE SUB-BRANCH

Total number of persons on the roll of voters	578
Ballot papers issued	577
Duplicate ballot papers issued	0
TOTAL BALLOT PAPERS ISSUED	577
Ballot papers returned for scrutiny	200
Less ballot papers rejected at preliminary scrutiny	7
TOTAL BALLOT PAPERS ADMITTED TO SCRUTINY	193
Percentage of ballot papers returned to number issued	34%
Ballot papers returned as unclaimed mail	0
Ballot papers not returned	377

COMMITTEE OF MANAGEMENT MEMBERS (4)

CANDIDATES	VOTES
MCINTOSH, Mark	177
BROWN, David A	165
VANGELDEREN, Jason	167
RAEBURN, Peter	133
WHITE, Darren	126

Total votes	768
Formal ballot papers	192
Informal ballot papers	1

I declare Mark McIntosh, Jason Vangelderren, David A Brown and Peter Raeburn elected.

Michael Pryor
Returning Officer
Australian Electoral Commission

2 June 2009



Australian Government
Australian Industrial Registry

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 Michael O'Connor
Secretary
CFMEU Forestry & Furnishing Products Division
148-152 Miller St
West Melbourne VIC 3003

Dear Mr O'Connor

**Re: Arrangements for the conduct of an Election
(E2009/141)**

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

The Registrar is 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.

Under regulation 138 of the *Workplace Relations (Registration And Accountability Of Organisations) Regulations 2003*, the date for lodging the prescribed information should be 2 months prior to the date that nominations open for an election. In this case, the prescribed information should have been lodged no later than 20 February 2009.

Could you please ensure in future you lodge the prescribed information no later than 2 months prior to the date that nominations open for an election.

Yours sincerely,

A handwritten signature in cursive script that reads 'David Vale'.

David Vale
for Deputy Industrial Registrar

15 April 2009

Workplace Relations Act 1996
s.189 RAO Schedule - arrangement for conduct of an election

Construction, Forestry, Mining and Energy Union
(E2009/141)

ROBIN GODFREY
DEPUTY INDUSTRIAL REGISTRAR

SYDNEY 15 APRIL 2009

DECISION

[1] On 3 April 2009 the Forestry, Furnishing, Building Products and Manufacturing Division of the Construction, Forestry, Mining and Energy Union lodged in the Industrial Registry the prescribed information in relation to an election for the following offices:

Pulp and Paper Workers' District of the No. 1 Divisional Branch

Maryvale Sub Branch

Committee of Management member (4)

Sydney Sub Branch

President (1)

[2] On 15 April 2009 the Forestry, Furnishing, Building Products and Manufacturing Division lodged further amending prescribed information in relation to those offices.

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



VALE, David

From: VALE, David
Sent: Wednesday, 15 April 2009 3:08 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/141
Attachments: E2009_141 signed decision to AEC.pdf

Dear AEC,

Please find attached a copy of the Decision for the upcoming election for the Forestry, Furnishing & Products Division of the CFEMU - E2009/141.

Yours sincerely

David Vale
Manager, Registered Organisations
New South Wales Registry

Australian Industrial Relations Commission
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@airc.gov.au



Australian Government
Australian Industrial Registry

Level 8, Terrace Towers
80 William Street, East Sydney, NSW 2011
Telephone: (02) 8374 6666
Fax: (02) 9380 6990

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 2009/141

RE: CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION – FORESTRY & FURNISHING PRODUCTS DIVISION

Positions:

See Decision

Contact: Michael O'Connor
Secretary

Phone: 03 9274 9200

A copy of my 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

A handwritten signature in black ink that reads 'David Vale'.

