



FAIR WORK
AUSTRALIA

DECISION

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

CPSU, the Community and Public Sector Union-SPSF Group, Western Australian Branch
(E2010/2677)

T. NASSIOS

MELBOURNE, 28 OCTOBER 2010

Arrangement for conduct of election.

[1] On 15 October 2010 the CPSU, the Community and Public Sector Union-SPSF Group, Western Australian Branch lodged with Fair Work Australia the prescribed information in relation to an election for the following vacant offices arising from insufficient nominations in E2010/2575:

Branch Councillors (refer Attachment A)
Proxy Branch Councillors (refer Attachment A)

[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 AUSTRALIA

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ATTACHMENT A

Name of Electorate	Branch Councillors	Proxy Councillors
Attorney-General	1	2
Child Protection	1	3
Corrective Services	2	3
Culture, Arts and Parks	1	1
Dental Health Services	1	1
DET & Central Services	2	2
Development and Recreation	1	1
DSC	2	3
Environment	1	1
Fisheries & Water	1	1
Health		1
Housing		1
Industry and Resources		1
Landgate	1	1
Main Roads and Development	1	
Murdoch & Curtin Universities	1	1
Planning	1	1
Police Services		1
Policy & Administration		1
Regulation and Insurance		1
Schools & Districts	3	4
Social Services	1	1
TAFE Colleges	2	2
Transport	1	1
Treasury	1	1
Universities: ECU, UWA & Notre Dame	1	1
Water Industry		1



Community & Public Sector Union Civil Service Association of WA

Community & Public Sector Union
SPSF Group, WA Branch
Civil Service Association of WA Inc

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Mail: GPO Box X2252, Perth, WA, 6847

22 October 2010

Ms Maryanne Guina
Fair Work Australia
GPO Box 1994
Melbourne VIC 3001



Dear Maryanne

Re CPSU (SPSF Group) WA Branch Councillor and Proxy Councillor Casual Vacancy Elections

Thank you for your continuing assistance in the matter.

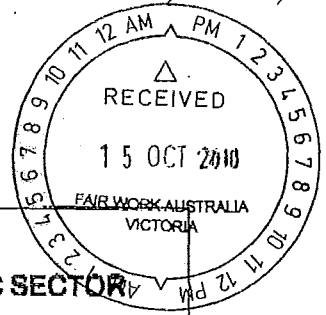
Further to our telephone conversation today (22nd October, 2010) I confirm there are twenty six (26) Councillor Vacancies. The original successful candidate for the Dental Health Councillor position (Mr G Hemsall) has now resigned from the position. In addition, there are thirty eight (38) proxy Councillor positions, not thirty seven (37) as originally advised.


Yours Sincerely

Mark Finnegan
Coordinator Member Services

Fax

E2010/2677



 Branch Secretary : Toni Walkington Branch President : Lea McKay	COMMUNITY AND PUBLIC SECTOR UNION SPSF GROUP WA BRANCH Civil Service Association of WA Inc 445 Hay Street, Perth, Western Australia GPO Box X2252, Perth, WA, 6001 Telephone: 08 9323 3800 Country Calls: 1800 199 910 Fax: 08 9323 3878
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To: Ailsa Carruthers From: Jacque Mays

Agency: FairWorkAustralia Fax: 03 9655 0410

Date: 15 October 2010

Dear Ailsa,

Please see the attached request pursuant for the conduct of elections by the Australian Electoral Commission

If you have any queries please contact Mark Finnegan, Coordinator Member Services 08 9323 3800.

Kind Regards


Jacque Mays
Executive Officer

Please telephone (09) 323 3800 if message is illegible or incomplete



Community & Public Sector Union Civil Service Association of WA

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FAIR WORK (REGISTERED ORGANISATIONS) ACT 2009

IN THE MATTER OF THE CPSU, the Community and Public Sector Union, State Public Services Federation Group, Western Australia Branch

AND

IN THE MATTER OF a request pursuant to Section 189 of the Act for conduct of elections by the Australian Electoral Commission

STATEMENT BY AUTHORISED OFFICER – REGULATION 138 (2)

I, TONI WALKINGTON, of 197 Washington Street, Victoria Park in the State of Western Australia, Union Official, state that I am the Branch Secretary of the CPSU, the Community and Public Sector Union, State Public Services Federation Group, Western Australia Branch and am duly authorised to sign this statement that the information in the accompanying document is being lodged in accordance with section 189 (1) of the Act.

