



Reference: V14/215

Mr Phil Davies
[REDACTED]



Dear Mr Davies,

**Construction, Forestry, Mining and Energy Union
District Assistant Secretary
E2014/139**

I refer to the arrangements for me to conduct an election for the District Assistant Secretary in your Organisation. I now advise that a ballot was not necessary and the declaration of the uncontested office is attached.

The election is now complete.

Yours sincerely

Ben Murray
Returning Officer

07 July 2014

Level 8
Casselden Place
2 Lonsdale St
Melbourne VIC 3000

GPO Box 4382
Melbourne VIC 3001

Contact: Ben Murray
Phone: (03) 9285 7129
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E-mail: ben.murray@aec.gov.au

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**Construction, Forestry, Mining and Energy Union - CFMEU
FFPD NSW District**

District Assistant Secretary

Declaration of Results for Uncontested Office

E2014/139

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.

NSW District

District Assistant Secretary

Candidates

DAVIES, Phil

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



Ben Murray
Returning Officer
07 July 2014

MOUTEVELIS, Michael

From: Shane Lanning [Shane.Lanning@aec.gov.au]
Sent: Tuesday, 8 July 2014 2:38 PM
To: Orgs; Industrial Elections; Rosalind Read
Subject: SYDNEY Post Election Report and Declaration of Results - CFMEU - E2014/139 [DLM=For-Official-Use-Only]

For-Official-Use-Only

Good afternoon,

Please find attached the post election report for the Construction, Forestry, Mining and Energy Union – E2014/139

Regards,

Shane T Lanning
Manager Industrial Elections Section
Australian Electoral Commission
T: 03 9285 7145 | M: 0422 433 922 | F: 03 9285 7149



Post election report - CFMEU -...
Declaration of Results for Unc...

For-Official-Use-Only

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Ms Rosalind Read
Senior National Legal Officer
Construction, Forestry, Mining and Energy Union
148-152 Miller St
West Melbourne VIC 3003

Post Election Report For: **Construction, Forestry, Mining and Energy Union**
The Forestry, Furnishing, Building Products and Manufacturing Division
New South Wales Divisional District
District Assistant Secretary
Election E No 2014/139

I refer to the above election for your organisation.

Section 197(1) of Schedule 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 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 *Fair Work (Registered Organisations) Act 2009* 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.

Ben Murray
Returning Officer
07 July 2014

Fair Work (Registered Organisations) Act 2009 Schedule 1

POST ELECTION REPORT

Construction, Forestry, Mining and Energy Union

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/139

RULES

Rules used for the election: [105N-ATAI: Incorporates alterations 07/01/2014 in matter R2013/490]
Rules difficult to apply/interpret: None
Model Rule reference (if any): N/A

ROLL OF VOTERS

Total number of voters on the Roll: N/A
Number of apparent workplace addresses: Nil
Number of non-current addresses: Nil
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

Ben Murray
Returning Officer

07 July 2014

**Construction, Forestry, Mining and Energy Union - CFMEU
FFPD NSW District**

District Assistant Secretary

Declaration of Results for Uncontested Office

E2014/139

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.

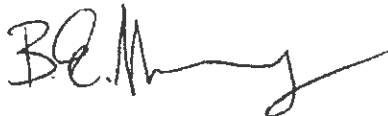
NSW District

District Assistant Secretary

Candidates

DAVIES, Phil

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



Ben Murray
Returning Officer
07 July 2014



DECISION

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

Construction, Forestry, Mining and Energy Union (E2014/139)

MR ENRIGHT

MELBOURNE, 21 MAY 2014

Arrangement for conduct of election.

[1] On 14 May 2014 the Construction, Forestry, Mining and Energy Union lodged with the Fair Work Commission the prescribed information in relation to a casual vacancy election, for the remainder of the term, for the following office:

The Forestry, Furnishing, Building Products and Manufacturing Division

New South Wales Divisional District

District Assistant Secretary (1)

[2] I am satisfied that an election for the abovenamed office 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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Copy of Prescribed Information

Title of Matter: Application/Notification by Construction, Forestry, Mining and Energy Union
Section: s.189(1) RO Act - Notification of elections for office
Subject:
Matter Number(s): E2014/139

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

15 MAY 2014

MOUTEVELIS, Michael

From: Rosalind Read [RRead@cfmeuffpd.org]
Sent: Wednesday, 14 May 2014 4:08 PM
To: Orgs; VALE, David
Subject: CFMEU - FFPD - Prescribed information in relation to an Election - NSW District
Attachments: NSW Assistant Secretary.pdf

Categories: RIA

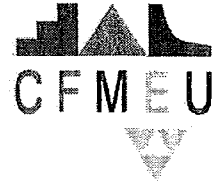
Dear David, please find attached a prescribed information in relation to elections required to be conducted in the NSW District of the CFMEU FFPD. Please do not hesitate to contact me with any issues in relation to this matter.

Regards, Rosalind Read

Rosalind Read
Senior National Legal Officer
CFMEU - FFPD
148 - 152 Miller Street
West Melbourne, VIC 3003
m: 0438 884 215
ph: 03 9274 9200
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e: rread@cfmeuffpd.org

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14 May 2014



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

FORESTRY & FURNISHING
PRODUCTS DIVISION

RE: Forestry, Furnishing, Building Products and Manufacturing Division (FFPD) NSW District – Elections arising from Casual Vacancies

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 an Assistant Secretary in the NSW District.

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

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

The need for this election arises pursuant to a resolution of the Divisional Executive passed on 14 May 2014, to create a new position of Assistant Secretary for the NSW District in accordance with Rule 30A(ii)(b).

Accordingly, there is one vacancy which is required to be filled in accordance with Rule 32.

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

Construction, Forestry,
Mining and Energy Union

Michael O'Connor
National Secretary
ABN 34 183 611 865

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The Mining Boom

Let's spread it around

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 annexed to this Statement in Schedule A is in each case lodged in accordance with s.189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed:



Michael O'Connor
Date: 14/5/14

Schedule A – NSW District

(a) The name of each office in respect of election is required	(b) The reason for the election in each case is:	(c) the number of those offices or positions;	(d) the name of the Branch, section or division which comprises the electorate	(e) 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;	(f) the day provided for in the rules of the organisation as the day on which the roll of voters is to be closed:	(g) the kind of voting system to be used in the conduct of the election is:
District Assistant Secretary	Casual vacancy caused by creation of new position at the resolution of the Divisional Executive	1	NSW District	In the normal course of events under the rules nominations would open at 9 am on the second Monday in September (Rule 32(c)(ii)) and close at 4 pm on the last Friday in September (Rule 32(c)(iii)). However, as this vacancy arises under Rule 30A(ii)(c) and Rule 33 the Returning Officer may set alternative dates which 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 2 June 2014 and close at 4 pm on Friday 13 June 2014.	Under Rule 32(b) (xiii) the role is to close on 1 September in the year of the election. As 1 September has not yet occurred in 2014, the Union proposes that the roll should be the roll as at 1 September 2013	Direct voting system