



DECISION

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

CPSU, the Community and Public Sector Union
(E2016/68)

MR ENRIGHT

MELBOURNE, 21 MARCH 2016

Arrangement for conduct of election.

[1] On 5 February 2016 the CPSU, the Community and Public Sector Union SPSF Group Tasmanian Branch lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

Branch President
Branch Vice Presidents (2)
Branch Treasurer
Branch Secretary
Branch Assistant Secretary
Delegates to Branch Council from the following Electorates:

Electorate 2 (2)
Electorate 3 (1)
Electorate 5 (2)
Electorate 6 (4)
Electorate 7 (2)
Electorate 10 (1)
Electorate 11 (1)
Electorate 12 (1)

Executive Councillors (3)
Branch Delegates to Federal Council (4)
Federal Vice President
Branch Representative to Federal Executive

[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

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Community and Public Sector Union

State Public Services Federation Group, Tasmanian Branch

Wednesday 27 January 2016

General Manager
Fair Work Australia
11 Exhibition Street
MELBOURNE 3000



Dear Sir/Madam,

Re : CPSU (SPSF Group, Tasmanian Branch) Election Request

Please find attached the prescribed information required under Regulation 138 (1) of the *Fair Work (Registered Organisations) Act 2009* and the statement required under regulation 138 (2) in relation to the conduct of elections required by the Tasmanian Branch under the rules of the CPSU (SPSF Group).

In lodging these documents I draw your attention to the requirements under the CPSU (SPSF Group) rules that these elections be conducted such that a result is declared not before 1 May and not after 30 June in each election year. Given the election is a 4 stage process the Tasmanian Branch Executive has resolved that arrangements be put in place to aim at completing the first stage by the earliest date, being 1 May 2014.

If you have any questions or require any further information please contact me on (03) 6234 1708 or t.lynch@tas.cpsu.com.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tom Lynch'.

Tom Lynch
Branch Secretary

Registered Office
157 Collins Street, Hobart 7000
GPO Box 54, HOBART 7001



Community and Public Sector Union
State Public Services Federation Group, Tasmanian Branch

Fair Work (Registered Organisations) Act 2009

In the matter of:

S189 – Application by CPSU (SFSF Group, Tasmanian Branch) for the General Manager to arrange for the conduct of elections

**Fair Work (Registered Organisations) Regulations 2009
Regulation 138 (2)**

I, **Thomas Gerard Lynch**, of 157 Collins Street, Hobart, Tasmania, Union Official, make the following statement:

THAT I am the Branch Secretary of the Community & Public Sector Union (State Public Services Federation Group, Tasmanian Branch).

THAT I am duly authorised to lodge the following prescribed information concerning forthcoming elections in the Community & Public Sector Union (State Public Services Federation Group Tasmanian Branch), and

THAT I confirm that the following information is being lodged in accordance with section 189(1) of the *Fair Work (Registered Organisations) Act 2009*.

Signed:

A handwritten signature in black ink, appearing to read 'Tom Lynch', written in a cursive style.

Tom Lynch
Branch Secretary
Community & Public Sector Union
(State Public Services Federation Group, Tasmanian Branch),

Declared at **Hobart** on the **twenty-seventh** day of **January 2016**

Registered Office
157 Collins Street, Hobart 7000
GPO Box 54, HOBART 7001

Offices/Positions

	Office	Voting System	Term	No.
A	Branch President	Direct Voting System	4 yr	1
A	Branch Vice Presidents	Direct Voting System	4 yr	2
A	Branch Treasurer	Direct Voting System	4 yr	1
A	Branch Secretary	Direct Voting System	4 yr	1
A	Branch Assistant Secretary	Direct Voting System	4 yr	1
B	Delegates to Branch Council	Direct Voting System	4 yr	14
C	Executive Councillors	Collegiate	4 yr	3
C	Branch delegate to Federal Council	Collegiate	4 yr	4
D	Federal Vice President	Collegiate	4 yr	1
D	Branch Rep to Federal Executive	Collegiate	4 yr	1

The rules of the CPSU require all elections to be conducted under the Proportional Preferential System.

Reasons for election.

Election for offices and positions marked **A** to **D** is required as the term of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- For offices marked **A** the electorate for the direct voting system is all financial members of the Branch (Chapter C rule 25.1 (b)).
- For offices marked **B** the electorate for the direct voting system is all financial members of the relevant electorate (see table page 7) (Chapter C rule 25.1 (b)).
- For offices marked **C** the electorate for the collegiate electoral system is members of the Branch Council elected in parts A & B (totalling a maximum of 20 persons) (Chapter C rule 37.1 (b)).
- For offices marked **D** the electorate for the collegiate electoral system is the Branch delegates to Federal Council elected in part C (totalling 4 persons) (Chapter C rule 37.1 (b)).

Nominations open:

- For offices marked **A** and **B** to be elected by the direct voting system the election must be conducted so that a result is declared not earlier than 1 May and not later than 30 June 2016. Nominations are open for at least 14 days (Chapter C rule 19.1).

