



Fair Work Australia

20 September 2012

Mr Michael O'Connor
National Secretary
Construction, Forestry, Mining and Energy Union
148-152 Miller St
WEST MELBOURNE VIC 3003

Dear Mr O'Connor

Arrangements for the conduct of an Election - (E2012/370)

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

Fair Work Australia is making arrangements, under subsection 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
Fair Work Australia



FAIR WORK
AUSTRALIA

DECISION

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

Construction, Forestry, Mining and Energy Union
(E2012/370)

AILSA CARRUTHERS

MELBOURNE, 20 SEPTEMBER 2012

Arrangement for conduct of election.

[1] On 20 September 2012, the Forestry, Furnishing, Building Products and Manufacturing Division of the above named organisation lodged with Fair Work Australia prescribed information in relation to an election for the following newly created offices within the Division:

Pulp and Paper Worker's District

Affirmative Action Delegates to District Committee of Management (2)

[2] I am satisfied that an election for the abovementioned 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 of those offices by the Australian Electoral Commission.




DELEGATE OF THE GENERAL MANAGER
FAIR WORK AUSTRALIA

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<Price code A, PR529428 >

VALE, David

From: VALE, David
Sent: Thursday, 20 September 2012 3:57 PM
To: 'Industrial Elections'
Subject: E2012/370 - CFMEU
Attachments: E2012_370 CFMEU FFPD Signed Decision_20092012.doc; E2012_370 CFMEU letter to AEC_20092012.doc

Dear AEC

Please find attached a copy of the signed decision for the upcoming election of the FFPD Division of the CFMEU in election number E2012/370.

Yours sincerely

DAVID VALE

Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Australia

Tel: 02 8374 6509

Fax: 02 9380 6990

david.vale@fwa.gov.au

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

www.fwa.gov.au



FAIR WORK
AUSTRALIA

20 September 2012

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:

Election No: E2012/370

**RE: THE CONSTRUCTION, FORESTRY, MINING AND ENERGY UNION,
FORESTRY, FURNISHING, BUILDING PRODUCTS AND MANUFACTURING
DIVISION**

Position:

See Decision

Relevant Information: Scheduled election; secret postal ballot.

Contact: Mr Michael O'Connor
National Secretary

Phone: (03) 9274 9200

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 industrial.elections@fwa.gov.au.

Yours sincerely

David Vale
Fair Work Australia

VALE, David

From: KELLETT, Stephen
Sent: Thursday, 20 September 2012 10:06 AM
To: industrial.elections@aec.gov.au
Cc: VALE, David
Subject: FW: E2012/370
Attachments: CFMEU FFPD E2012_370_PI lodged 20092012.pdf; R2012 161 Rule Book (certified).pdf; R2012 161 Decision (signed).pdf

Dear Electoral Officer,

Please find attached a statement of Prescribed Information lodged under s189(1) of the *Fair Work (Registered Organisations) Act 2009* in relation to an election for two Affirmative Action delegates to the District Committee of Management for the Pulp and Paper Workers District of the Forestry Division of the CFMEU.

The relevant rules are rules 42 and 43 as certified yesterday, 19 September in R2012/161 and I attach herewith a copy of the entire Divisional Rules incorporating the alterations to those rules.

Yours sincerely

STEPHEN KELLETT

Senior Adviser, Regulatory Compliance Branch

Fair Work Australia

Tel: (02) 6723 7237

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CONSTRUCTION
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MINING
ENERGY
UNION

FORESTRY &
FURNISHING
PRODUCTS
DIVISION

National Office
148 - 152 Miller Street
WEST MELBOURNE
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FAX: (03) 9274 9284
FREE CALL: 1800 060 556
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20 September 2012

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



RE: Forestry, Furnishing, Building Products and Manufacturing Division (FFPD) - Quadrennial Elections – 2012 – Further Request

In accordance with s.189(1) of the *Fair Work (Registered Organisations) Act 2009*, the Construction Forestry Mining and Energy Union (CFMEU) Forestry, Furnishing, Building Products and Manufacturing Division (FFPD), is required to conduct elections for positions in the Division.

Accordingly we ask that the General Manager arrange for the conduct of those elections by the Australian Electoral Commission.

