

**From:** [KELLETT, Stephen](mailto:KELLETT.Stephen)  
**To:** [KELLETT, Stephen](mailto:KELLETT.Stephen)  
**Subject:** FW: Post Election Report & declaration E2013/205 CFMEU Millicent Sub-Branch [DLM=For-Official-Use-Only]  
**Date:** Tuesday, 8 October 2013 4:59:13 PM  
**Attachments:** [post election report.doc](#)  
[Declaration of results contested Offices.rtf](#)

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**From:** Mario Chindamo [<mailto:Mario.Chindamo@aec.gov.au>]  
**Sent:** Friday, 27 September 2013 2:22 PM  
**To:** Orgs; [Melbourne@fwc.gov.au](mailto:Melbourne@fwc.gov.au); Jane Calvert  
**Cc:** Industrial Elections  
**Subject:** Post Election Report & declaration E2013/205 CFMEU Millicent Sub-Branch [DLM=For-Official-Use-Only]

For-Official-Use-Only

Good afternoon

Please find attached the Post-Election Report and Declaration for E2013/205 CFMEU Millicent Sub-Branch.

Regards

**Mario Chindamo | National FFS Coordinator**  
Fee for Service Elections | VIC State Office  
Australian Electoral Commission  
T: (03) 9285 7108 | M: 0417 622 922 | F: (03) 9285 7149

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For-Official-Use-Only

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## Construction, Forestry, Mining and Energy Union Millicent Sub-Branch offices

### Declaration of Results for Contested Offices

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.

E2013/205

#### Pulp and Paper Workers District, Millicent Sub-Branch

Total number of names on the roll of voters	304
Ballot papers issued	304
Replacement ballot papers issued	0
<b>Total Ballot Papers Issued</b>	<b>304</b>
Ballot papers/envelopes returned for scrutiny	71
Less ballot papers/envelopes rejected at preliminary scrutiny	0
Adjusting balance	0
<b>Total Ballot Papers Admitted to Scrutiny</b>	<b>71</b>
Percentage of ballot papers returned to number issued	23
Ballot papers returned as unclaimed mail	1
Ballot papers not returned	232

#### Sub-Branch Committee of Management Members (3)

<u>Candidates</u>	<u>First Preference Votes</u>	<u>Votes</u>
WATSON, Brian	44	60
MATTHEWS , Ann	47	51
FIELD, Beccy	12	0
PENNEY, Peter	12	0
STUART, Craig M	38	53
TURNER, Shane	37	49
WALKER, Peter N	23	0
Total votes	<b>213</b>	<b>213</b>
Formal ballot papers	71	71
Informal ballot papers	0	0

I declare Ann Matthews, Craig M Stuart and Brian Watson elected.

Jeff Webb  
Returning Officer  
Australian Electoral Commission  
21 August 2013

Jane Calvert  
Divisional President  
CFMEU  
142-152 Miller Street  
WEST MELBOURNE VIC 3003

**Post Election Report For: Construction, Forestry, Mining and Energy Union  
Forestry, Furnishing, Building Products and Manufacturing  
Division  
Election E2013/205**

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 Fair Work Australia 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 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.

Jeff Webb  
Returning Officer

17 September 2013

Fair Work (Registered Organisations) Act 2009

**POST ELECTION REPORT**

Construction, Forestry, Mining and Energy Union

Forestry, Furnishing, Building Products and Manufacturing Division

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No: E2013/205

**RULES**

Rules used for the election: 105N-MIN: Incorporates alterations in matters R2013/134 certified on 8/3/2013

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

**ROLL OF VOTERS**

Total number of voters on the Roll: 304

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

Jeff Webb  
Returning Officer

17 September 2013



FAIR WORK  
COMMISSION

19 June 2013

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

Dear Mr O'Connor

**Re: Elections - Construction, Forestry, Mining and Energy Union - Forestry, Furnishing, Building Products and Manufacturing Division - Millicent Sub-Branch (E2013/205)**

I refer to the prescribed information lodged on 17 June 2013 under subsection 189(1) of the *Fair Work (Registered Organisations) Act 2009* in relation to the above matter.

The election has been granted. A copy of the Delegate's Decision is enclosed.