DATED

SIGNED

Toni Walkington
Branch Secretary
Community and Public Sector Union, SPSF Group
Western Australia Branch

FAIRWORK (REGISTERED ORGANISATIONS) ACT 2009

FAIRWORK AUSTRALIA

REQUEST PURSUANT TO SECTION 189 TO ARRANGE FOR THE CONDUCT OF ELECTIONS
BY THE AUSTRALIAN ELECTORAL COMMISSION

PRESCRIBED INFORMATION

The following information is lodged in accordance with section 189 of the Act.

The following casual Branch Councillor vacancies arise from the recent series of Branch elections concluded in September 2010 (Ref E2010/2575). Pursuant to Rule 56 of the CPSU, the Community and Public Sector Union; Chapter C - SPSF Group Rules, the election for these vacant positions is to be run in the same form and manner as the original elections.

1. OFFICES

An election is required for the following offices of the Community and Public Sector Union, SPSF Group, WA Branch:

(a) **Offices of Councillor and Proxy Councillor**

- (i) Twenty Six (26) Branch Councillor offices; and
- (ii) Thirty Seven (37) Proxy Branch Councillor offices

Attachment A specifies the electorates for all offices of Councillor and Proxy Councillor. The previous recent elections filled some, but not all those offices. Attachment B lists the electorates where current casual vacancies exist.

Rule 10 subrule 10.1 of the CPSU, the Community and Public Sector Union; Chapter C - SPSF Group Western Australian Branch rules provides for the membership of the Branch to be divided in Electorates consisting of such members as is determined by the Branch Council from time to time.

Sub rule 10.2 provides that an Electorate may consist of all or some members employed by an employer or a number of employers and the minimum number of members who may constitute an Electorate shall be 250 financial members.

Rule 9 sub-rule 9.1 of the CPSU, the Community and Public Sector Union; Chapter C - SPSF Group Western Australian Branch rules provides that each Electorate will be represented on Branch Council by one Branch Councillor and one Proxy Branch Councillor for each 500 financial members or part thereof allocated to the Electorate as at 31st December in the year preceding an election.

The Electorates and entitlements for number of offices of Branch Councillor and Proxy Branch Councillor are attached at Attachment A. This relates to the previous original election, Attachment B references the consequential casual vacancies

Rule 10.3 provides that there shall be one or more Electorate(s) consisting of members employed in or by a public hospital, private hospital, nursing home, public dental clinic, area health service, community health service or psychiatric service; or employed in or by any department, or part of a department. Council Electorate "Dental Health & Health Services" consists of members employed in the Department of Health, public dental clinics, school dental centres, psychiatric services and a number of allied health services.

Rule 10.4 provides that there shall be one or more Higher Education Electorate(s) consisting of all of members employed in or by a University, College of Advanced Education, a Department of Technical and Further Education, a College or Institute of Technical and Further Education. Council Electorates "Murdoch & Curtin University," "Universities: ECU, UWA & Notre Dame", and "TAFE College" consist of members employed in or by a University, College of Advanced Education, a Department of Technical and Further Education, a College or Institute of Technical and Further Education.

2. REASONS FOR ELECTIONS

The reason for these elections is that as follows

(a) Offices of Councillor and Proxy Councillor

Rule 9 of the CPSU SPSF Group Rules Chapter C provides that each Branch Councillor and Proxy Branch Councillor shall be elected for a term of two years and provides that the election for each office shall be conducted so that the result is declared not earlier than 1st May and not later than 30th June in each even numbered year.

The original elections were duly declared by the AEC, resulting in a number of vacant Councillor and proxy positions. This occurred as the number of original nominees was less than the number of vacant positions

3. CONDUCT OF ELECTIONS

The CPSU, the Community and Public Sector Union; Chapter C - SPSF Group Western Australian Branch rules provide that every election shall be conducted in accordance with Chapter C the Federal Rules.

(a) Offices of Councillor and Proxy Councillor

Rule 33 sub rule 33.1 provides that every election required by the Branch rules shall be conducted in accordance with Chapter C the Federal Rules. Federal Rule 54A Election of Branch Officers and Delegates to Branch Council sub rule F provides that nominations for elections shall be called by such means as will give reasonable notice to those persons eligible to accept nomination at least fourteen (14) days prior to the date on which nominations close

Rule 56 sub rule 56 A advises that were the unexpired period of an office is more than eighteen (18) months, an election shall be conducted as far as practicable in the same manner as before.