David Vale
for Deputy Industrial Registrar

15 April 2009



CONSTRUCTION
FORESTRY
MINING
ENERGY
UNION

FORESTRY &
FURNISHING
PRODUCTS
DIVISION

National Office
ABN 91 691 430 210

148 - 152 Miller Street
WEST MELBOURNE
VICTORIA 3003

PH: (03) 9274 9200
FAX: (03) 9274 9284

Freecall: 1800.060.556

Email: admin@cfmeuffpd.org

David Vale
AIRC
By email: david.vale@airc.gov.au

14th April 2009

Dear David,

**RE: CFMEU FFPD request for elections in the PPW District
Sydney & Maryvale Sub Branches per our correspondence of the
3rd April 2009**

The need for these elections to be held has arisen because of casual vacancies occurring due to the following circumstances:

1. MARYVALE: there were four members of the Sub Branch who were elected to dual positions. In accordance with CFMEU FFPD Rule 57 19(a) each member subsequently resigned their position of committee of management member. Copies of these resignations have been emailed to you today.
2. SYDNEY: The member elected to the position of Sub Branch President was recently made redundant from his workplace and has consequently resigned from the position of Sub Branch President. A statutory declaration from the CFMEU FFPD National President confirming this is attached and the written resignation from the Sydney Sub Branch will be forwarded as soon as possible.

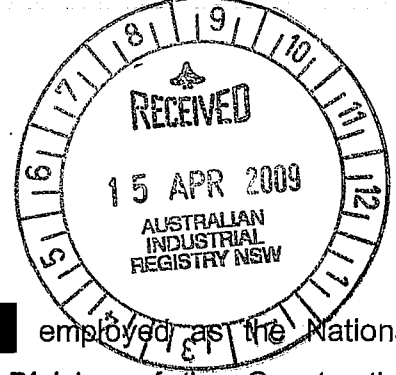
Please contact Jane Calvert if you require further information:
jcalvert@cfmeuforestry.org or (03) 9274 9200 or 0419 346 531.

Yours sincerely

Michael O'Connor
Secretary
CFMEU FFPD



Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declarations Act 1959



I, Jane Calvert of [REDACTED] employed as the National President of the Forest & Furnishing Products Division of the Construction Forestry Mining & Energy Union (CFMEU FFPD), make the following declaration under the *Statutory Declarations Act 1959*:

1. I have been made aware that Steve Mapstone has resigned from the position of President of the Sydney Sub Branch of the PPW District of the CFMEU FFPD. This was conveyed to me by Alex Millar, the Secretary of the PPW District of the No 1 Branch of the CFMEU FFPD.
2. Craig Walters is the Secretary of the Sydney Sub Branch of the PPW District of the CFMEU FFPD.
3. On Tuesday 14th April 2009, Craig Walters confirmed with me that he is in receipt of Steve Mapstone's letter of resignation from the position of Sub Branch Secretary but that he is unable to forward a copy of the resignation to me until Monday 20th April, as he is interstate and away from his office until then.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 Signature of person making the declaration

³ *Jane Calvert*

4 Place
5 Day
6 Month and year

Declared at ⁴ West Melbourne on ⁵ 14th day of ⁶ April, 2009.

Before me,

7 Signature of person before whom the declaration is made (see over)

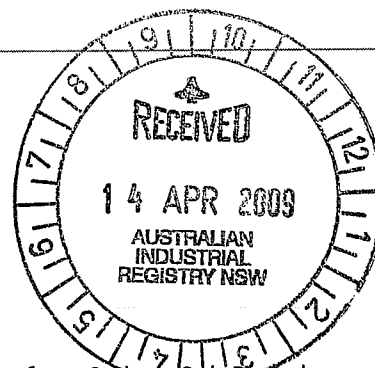
⁷ *B. Disken*

8 Full name, qualification and address of person before whom the declaration is made (in printed letters)

⁸ [REDACTED]

VALE, David

From: Jane Calvert [jcalvert@cfmeuffpd.org]
Sent: Tuesday, 14 April 2009 12:29 PM
To: VALE, David
Subject: CFMEU FFPD PPW request for election
Attachments: maryvale resignations.pdf



Hello David

As discussed I have attached the four resignations from Maryvale. The guy from Sydney Sub Branch was made redundant from the workplace on the 26/3/09. I am trying to chase down a copy of his resignation from the position of Sydney Sub Branch President and will forward it to you in due course.