Yours sincerely

Stephen Kellett  
Senior Adviser, Regulatory Compliance Branch

**From:** KELLETT, Stephen  
**To:** ["RRead@cfmeuffpd.org"](mailto:RRead@cfmeuffpd.org)  
**Subject:** Election - Millicent Sub-Branch - E2013 205  
**Date:** Wednesday, 19 June 2013 9:21:00 AM  
**Attachments:** [E2013 205 PPMI letter 190613.pdf](#)  
[E2013 205 Decision 190613 \(signed\).pdf](#)

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Dear Rosalind,

Please see attached the Delegate's Decision and my letter in relation to the above.

STEPHEN KELLETT  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237  
(email) [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)

**From:** KELLETT, Stephen  
**To:** ["industrial.elections@aec.gov.au"](mailto:industrial.elections@aec.gov.au)  
**Subject:** Election - E2013 250 - CFMEU - Millicent Sub-Branch  
**Date:** Wednesday, 19 June 2013 9:25:00 AM  
**Attachments:** [E2013 205 PPMI letter to AEC 190613.pdf](#)  
[E2013 205 Decision 190613 \(signed\).pdf](#)  
[RULES 105N FFPD R2012 161 19092012.pdf](#)

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Dear Electoral Officer,

Please see attached in relation to the above.

Yours sincerely

STEPHEN KELLETT  
Regulatory Compliance Branch  
**FAIR WORK COMMISSION**

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237  
(email) [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)



FAIR WORK  
COMMISSION

19 June 2013

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 2013/205**

**RE: Construction, Forestry, Mining and Energy Union - Forestry, Furnishing, Building Products and Manufacturing Division - Millicent Sub-Branch of the Pulp and Paper Workers' District**

Positions:

See Decision

Relevant Information:

Contact : Mr Michael O'Connor, National Secretary/Ms Rosalind Read, Senior National Legal Officer

Phone: (03) 9274 9200; (email) [rread@cfmeuffpd.org](mailto:rread@cfmeuffpd.org)

A copy of the decision is attached.

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](mailto:industrial.elections@fwa.gov.au).

Stephen Kellett

Regulatory Compliance Branch

Fair Work Commission

Terrace Towers  
80 William Street  
East Sydney NSW 2011  
Telephone: (02) 8374 6666  
International: (612) 8374 6666  
Facsimile: (02) 9380 6990  
Email: [sydney@fwc.gov.au](mailto:sydney@fwc.gov.au)





## DECISION

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

### **Construction, Forestry, Mining and Energy Union** (E2013/205)

CHRIS ENRIGHT

MELBOURNE, 19 JUNE 2013

*Arrangement for conduct of election.*

[1] On 17 June 2013 the Forestry, Furnishing, Building Products and Manufacturing Division of the Construction, Forestry, Mining and Energy Union lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

#### **Pulp and Paper Workers District, Millicent Sub-Branch**

Sub-Branch Committee of Management Members (3)

[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 GENERAL MANAGER**  
**FAIR WORK COMMISSION**

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**From:** KELLETT, Stephen  
**To:** ["industrial.elections@aec.gov.au"](mailto:industrial.elections@aec.gov.au)  
**Subject:** FW: Request for election - CFMEU - FFPD, PPW District Millicent Sub-branch - request for election.  
**Date:** Monday, 17 June 2013 10:41:00 AM  
**Attachments:** [CFMEU FPD PPW MI.pdf](#)

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Dear Electoral Officer,

Please see attached prescribed information.

STEPHEN KELLETT  
Regulatory Compliance Branch  
FAIR WORK COMMISSION

80 William Street  
EAST SYDNEY NSW 2011

(ph) (02) 6723 7237  
(email) [stephen.kellett@fwc.gov.au](mailto:stephen.kellett@fwc.gov.au)

**From:** [KELLETT, Stephen](mailto:KELLETT.Stephen)  
**To:** [KELLETT, Stephen](mailto:KELLETT.Stephen)  
**Subject:** FW: Request for election - CFMEU - FFPD, PPW District Millicent Sub-branch - request for election.  
**Date:** Monday, 17 June 2013 10:13:09 AM  
**Attachments:** [img-614163824-0001.pdf](#)

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-----Original Message-----

From: Rosalind Read [<mailto:RRead@cfmeuffpd.org>]  
Sent: Friday, 14 June 2013 4:54 PM  
To: VALE, David  
Subject: Request for election - CFMEU - FFPD, PPW District Millicent Sub-branch - request for election.