4. VOTING SYSTEM

The system for voting for each of the offices is as follows:

(a) Branch Councillors & Proxy Councillors

The voting system to be employed is a direct voting system, and CPSU, SPSF Group Rule 57C provides that the election shall be by secret ballot and shall be conducted by the proportional preferential voting system as set out in the Schedule to the Group Rules.

5. NOMINATIONS OPEN

The system for voting for each of the offices is as follows:

(a) Part 1 – Branch Councillors & Proxy Councillors

Federal Rule 54A Election of Branch Delegates to Branch Council sub rule F provides that nominations for elections shall be called by such means as will give reasonable notice to those persons eligible to accept nomination at least fourteen (14) days prior to the date on which nominations close

CEMUSA COUNCILLORS & PROXY COUNCILLORS

Name of Electorate	Members at 31st Dec 2009	Councillor	Proxy Councillors
Primary Industry			
Meat Industry Authority			
Department of Agriculture	484		
Animal Resource Centre	1		
Western Pastoralists	3		
Total Membership for Primary Industry Council Electorate	488	1	1
Environment			
Environment & Conservation	473		
Swan River Trust	6		
Total Membership for Environment Council Electorate	479	1	1
Main Roads and Development			
Main Roads	247		
Department of Regional Development and Lands	75		
Department of State Development	21		
Department of Local Government	29		
Total Membership for Main Roads Council Electorate	372	1	1
Industry and Resources			
Wines and Petroleum	212		
ChemCentre	20		
Forest Products Commission	91		
Total Membership for Industry & Resources Council Electorate	323	1	1
Police Services			
Police Services	632		
Total Membership for Police Services Council Electorate	632	2	2
Fisheries & Water			
Dept of Fisheries	174		
Dept of Water	138		
Total Membership for Fisheries & Water Council Electorate	312	1	1
Planning			
Dept Planning	280		
Total Membership for Planning Council Electorate	280	1	1
Transport			
Dept of Transport	488		
Total membership for Transport Council Electorate	488	1	1
Commerce			
Commerce	246		
Business Registration Board	24		
Total Membership for Commerce Council Electorate	270	1	1
Murdoch & Curtin Universities			
Curtin University	259		
Curtin University Student Guild	1		
Murdoch University	120		
Murdoch University Student Guild	0		
Total Membership for Murdoch & Curtin Universities Council Electorate	380	1	1
Universities: ECU, UWA & Notre Dame			
UWA	190		
Rural Health West	1		
Edin Cowan University	108		
Notre Dame University	1		
Total Membership for University of WA Council Electorate	300	1	1
TAFE COLLEGES			
PerthTech West	130		
Perth TAFE	34		
Kirbyley College	19		
SW Regional College of TAFE	49		
EY O'Connor College of TAFE	22		
Central Institute of Technology	142		
Challenger TAFE	111		
West Coast College of TAFE	50		
Great Southern College of TAFE	27		
Durack Institute of Technology	22		
Total Membership for TAFE Colleges Council Electorate	614	2	2
DET & Central Services			
Dept of Education & Training	451		
Education Services	5		
Curriculum Council	26		
Residential Colleges (CHRMA)	12		
WA College of Teaching	4		
Total Membership for DET & Central Services Council Electorate	508	2	0
DSC			
Disability Services Commission	1039		
Total Membership for DSC Council Electorate	1039	3	3
Treasury			
WA Treasury Corporation	1		
Treasury & Finance	2-6		

