

Ms Michele O'Neil  
National Secretary  
TCFUA  
359 Exhibition Street  
MELBOURNE VIC 3000

**Post Election Report For: Textile, Clothing and Footwear Union of Australia  
Election E2012/351**

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.

Michael Pryor  
Returning Officer

15 October 2012

**Fair Work (Registered Organisations) Act 2009**

**POST ELECTION REPORT**

**Textile, Clothing and Footwear Union of Australia**

**ELECTION/S COVERED IN THIS REPORT**

Election Decision No: E2012/351

**RULES**

Rules used for the election:	[125V: Incorporates alterations of 16/11/2011 (R2011/217)] (replaces 3/05/2010 (R2010/36 version))
Rules difficult to apply/interpret:	None
Model Rule reference (if any):	N/A

**ROLL OF VOTERS**

Total number of voters on the Roll:	Ballot not required
Number of apparent workplace addresses:	Nil
Number of non-current addresses:	Nil
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

Michael Pryor  
Returning Officer

15 October 2012

# **TEXTILE, CLOTHING AND FOOTWEAR UNION OF AUSTRALIA**

## **DECLARATION OF RESULT**

Result of the election for the following office conducted in accordance with the provisions of the Fair Work (Registered Organisations) Act 2009 and the rules of the organisation.

E2012/351

### **National Secretary**

#### Candidate

O'NEIL, Michele

I declare M O'Neil elected.

Michael Pryor  
Returning Officer  
15 October 2012



FAIR WORK  
AUSTRALIA

## DECISION

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

**Textile, Clothing and Footwear Union of Australia**  
(E2012/351)

AILS A CARRUTHERS

MELBOURNE, 10 SEPTEMBER 2012

*Arrangement for conduct of election.*

[1] On 16 August 2012 the Textile, Clothing and Footwear Union of Australia lodged with Fair Work Australia the prescribed information in relation to an election for the following office:

National Secretary

[2] Fair Work Australia advised the organisation that the prescribed information was not lodged before the day prescribed by subregulation 138(3) of the *Fair Work (Registered Organisations) Regulations 2009*, being 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. The National Secretary of the organisation has stated that this was due to an administrative oversight and has requested that I allow a later day for lodgment of the prescribed information under subsection 189(2) of the *Fair Work (Registered Organisations) Act 2009*. Having considered the reasons for late lodgment, I allow lodgment on 16 August 2012 in this instance.

[3] I am satisfied that an election for the abovenamed office 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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TEXTILE CLOTHING & FOOTWEAR UNION OF AUSTRALIA

**National Secretary**

Michele O'Neil

**National Office**

359 Exhibition Street  
Melbourne Victoria 3000

PO Box 441  
Carlton South Victoria 3053

**Phone** (03) 9639 2955

**Fax** (03) 9639 2944

**Email** [nationaloffice@tcfvic.org.au](mailto:nationaloffice@tcfvic.org.au)

**Website** [www.tcfua.org.au](http://www.tcfua.org.au)

6 September 2012

General Manager  
Fair Work Australia  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

Dear General Manager,

**Re: Textile Clothing and Footwear Union of Australia ('TCFUA')  
(Election for position of National Secretary)**

On 16 August 2012, the National Office of the TCFUA lodged Prescribed Information with FWA pursuant to s189 (1) of the Fair Work (Registered Organisations) Act 2009 ('RO Act') for the conduct of an election for position of the TCFUA National Secretary.

The current term of the position of TCFUA National Secretary expires on 20 December 2012.

It has since come to the TCFUA's attention that the Prescribed Information was not lodged by the 'prescribed day' as required under s189 (2) of the RO Act (i.e. 'the day occurring 2 months before the first day when a person may, under the rules of the organization or branch, become a candidate in an election' [s138 (3) of the Fair Work (Registered Organisations) Regulations 2009]). The failure was due to an administrative oversight.

As a result, pursuant to sub-section 189(2) of the RO Act, the TCFUA requests an extension of time for the lodgment of the Prescribed Information for the election of the National Secretary position.

If you wish to discuss this request please do not hesitate to contact Vivienne Wiles (TCFUA National Industrial Officer) in the first instance.

Yours Sincerely

Michele O'Neil  
National Secretary



TEXTILE CLOTHING & FOOTWEAR UNION OF AUSTRALIA

**National Secretary**

Michele O'Neil

**National Office**

359 Exhibition Street  
Melbourne Victoria 3000

PO Box 441  
Carlton South Victoria 3053

**Phone** (03) 9639 2955

**Fax** (03) 9639 2944

**Email** [nationaloffice@tcfvic.org.au](mailto:nationaloffice@tcfvic.org.au)

**Website** [www.tcfua.org.au](http://www.tcfua.org.au)

16 August 2012

Fair Work Australia  
General Manager  
Level 4, 11 Exhibition Street  
Melbourne VIC 3000

**TCFUA National Office Election**

I refer to the above matter.

Pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 I hereby request that the AEC conduct elections for the following position in the National Office:

- National Secretary

Attached is the prescribed information pursuant to section 189(1)

Please contact me should you wish to discuss this request.

Yours sincerely,

Michele O'Neil  
National Secretary

***Fair Work (Registered Organisations) Act 2009***

**STATEMENT OF LODGEMENT OF PRESCRIBED INFORMATION**

**TEXTILE, CLOTHING AND FOOTWEAR UNION  
OF AUSTRALIA**

I, Michele O'Neil, being the National Secretary of the Textile Clothing and Footwear Union of Australia, make the following statement:

I am the National Secretary of the Textile Clothing and Footwear Union of Australia,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the National Office of the Textile Clothing and Footwear Union of Australia, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009

**OFFICE OR POSITIONS FOR WHICH ELECTION REQUIRED**

The office or position for which an election is required is as follows:

- National Secretary

**REASON FOR ELECTION**

The reason for the election of the office or position set out above is that the term of the office or position has expired or is due to expire in the normal course of events.

**OFFICES OR POSITIONS WITH SAME NAME**

The number of offices or positions with the same name which are able to be determined before the prescribed day are as follows:

- Not Applicable

**COMPOSITION OF ELECTORATE**

The electorate comprises all financial members of the Textile, Clothing and Footwear Union of Australia in accordance with **Rule 30(a)** of the TCFUA Registered Rules.

## **PERIOD FOR CALLING OF NOMINATIONS**

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 are to be determined by the Returning Officer in accordance with **Rule 30(d)(i) and (ii)** of the TCFUA Registered Rules.

## **CLOSING OF ROLL OF VOTERS**

Pursuant to **Rule 30(d)(iv)(ba)** of the TCFUA Registered Rules the roll of voters will close on the seventh day before the date determined for the opening of nominations.

## **KIND OF VOTING SYSTEM**

The kind of voting system to be used in the conduct of the elections is a direct voting system.

Signed:



Michele O'Neil  
National Secretary

Date: 16 August 2012