

Shop, Distributive and Allied Employees Association NSW Branch Election

Declaration of Results for Uncontested Offices E2014/190

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.

New South Wales Branch

Branch President

Candidates

CASSELL, Cheryl

Branch Vice President

Candidates

DUMYCZ, Maria

Branch Secretary-Treasurer

Candidates

SMITH, Bernard Joseph

Branch Assistant Secretary-Treasurer

Candidates

TONKLI, Robert

Branch Trustee (2)

Candidates

HAGLEY, Moira
THOMAS, Heather

Branch Councillor (Branch membership) (7)

Candidates

APPS, Ann
ATKINS, Narelle
AVELLINO, Pauline
HACKETT, Mel
MANOS, Adamina
SLENDER, Julie
WILLIAMS, Carol

Branch Councillor (Retail membership) (3)

Candidates

BARROS, Suzanne
DOHERTY, Michele
RIZK, Nayfeh

Branch Councillor (Drug and Allied membership)

Candidates

SAMMAK, Sam

Branch Councillor (Other Industries and Vocational Groupings membership)

Candidates

ROBINS, David

Branch Delegate to National Council (9)

Candidates

BOYLE, Corrine
CASSELL, Cheryl
DONNELLY, Greg
DUMYCZ, Maria
HAGLEY, Moira
ROBINS, David
SMITH, Bernie
THOMAS, Heather
TONKLI, Robert

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



Kathryn Montgomery
Returning Officer

12 December 2014



Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT

Client: Shop, Distributive and Allied Employees' Association
New South Wales Branch

Contact details: Bernie Smith
Branch Secretary-Treasurer

Email: Bernie.smith@sdansw.asn.au
Tel: 1300 732

FWC contact officer: Robert Pfeiffer

Email: orgs@fwc.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2014//190

RULES

Rules used for elections Rule ID: [006N-NSW: - incorporates alterations of 4/11/2010]

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

ROLL OF VOTERS

As there were no contested offices, the roll of voters was not required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: Nil

Other irregularities identified, and action taken: Nil

ATTACHMENTS

A: Declaration of Uncontested Offices – NSW Branch



Kathryn Montgomery
Returning Officer
15 December 2014



DECISION

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

Shop, Distributive and Allied Employees Association (E2014/190)

MR ENRIGHT

MELBOURNE, 8 OCTOBER 2014

Arrangement for conduct of election.

[1] On 24 September 2014 the New South Wales Branch of the Shop, Distributive and Allied Employees Association (the Branch) lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

- Branch President
- Branch Vice-President
- Branch Secretary-Treasurer
- Branch Assistant Secretary-Treasurer
- Branch Trustee (2)
- Branch Councillors (12) elected as follows:
 - Branch Councillors elected by total membership (7)
 - Branch Councillors elected by retail sector membership (3)
 - Branch Councillor elected by drug & allied industry membership (1)
 - Branch Councillor elected by other industry & vocational groupings (1)
- Branch Delegates to National Council (9)

[2] The prescribed information was not lodged before the day prescribed by Regulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*. That day is the day occurring 2 months before the first day when a person may, under the rules of the organisation or branch, become a candidate in the election. On 7 October 2014 the Branch requested that a later date be allowed for lodgment of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009*. Having considered the written reasons for late lodgment, I allow lodgment on 24 September 2014 in this instance.

[3] 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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Your friend at work!

7 October 2014

General Manager
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Attention: Ms Liz Mercovich

Dear Ms Mercovich,

**Re: Shop, Distributive and Allied Employees' Association, New South Wales Branch
Conduct of Elections in Branch**

I write to request an extension of time for lodgement of the prescribed information in respect of an election pursuant to Section 189(1) Fair Work (Registered Organisations) Act 2009 in the Shop, Distributive and Allied Employees' Association, New South Wales Branch.

Due to an administrative oversight the prescribed information was lodged on 24 September 2014 instead of by 21 September 2014.

I was appointed to the office of NSW Branch Secretary/Treasurer on 25 August 2014.

The Branch Committee of Management met on 22 September 2014 where the issue of elections in the Branch were discussed and I then completed the prescribed information and submitted it on 24 September, 3 days late. On this basis I request an extension of time to the 24 September 2014.

For the purpose of determining the number of Branch Delegates to National Council I confirm that the number of financial members of the Branch on 31 December 2013 was 59,567.