- For offices marked **C** to be elected by collegiate election the election must be conducted at the first meeting of Branch Council such that a result is declared not earlier than 1 May and not later than 30 June 2016 for Executive Councillors (Chapter C rule 32.7) and not earlier than 1 June and not later than 25 August 2016 for Branch delegates to Federal Council (Chapter C rule 32.2). For Executive Councillors nominations close at least 14 days prior to the date on which nominations close (Chapter C rule 32.7) and for Branch delegates to Federal Council nominations close at least 14 days but no more than 28 days after the notification (Chapter C rule 32.2).
- For offices marked **D** to be elected by collegiate election the election must be conducted as soon as practicable after Branch Councillors take office. Nominations are called at least 14 days prior to the meeting (Chapter C rule 32).

Nominations close:

- For offices marked **A** and **B** to be elected by the direct voting system nominations close at 12 noon on the last day (Chapter C rule 19.1 (b)).
- For offices marked **C** to be elected by collegiate election nominations close at the meeting (Chapter C rule 32.1 (a)).
- For offices marked **D** to be elected by collegiate election nominations close at a time determined by the returning officer (Chapter C rule 32.1 (b)).

Cut-off date for roll:

- For offices marked **A** and **B** to be elected by the direct voting system the close of roll day shall be a day which is no earlier than 30 days and no later than 7 days before the date on which nominations for the election open (Chapter C rule 25.1 (c)).
- For offices marked **C** and **D** to be elected by collegiate election the close of roll day shall be a day which is no earlier than 30 days and no later than 7 days before the date on which nominations for the election open or as determined by the returning officer (Chapter C rule 32.1 (b)).

Electorates.

The membership of the Branch is allocated into electorates according to Branch rule 9.

- 9.1 The members of the Branch shall be allocated to electorates to be known as Electorate 1, Electorate 2, Electorate 3, Electorate 4, Electorate 5, Electorate 6, Electorate 7, Electorate 8, Electorate 9, Electorate 10 Electorate 11 and Electorate 12.
- 9.2 **Electorate 1** shall be known as the **Higher Education Electorate** and shall consist of all members who are employed in or by a body which the Branch Council declares to be a Higher Education Body.
- 9.3 **Electorate 2** shall be known as the **Health Electorate** and shall consist of all members who are employed in or by a body which the Branch Council declares to be a Health Body.
- 9.4 **Electorate 3** shall be known as the **Government Service Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Government Service body.
- 9.5 **Electorate 4** shall be known as the **Treasury Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Treasury body.
- 9.6 **Electorate 5** shall be known as the **Justice Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Justice body.
- 9.7 **Electorate 6** shall be known as the **School Education and Libraries Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a School Education or library body.
- 9.8 **Electorate 7** shall be known as the **Primary Industry, Information & Land Services Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Primary Industry, Information or Land Services body.
- 9.9 **Electorate 8** shall be known as the **Technical Education Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Technical Education body.
- 9.10 **Electorate 9** shall be known as the **Tourism Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Tourism body.

- 9.11 **Electorate 10** shall be known as the **Resources Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Resources body.
- 9.12 **Electorate 11** shall be known as the **Business Enterprise Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be a Business Enterprise body.
- 9.13 **Electorate 12** shall be known as the **Emergency Services Electorate** and shall consist of all members employed in or by a body which Branch Council declares to be an Emergency Service body.

The Branch Council has made the following declaration assigning bodies of members to electorates:

Electorate 1- Higher Education Bodies.

Nil

Electorate 2 - Health Bodies

- Department of Health & Human Services
- Australian Health Practitioners Regulation Agency

Electorate 3 - Government Bodies

- Department of Premier & Cabinet
- Legislative General
- Legislative Council
- House of Assembly
- CPSU Staff and Officers

Electorate 4 - Treasury Bodies

Nil

Electorate 5 - Justice Bodies

- Department of Justice
- Workplace Standards
- Integrity Commission
- Department of Treasury & Finance
- Tasmanian Audit Office
- Public Trustee
- Retirement Benefits Fund Board

Electorate 6 - School Education and Library Bodies

- Department of Education
- TasTafe
- University of Tasmania

Electorate 7 - Primary Industry, Information & Land Service Bodies.

- Department of Primary Industry, Parks, Water and Environment

Electorate 8 - Technical Education Bodies

Nil

Electorate 9 - Tourism Bodies

Nil

Electorate 10 - Resources Bodies

- Department of State Growth
- Pitt & Sherry
- Marine and Safety Tasmania
- Private Forests Tasmania
- Skills Tasmania

Electorate 11 - Business Enterprise Bodies

- Port Arthur Historic Site Management Authority
- TATTS Group
- Forestry Tasmania
- Printing Authority
- Tasmanian Building and Construction Training Board
- TasWater

Electorate 12 - Emergency Services Bodies

- Department of Police and Public Safety
- State Fire Commission
- State Emergency Service
- Tasmanian Ambulance Service

Branch rule 8 provides that one Councillor will represent each electorate on Branch Council for each 300 members or majority part thereof. Branch rule 9.14 provides that the minimum size of an electorate is 150 members. Rule 12H of the Federal Chapter C rules provides that electorates are determined from the financial members as at 31st December in the year preceding the election.

Electorate Number	Financial Members 31/12/2015	No. of Councillors
1	0	0
2	634	2
3	234	1
4	0	0
5	457	2
6	1058	4
7	487	2
8	0	0
9	0	0
10	235	1
11	155	1
12	208	1
	3468	14