Regards

Jane Calvert
(03) 92749200
0419 346 531

18th December 2008

To:

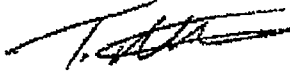
Ian Moule – Secretary, CFMEU Maryvale Sub Branch
Cc: Alex Millar – Secretary, CFMEU Federal Office

Dear Ian and Alex

I wish to inform you (under the rules of 14 days notice) that I, Tim Allan accept the elected position of President of the Maryvale Sub Branch.

Furthermore, I wish to advise the CFMEU Secretary that I do not wish to accept a position of Committee Member of Maryvale Sub Branch.

Yours faithfully,



Tim Allan
President
Maryvale Sub Branch

18th December 2008

To:


Ian Moule – Secretary, CFMEU Maryvale Sub Branch
Cc: Alex Millar – Secretary, CFMEU Federal Office

Dear Ian and Alex

I wish to inform you (under the rules of 14 days notice) that I, Chris Robertson accept the elected position of Secretary of the Maryvale Sub Branch.

Furthermore, I wish to advise the CFMEU Secretaries that I do not wish to accept a position of Committee Member of Maryvale Sub Branch.

Yours faithfully,



Chris Robertson
Secretary
Maryvale Sub Branch

18th December 2008

To:

Ian Moule – Secretary, CFMEU Maryvale Sub Branch
Cc: Alex Millar – Secretary, CFMEU Federal Office

Dear Ian and Alex

I wish to inform you (under the rules of 14 days notice) that I, Louise Down accept the elected position of Senior Vice President of the Maryvale Sub Branch.

Furthermore, I wish to advise the CFMEU Secretaries that I do not wish to accept a position of Committee Member of Maryvale Sub Branch.

Yours faithfully,



Louise Down
Senior Vice President
Maryvale Sub Branch

18th December 2008

To:

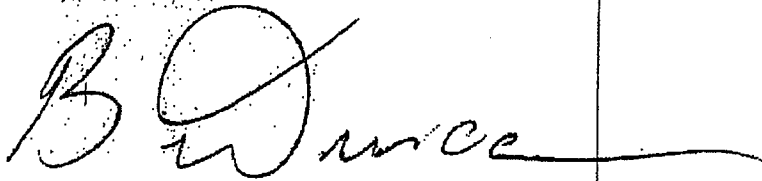
Ian Moule – Secretary, CFMEU Maryvale Sub Branch
Cc: Alex Millar – Secretary, CFMEU Federal Office

Dear Ian and Alex

I wish to inform you (under the rules of 14 days notice) that I, Brian (Billy) Duncan accept the elected position of Junior Vice President of the Maryvale Sub Branch.

Furthermore, I wish to advise the CFMEU Secretaries that I do not wish to accept a position of Committee Member of Maryvale Sub Branch.

Yours faithfully,

A handwritten signature in cursive script that reads "B Duncan". The signature is written in black ink and extends across the width of the page.

Brian (Billy) Duncan
Junior Vice President
Maryvale Sub Branch

07

VALE, David

From: VALE, David
Sent: Friday, 3 April 2009 12:11 PM
To: 'industrial.elections@aec.gov.au'
Subject: E2009/141
Attachments: CFMEU FFPD E2009_141 application 30409.pdf; CFMEU Forestry R2008_313, 338 & FR2008_512_280808.doc

Dear AEC,

Please find attached a copy of the prescribed information and a copy of the current rule book of the Forestry & Furnishing Products Division of the CFMEU for an upcoming election.