Office of Shared Services	87		
Total Membership for Treasury Council Electorate	307	1	1
Housing			
Housing & Works	380		
Total Membership for Housing Council Electorate	380	1	1
Corrective Services			
Corrective Services	1247		
Acacia Prison	104		
Office of the Inspector of Custodial	2		
Total Membership for Corrective Services Council Electorate	1353	3	3
Attorney General			
Dept of the Attorney General	642		
Director of Public Prosecutions	39		
Total Membership for Attorney General Council Electorate	681	2	2
Water Industry			
Water Corporation	441		
Total Membership for Water Industry Council Electorate	441	1	1
Schools & Districts			
Dist Schools & District Offices	1822		
Total Membership for Schools & Districts Council Electorate	1822	4	4
Policy & Administration			
Dept of Premier & Cabinet	87		
Ombudsman	18		
Small Business Development Corporation	8		
Parliament House	23		
President & Speaker	62		
Office of the Auditor General	13		
Economic Regulation Authority	8		
Corruption & Crime Commission	47		
Total Membership for Policy & Administration Council Electorate	261	1	1
Child Protection			
Dept for Child Protection	1180		
Total Membership for Child Protection Council Electorate	1180	3	3
Health			
Office of Health Review	5		
Dept of Health	291		
WA Alcohol & Drug Authority	43		
Palmerston	6		
Graylands Hospital	18		
Nurses & Midwives Board of WA	5		
Total Membership for Health Council Electorate	281	1	1
Dental Health Services			
Dental Health Services	379		
Total Membership for Dental Health Services Council Electorate	379	1	1
Culture, Arts and Parks			
Dept of Culture & Arts	136		
Zoological Gardens Board	11		
Botanic Gardens and Parks	18		
Scoutism Commission	34		
Total Membership for Culture, Arts and Parks Council Electorate	257	1	1
Landgate			
Landgate	282		
Total Membership for Landgate Council Electorate	282	1	1
Social Services			
Dept of Indigenous Affairs	73		
Legal Aid	77		
Equal Opportunity Commission	21		
Office of Equal Employment Opportunity	1		
Public Sector Commission	20		
Office of the Commissioner for Children and Young People	0		
Office of the Information Commissioner	0		
Dept for Communities	108		
Total Membership for Social Infrastructure Council Electorate	300	1	1
Regulation and Insurance			
Workcover	82		
IRC	17		
Electoral Commission	12		
CSA Staff	55		
Life Members	13		
Deemed Employment	1		
Superannuation Board (SASA)	22		
Healthcare's Regulation Board	1		
Construction Industry LSL Payments Board	4		
Insurance Commission	63		
Total Membership for Regulation and Insurance Council Electorate	266	1	1
Development and Recreation			
Metropolitan Cemeteries Board	14		
Greyhound Racing Association	2		
Lotterywest	24		
Racing, Gaming & Liquor, Dept of	39		
Racing & Wagering Western Australia	26		
Perth Mint	2		
FESA	53		

Wharfedale DC	2		
Great Southern DC	4		
Plymouth DC	6		
Geordie/Espérance DC	7		
Gravelly/Midwest DC	1		
Kingsley DC	2		
South West DC	3		
Peel DC	6		
Midland Redevelopment Authority	3		
East Perth Redevelopment Authority	4		
Voluntary Services Board	1		
Manchester	4		
Dept of Sport & Recreation	22		
Burwood Park Board	1		
Rainforest Island Authority	18		
Office of Energy	24		
LandCorp	7		
Heritage Council	6		
Perth Market Authority	4		
National Trust	12		
Total Membership for Development and Recreation Council Elec	292	1	1
Total Councillors		42	42

Attachment B

BRANCH ELECTORATE	VACANCIES
Attorney General	Branch Councillor (1 Position) Proxy Branch Councillor (2 Positions)
Child Protection	Branch Councillor (1 Position) Proxy Branch Councillor (3 Positions)
Corrective Services	Branch Councillor (2 Positions) Proxy Branch Councillor (3 Positions)
Culture , Arts & Parks	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Dental Health	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
DET & Central Services	Branch Councillor (2 Positions) Proxy Branch Councillor (2 Positions)
Development & Recreation	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
DSC	Branch Councillor (2 Positions) Proxy Branch Councillor (3 Positions)
Environment	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Fisheries & Water	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Health	Proxy Branch Councillor (1 Position)
Housing	Proxy Branch Councillor (1 Position)
Industry & Resources	Proxy Branch Councillor (1 Position)
Landgate	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Main Roads & Development	Branch Councillor (1 Position)
Murdoch & Curtin Universities	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Planning	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Police Services	Proxy Branch Councillor (1 Position)
Policy & Administration	Proxy Branch Councillor (1 Position)
Regulation & Insurance	Proxy Branch Councillor (1 Position)

Schools & Districts	Branch Councillor (3 Position) Proxy Branch Councillor (4 Position)
Social Services	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Tafe Colleges	Branch Councillor (2 Position) Proxy Branch Councillor (2 Position)
Transport	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Treasury	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Universities: ECU,UWA,Notre Dame	Branch Councillor (1 Position) Proxy Branch Councillor (1 Position)
Water Industry	Proxy Branch Councillor (1 Position)