If you have any queries regarding the above please contact me in the SDA Sydney office on (02) 9281 7022.

Yours faithfully,

Bernie Smith
BRANCH SECRETARY-TREASURER

Bernie Smith
Branch Secretary



BSGen Oct 14

Shop Distributive and Allied Employees' Association NSW Branch

sdansw.org.au

TEL 131 SDA (131 732)
FAX (02) 9281 7050
EMAIL secretary@sdansw.asn.au
www.sdansw.org.au

Street Address
Level 3
8 Quay Street
Sydney NSW 2000

Postal Address
PO Box K230
Haymarket NSW 1240



Your friend at work!

24 September 2014

Mr Robert Pfeiffer
Senior Adviser
Fair Work Commission
GPO Box 1994
MELBOURNE VIC 3001

Dear Mr Pfeiffer,

Re: Shop, Distributive and Allied Employees' Association, New South Wales Branch
Re: Conduct of Elections in Branch
Re: Fair Work Act 2009
Re: Conduct of Branch Election by the Australian Electoral Commission

Please find enclosed documentation containing the prescribed information in respect of an election pursuant to section 189 (1) of the Fair Work (Registered Organisations) Act 2009 in the Shop, Distributive & Allied Employees' Association, New South Wales Branch.

The Branch Council of the New South Wales Branch of the Association wishes the elections to be conducted by the Australian Electoral Commission and accordingly the attached documentation is forwarded to you in order to commence the process leading to this election.

If you need any further information, please do not hesitate to contact me on (02) 9392 9501.

Yours faithfully,

Bernie Smith
BRANCH SECRETARY-TREASURER

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Bernie Smith
Branch Secretary



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Shop Distributive and Allied Employees' Association NSW Branch

sdansw.org.au

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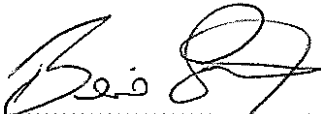
Street Address
Level 3
8 Quay Street
Sydney NSW 2000

Postal Address
PO Box K230
Haymarket NSW 1240

Statement and Prescribed Information in Respect of an Election

I, Bernard Joseph Smith, of Level 3, 8 Quay Street, Sydney in the State of New South Wales, make the following statement:-

1. I am the Branch Secretary-Treasurer of the New South Wales Branch of the Shop, Distributive and Allied Employees' Association, an organisation of employees registered under the Fair Work Act (Registered Organisations) Act 2009.
2. I am authorised to lodge the following prescribed information concerning forthcoming elections in the New South Wales Branch of the Shop, Distributive and Allied Employees' Association.
3. I confirm that the following information is being lodged under Section 189 (1) of the Fair Work Act (Registered Organisations) Act 2009.

Signed:  Date: 24/9/14

Offices / Positions

Name of Each Office	Number of Each Office	Electorate
Branch President	1	Total Membership in the whole of the Branch
Branch Vice-President	1	As above
Branch Secretary-Treasurer	1	As above
Branch Assistant Secretary-Treasurer	1	As above
Branch Trustee	2	As above
Branch Councillor	7	As above
Branch Councillor	3	Retail membership only of the Branch
Branch Councillor	1	Drug & Allied membership only of the Branch
Branch Councillor	1	Members of all other industry and vocational groupings only of the Branch
Branch Delegate to National Council	9	Total membership in the whole of the Branch

The reason for the election for each office named above is that the term of office is due to expire in the normal course of events under the rules of the New South Wales Branch of the Organisation.

Under the Rules of the Branch, the closing date for all nominations for the offices set out above is 2:30pm on Monday, 8 December 2014. The Rules provide that the Returning Officer shall call for nominations by advertisement in the public notices column of the Sydney Morning Herald which advertisement shall appear twice at least three days apart and shall each give not less than fourteen days' notice of the date on which nominations are to close.

Under the Rules of the Branch the second advertisement in the Public Notices column of the Sydney Morning Herald would appear on or about Friday 21 November 2014.

The voting system to be employed in the conduct of the election is a direct voting system by the members in the electorates as stated above.

To be precise, if the above dates were to be followed, nominations would open on Monday 24 November 2014 and nominations close at 2.30pm Monday 8 December 2014. The cut off date for the roll is Monday 17 November 2014, in accordance with Rule 10(h).