Dear David, I have attached a request for an election to be held in the Union's Millicent Sub-branch. I have also put the original in the post. Please give me a call if I can clarify any aspect of this matter.

Regards, Ros 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  
f: 03 9274 9284  
e: [rread@cfmeuffpd.org](mailto:rread@cfmeuffpd.org)

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14 June 2013



FORESTRY & FURNISHING  
PRODUCTS DIVISION

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

**RE: Forestry, Furnishing, Building Products and Manufacturing Division (FFPD) Pulp and Paper Workers District Millicent Sub-branch – 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 positions in the Division's Pulp and Paper Workers District Millicent Sub-branch.

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.

The need for these elections arises as result of the outcome of the Election conducted in E2013/131 in the Millicent sub-branch. The result of that election was that three persons were elected to more than one of the following positions: Sub-Branch Senior Vice-President, Sub-Branch Junior Vice-President, Sub-Branch Committee member, or Sub-Branch Secretary. As rule 42(19)(a) of the Union's rules prescribes that if any person is elected to two or more of the above offices that person shall within five days of the declaration of the result of the election advise the sub-branch secretary which of the offices they have been elected to they wish to hold and will thereafter be deemed to have resigned from the other office. The rule goes on to say that the office or offices which are thereby vacated shall be filled in accordance with the provisions of Rule 32 of the Union's rules, which require that an election be held.

The following officers who were elected to both the sub-branch Committee of Management and one other office have advised the Sub-branch secretary in writing that they wish to retain the other offices and are therefore deemed to have resigned from their positions on the sub-branch Committee of management.

- Kevin Millie
- Brett Kelly
- Craig O'Connor

I have attached copies of their written resignations in relation to the committee of management

The Mining Boom

*Let's spread it around*

Construction, Forestry,  
Mining and Energy Union

**Michael O'Connor**  
National Secretary

ABN 54 153 611 865

**National Office**  
148-152 Miller Street  
West Melbourne  
Victoria 3003 Australia

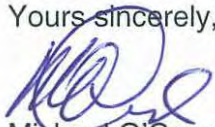
**T:** (613) 9274 9200  
**F:** (613) 9274 9284  
**Freecall:** 1800 060 556  
**E:** admin@cmefpd.org  
**W:** www.cmefpd.org.au

positions, which were sent by email.

Accordingly, there are three vacancies on the sub-branch committee of management which are required to be filled in accordance with Rule 32.

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M O'Connor', is written over the typed name.

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 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:

**Schedule A - PPW District - Millicent Sub Branch**

(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:
Committee members	Casual vacancy caused by deemed resignation of incumbent office holders as a result of the application of Rule 42(19)(a)	3 (original number of positions determined by the Sub-Branch in accordance with Rule 42(18)(a) is 7, however only 3 vacancies arise at the present time).	PPW District - Millicent Sub Branch	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 these vacancies arise under rule 42(19)(a) which states that Rule 32 is to be applied mutatis mutandis 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 15 July 2013 and close at 4 pm on Friday 2 August 2013.	1 September 2012 (Rule 32(xiii))	Direct voting system

**From:** [KELLETT, Stephen](mailto:KELLETT.Stephen)  
**To:** [KELLETT, Stephen](mailto:KELLETT.Stephen)  
**Subject:** FW: Election - Millicent Sub-Branch Committee members - resignations  
**Date:** Tuesday, 18 June 2013 9:12:10 AM  
**Attachments:** [resignations.pdf](#)

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**From:** Rosalind Read [mailto:[RRead@cfmeuffpd.org](mailto:RRead@cfmeuffpd.org)]  
**Sent:** Tuesday, 18 June 2013 8:25 AM  
**To:** KELLETT, Stephen  
**Subject:** RE: Election - Millicent Sub-Branch Committee members - resignations

Dear Stephen, I have attached the written resignations now, apologies for not including them before.

Regards, Ros Read

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Rosalind Read  
Senior National Legal Officer  
CFMEU - FFPD  
148 - 152 Miller Street  
West Melbourne, VIC 3003  
m: 0438 884 215  
ph: 03 9274 9200  
f: 03 9274 9284  
e: [rread@cfmeuffpd.org](mailto:rread@cfmeuffpd.org)

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