The Statement and Prescribed Information required by Regulation 138 of the *Fair Work (Registered Organisations) Regulations (2009)* are attached.

This request is made in consequence of the Divisional Rule changes in R2012/161 which have caused the creation of two new Affirmative Action positions in the Division's Pulp and Paper Workers District.

Please contact Rosalind Read on 03 9274 9200 or rread@cfmeuffpd.org, if you require any further information in relation to this matter.

Yours sincerely,

Michael O'Connor
National Secretary
CFMEU

Fair Work (Registered Organisations) Regulations 2009

Statement Pursuant to Regulation 138(2)

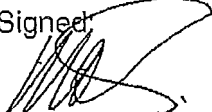
I, Michael O'Connor, National Secretary, CFMEU, of 148 - 152 Miller Street, West Melbourne, in the State of Victoria, state that:

- (a) I am authorised to make this statement, and
- (b) The information set out below is lodged in accordance with s.189(1) of the *Fair Work (Registered Organisations) Act 2009*.

1. **The name of each office in respect of election is required:** Affirmative Action Delegate to the PPW District Management Committee.
2. **The reason for the election in each case is:** A new office has been created in accordance with Rule 43(xv).
3. **the number of those offices or positions:** 2 (2 Affirmative Action positions) (number of positions determined by in accordance with Rule 42(10)A).
4. **the name of the Branch, section or division which comprises the electorate:** PPW District (Rule 42(10)A).
5. **the date and time of the beginning and end of the period in which nominations of candidates will be called for or may be made under the rules of the organisation or Branch in relation to the election:**

In the normal course of events, under the rules nominations would open at 9 am on Monday 10 September 2012 (Rule 32(c)(ii)) and close at 4 pm on Friday 28 September 2012 (Rule 32(c)(iii)). However, having regard to the creation of the new position, those dates will not be reasonably practicable. In this case, the provisions of Rule 43(xv) which provide for the conduct of the election "as soon as practicable" on or before the last day in September 2012 indicate that the Returning Officer may exercise their power under s.193 of the Act to remedy a procedural defect in the Rules by setting alternative dates which are "as soon as practicable" and are consistent with the timeframes, between events, which would otherwise apply under the Rules. Taking this into account the Union submits that nominations should open at 9 am on Monday 15 October 2012 and close at 4 pm on Friday 26 October 2012.

6. **the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed:** 1 September 2012 (Rule 32(xiii)).
7. **the kind of voting system to be used in the conduct of the election is:** Direct voting system.

Signed: 

Michael O'Connor

Date: 20 September 2012

DocuCentre-III C5500

Transmission Report

G3-ID
Local Name
Company Logo

Date & Time : 20/09/2012 8:36
Page : 1 (Last Page)

The job has been sent.
Original Size: A4



**Forestry & Furnishing
Products Division**

Facsimile

To: The General Manager Fair Work Australia
Facsimile No: 0396550401
From: Rowland Read
CC:
Date: 20 September 2012
No of pages: 3
(No of copies):
Re: CFMEU - FFPD Quadrennial Elections

Please find attached an application for the conduct of quadrennial elections for the CFMEU, Forestry, Furnishing, Building Products and Manufacturing Division, in accordance with s.169 of the Fair Work (Registered Organisations) Act 2009.

National Office
118 - 152 Market Street, West Melbourne, VIC 3003
Tel (03) 8274 8200 Fax (03) 8274 8284

#	Job	Remote Station	Start Date & Time	Duration	Pages	Protocol	Contents	Status
1	6875	0398550401	0-20: 8:35	51 Secs	3/3	ECM		Completed



**Forestry & Furnishing
Products Division**

Facsimile

To: The General Manager Fair Work Australia
Facsimile No: 03 9655 0401
From: RosalInd Read
CC:
Date: 20 September 2012
No of pages 3
(Incl this one):
Re: CFMEU – FFPD Quadrennial Elections

Please find attached an application for the conduct of quadrennial elections for the CFMEU, Forestry, Furnishing, Building Products and Manufacturing Division, in accordance with s.189 of the Fair Work (Registered Organisations) Act 2009.