Yours sincerely,

David Vale
Manager, Registered Organisations
New South Wales Registry

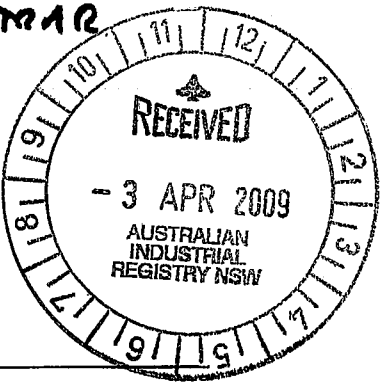
Australian Industrial Relations Commission
Level 8, Terrace Tower
80 William Street
East Sydney NSW 2011

Telephone: (02) 8374 6509
Facsimile: (02) 9380 6990
Email: david.vale@airc.gov.au



Facsimile

To: INDUSTRIAL REGISTRAR
 Facsimile No: 9655 0401
 From: JANE CALVERT
 CC:
 Date: 3/4/09
 No of pages (incl this one): 3
 Re: ELECTION REQUEST



Attached correspondence.



CONSTRUCTION
FORESTRY
MINING
ENERGY
UNION

FORESTRY &
FURNISHING
PRODUCTS
DIVISION

3rd April 2009

Industrial Registrar
Australian Industrial Registry
GPO Box 1994
Melbourne
VIC 3001
By facsimile: (03) 9655 0401

Dear Registrar

In accordance with Workplace Relations (RAO) Schedule 1 s189 (1), I wish to advise that the Construction Forestry Mining & Energy (CFMEU), Forestry, Furnishing, Building Products and Manufacturing Division (FFPD) is required to conduct elections for (4) Committee of Management members of the Maryvale Sub Branch and (1) President of the Sydney Sub Branch. Maryvale and Sydney are both Sub Branches of the PPW District of the No 1 National Divisional Branch of the CFMEU FFPD.

Accordingly we seek the necessary arrangements to be progressed in order that the Australian Electoral Commission (AEC) conducts these elections.

The Statement and Notice of Prescribed Information under Workplace Relations (RAO) Regulation 138 is attached.

Please contact Jane Calvert if you require further information: jcalvert@cfmeuforestry.org or (03) 9274 9200.

Yours Sincerely

Michael O'Connor
Secretary
Forestry & Furnishing Products Division
CFMEU

National Office
ABN 91 691 430 210

148 - 152 Miller Street
WEST MELBOURNE
VICTORIA 3083

PH: (03) 9274 9200
FAX: (03) 9274 9284

Freecall: 1800 060 556

Email: admin@cfmeuffpd.org

ATTACHMENT

Statement and Notice of Prescribed Information under WR (RAO) Regulation 138.

I Michael O'Connor, the Divisional Secretary of the Forestry, Furnishing, Building Products and Manufacturing Division Offices (CFMEU FFPD), make the following statement:

1. I am authorised to lodge this application for the conduct of elections in the CFMEU FFPD.
2. The information is lodged under sub-section 189 (1) of the WR (RAO) Schedule.
3. The offices for which an election is required (RAO reg. 138 (1) (a & c))
 - Committee of Management members (4) of the Maryvale Sub Branch of the PPW District of the No 1 National Divisional Branch
 - President (1) of the Sydney Sub Branch of the PPW District of the No 1 National Divisional Branch
4. Reason for Election (RAO reg. 138 (1) (b))

Election for officers and positions set out above are required as casual vacancies in the office have occurred which, under the Rules of the organisation, are required to be filled by election.
5. Electorate (RAO reg. 138 (1) (d))

The electorate for the direct voting system:

 - for the Committee of Management members (4) of the Maryvale Sub Branch are the members of the Maryvale Sub Branch.
 - for the President (1) of the Sydney Sub Branch are the members of the Sydney Sub Branch.
6. Date and Time for Nominations (RAO reg. 138 (1) (e))

Nominations open on at 9.30 am on Monday 20th April 2009 and nominations close at 4pm on Friday 1st May 2009.

Ballot

Opening date of ballot shall be Monday 18th May 2009 and the closing date of ballot shall be noon on Friday 29th May 2009.

7. Roll of Voters (RAO reg. 138 (1) (f))

The closing date for the roll of voters is 1st September 2008.
8. Method of Voting (RAO reg. 138 (1) (g))

The method of voting to be used in the conduct of the election is the direct voting system.



Michael O'Connor
Secretary
CFMEU FFPD
3rd April 2009