



DECISION

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

Construction, Forestry, Maritime, Mining and Energy Union (E2019/171)

MR ENRIGHT

MELBOURNE, 8 NOVEMBER 2019

Arrangement for conduct of election.

[1] On 17 September and 28 October 2019, the Manufacturing Division of the Construction, Forestry, Maritime, Mining and Energy Union lodged with the Registered Organisations Commission prescribed information and further information for an election to fill a casual vacancy for the remainder of the term and to also fill insufficient nominations received in a previous election (E2017/266), for the following offices:

Greater Green Triangle District

District Committee of Management Member (1)

District Committee of Management Member – Affirmative Action (1)

[2] 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 COMMISSIONER

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PR351510

From: [Jared Goodwin](#)
To: [LO-BOOTH,Cynthia](#)
Cc: [Penny Gilmour](#)
Subject: RE: E2019/171 and AR2019/63 - documents [SEC=OFFICIAL]
Date: Monday, 28 October 2019 5:23:06 PM
Attachments: [image001.gif](#)
[image002.gif](#)
[image003.gif](#)
[Predrag Podobnik resignation fom GGT CoM 7Feb2019.pdf](#)
[Gillian Kennedy resignation from GGT CoM 7Feb2019.pdf](#)
[CFMEU Annual Return 2019 AMENDED \(final\).pdf](#)
[CFMEU Annual Return 2019 AMENDED \(marked up\).pdf](#)

Dear Cynthia,

Prescribed information for E2019/171

I can confirm the information in the prescribed information is correct. Casual vacancy elections are requested for the following positions in the Manufacturing Division GGT District:

- Committee of Management Member (*position 3*);
- Committee of Management Member (*affirmative action position*);

In the letter accompanying the prescribed information sent 16 September 2019, the letter states “*The need for this election arises as a result of the resignations of Gillian Kennedy (Finnigan) and Predrag Podobnik from the Committee of Management in the Greater Green Triangle District (GGT). Both resignations have previously been notified to ROC.*”

Predrag Podobnik was elected as a District Committee of Management Member by result of election E2016/153. He resigned on 07/02/2019 and his resignation letter is attached to this email. Predrag’s resignation was notified to the ROC on 18/02/2019. We are requesting an election for this position.

The letter incorrectly suggests the second position was previously held by Gillian Kennedy. The position held by Gillian Kennedy (Finnigan) was “*District Vice President (affirmative action)*”. Gillian was elected to this position by result of election E2016/153. Gillian resigned from this position on 07/02/2019 and the vacancy was notified to the ROC on 18/02/2019. This position is different to the “*Committee of Management Member (affirmative action position)*” we seek election for. The prescribed information does not request an election for “*District Vice President (affirmative action)*”.

The second position we are requesting an election for as notified in the prescribed information is “*Committee of Management Member (affirmative action position)*”. During election E2016/153 no nominations were received for this position. A further casual vacancy election E2017/266 was conducted to fill this vacancy. Again no nominations were received for this position. We are requesting an election for the position of “*Committee of Management Member (affirmative action position)*” again in accordance with the prescribed information.

As a consequence of Gillian resigning from the more senior position of District Vice President, the GGT District has decided to see if there is sufficient interest for the Committee of Management Member position (*affirmative action*) before requesting an election for the more senior District Vice President (*affirmative action*) position.

As per our phone conversation on 24/10/19 we are under the belief there is no legal obligation

for us to provide resignation letters, however on this occasion we are willing to provide resignation letters in good faith to assist you with this matter.

Amended Annual Return AR2019/63

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

[REDACTED]

[Redacted]

If there are any questions with either of these two matters please feel free to contact me.

Kind Regards,

Jared.

Jared Goodwin

National Risk and Compliance Manager

Construction Forestry Maritime Mining and Energy Union
National Office

Level 2, 165 Bouverie Street,
Carlton, VIC, 3053

[Redacted]

[Redacted]

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[Redacted]

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[Redacted]

[Redacted]

16 September 2019

The Commissioner
Registered Organisations Commission
GPO Box 2983,
Melbourne VIC 3001

Via email: regorgs@roc.gov.au

Dear Commissioner

**RE: CFMEU Manufacturing Division — Greater Green Triangle District:
Elections arising from Casual Vacancy – 2019**

In accordance with s.189(1) of the *Fair Work (Registered Organisations) Act 2009*, the Construction Forestry Maritime Mining and Energy Union Manufacturing Division is required to lodge with the Registered Organisations Commissioner the prescribed information in relation to an election for positions in the Division.

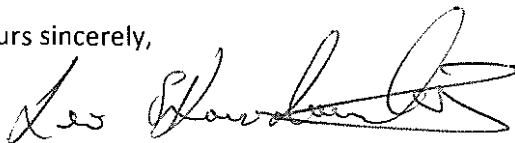
Accordingly, we ask that the Commissioner arrange for the conduct of an election by the Australian Electoral Commission.

The need for this election arises as a result of the resignations of Gillian Kennedy (Finnigan) and Predrag Podobnik from the Committee of Management in the Greater Green Triangle District (GGT). Both resignations have previously been notified to ROC.

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

If you require any further information in relation to this matter, please contact Penny Gilmour on 03 9274 9200 or pgilmour@cfmeumd.org.

Yours sincerely,



Leo Skourdumbis
Acting Divisional Secretary
CFMEU Manufacturing Division

PRESCRIBED INFORMATION FOR ELECTIONS in accordance with Section 189 *Fair Work (Registered Organisations) Act 2009* and Regulation 138 *Fair Work (Registered Organisations) Regulations 2009*

I, Leo Skourdombis, being the Acting Divisional Secretary of the Construction Forestry Maritime Mining and Energy Union – Manufacturing Division, make the following statement:

1. I am authorised to sign this statement containing prescribed information for the Greater Green Triangle District of the Construction Forestry Maritime Mining and Energy Union – Manufacturing Division.
2. The following information is lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 (the RO Act).
3. The elections that are required are set out in the table in Annexure A.
4. No rule alterations are pending that will impact the election.

Signed:

**Leo Skourdombis
Acting Divisional Secretary
Construction Forestry Maritime Mining and Energy Union – Manufacturing Division**

Dated: 16 September 2019

ANNEXURE A

Elections that are required:

Branch	Name of Office	Number required	Voting System	Reason for Election	Electorate
GGT District	Committee of Management Member (position 3)	1	Direct voting system	Casual vacancy	Eligible members of the GGT District (Rules of the Manufacturing Division - rule 32)
GGT District	Committee of Management Member - Affirmative Action	1	Direct voting system	Casual vacancy	Eligible members of the GGT District (Rules of the Manufacturing Division - rule 32)

	Direct Voting System
Nominations OPEN	<i>To be determined by the Returning Officer</i>
Nominations CLOSE	<i>To be determined by the Returning Officer</i>
Roll of Voters cut off date	<i>To be determined by the Returning Officer</i>