



4 December 2015

Ms Michele O'Neil
National Secretary
Textile, Clothing and Footwear Union of Australia
moneil@tcfvic.org.au

Dear Ms O'Neil,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/60]. This letter is a reminder of certain obligations imposed on organisations and persons elected to office.

Section 154D(1) of the *Fair Work (Registered Organisations) Act 2009* (the RO Act) requires the rules of organisations (and branches of organisations) to require each officer with financial management duties to undertake approved training that covers those duties within 6 months after the person begins to hold office. Please ensure that relevant officers undertake approved training within the required timeframe.

Please also ensure that all new holders of office are advised of their obligations to make disclosures regarding remuneration, non-cash benefits and material personal interests, the details of which should be provided for in your organisation's rules.

Also, section 233(2) of the RO Act requires that an organisation must notify the Fair Work Commission (the Commission) within 35 days of any changes to the holders of office in the organisation. If the election has resulted in any changes to the holders of office, the Textile, Clothing and Footwear Union of Australia must notify the Commission of these changes. In particular, please advise:

1. Person(s) who have ceased to hold office:
 - the name of the office vacated;
 - the date of the change of office holder; and
 - the name of the person vacating the office.
2. Person(s) who have commenced to hold office:
 - the name of the office now held;
 - the date of the change of office holder;
 - the name of the person now holding the office;
 - the postal address of the person (generally the postal address of the organisation); and
 - the occupation of the person now holding the office.

The notification must include a declaration by the Secretary (or other prescribed officer) that the information is a correct statement of the changes made. I have attached a template notification of changes which may assist you. If any change does not apply until a specific date, you don't need to notify until then (e.g. AGM, 1 January, 2nd Monday in March). If you have already lodged this information, please disregard this reminder.

Regards

Debbie Ball
Regulatory Compliance Branch

NOTIFICATION OF CHANGES TO RECORDS (Changes to Records in the Annual Return) required to be kept in accordance with section 230 *Fair Work (Registered Organisations) Act 2009* and regulation 147 *Fair Work (Registered Organisations) Regulations 2009*

I, [NAME], being the [OFFICER] of the [ORGANISATION NAME], declare the following:

1. I am authorised to make this declaration.
2. The following is a correct statement of the changes made to the information contained in the records required to be kept by the organisation in accordance with s.230(1)(b), (c), and (d) of the *Fair Work (Registered Organisations) Act 2009*:

[delete all that do not apply]

- On [DATE] the address of the organisation changed to [STREET ADDRESS].¹
- On [DATE] the name and/or address of a branch[es] of the organisation changed to:²
 1. [include OLD name and address and NEW name and address of every branch that has changed]
 2. ...
- A list of changes to offices and the names, postal addresses and occupations of persons holding those offices is attached to this declaration at Annexure A and forms part of this declaration.
- On [DATE] the following branch[es]:³
 - COMMENCED/CEASED operation:
 1. [include name of each new branch]
 2. ...

Signed: [SECRETARY OR OTHER AUTHORISED OFFICER]

Dated: [DATE]

[PLEASE NOTE: This declaration must be submitted to the Fair Work Commission within 35 days of the change. It can be submitted to orgs@fwc.gov.au.]

¹ s.230(1)(d); reg.147(d)

² s.230(1)(d); reg.147(a) & (d)

³ s.230(1)(d); reg.147(b) & (c)

ANNEXURE A

- Changes to Offices and Office Holders in the Organisation and its Branches [*insert as many pages as required*]:

Please note the 35 days begins at the earliest event (for instance when the officer retires) and an organisation may need to notify the events separately if the appointment or election process will take longer than 35 days.

Branch	Date of Change	Name of Office that has changed	Name of <u>Outgoing</u> Office Holder	Reason for change	Name of <u>New</u> Office Holder	Postal Address of <u>New</u> Office Holder (for privacy reasons, we recommend NOT a private address)	Occupation of <u>New</u> Office Holder
<i>National</i>	<i>1.1.2014</i>	<i>Secretary</i>	<i>Full Name</i>	<i>Retiring</i>	<i>Full Name</i>	<i>c/- the Registered Organisation, postal address of Registered Organisation</i>	<i>Paid official</i>
	<i>25.12.2013</i>	<i>President</i>	<i>vacant</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
...							
<i>NSW</i>	<i>1.1.2014 (resigned) 7.1.2014 (appointed)</i>	<i>President</i>	<i>Full Name</i>	<i>Resignation</i>	<i>Full Name</i>	<i>c/- the Branch, postal address of the Branch</i>	<i>mechanic</i>
		<i>Committee of Management Member</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>Full Name</i>	<i>As above</i>	<i>mechanic</i>
		<i>Treasurer</i>	<i>Full Name</i>	<i>Scheduled Election</i>	<i>vacant</i>	<i>vacant</i>	<i>vacant</i>
...							

Ms Michele O'Neil
National Secretary
Textile, Clothing and Footwear Union of Australia
359 Exhibition St
MELBOURNE VIC 3000

By email to: nationaloffice@tcfvic.org.au

**Post Election Report For: Textile, Clothing and Footwear Union of Australia
Election E2015/60**

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.



Danielle Paterson
Returning Officer

18 May 2015

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/s: *E2015/60*

RULES

Rules used for the election: 125V: Incorporates alterations 20/02/2015
[R2015/11]
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: N/A
Number of non-current addresses: N/A
Other matters pertaining to the roll of voters: N/A

IRREGULARITIES

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

ATTACHMENTS

Declaration of Results



Danielle Paterson
Returning Officer

18 May 2015

Textile, Clothing and Footwear Union of Australia National Offices

Declaration of Results for Uncontested Offices

E2015/60

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.

National

National President

Candidates

OWEN, John

National Senior Vice President

Candidates

KRUSCHEL, Jenny

National Trustees (2)

Candidates

EDWARDS, Mark
MACPHERSON, Elizabeth

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



Danielle Paterson
Returning Officer

5 May 2015



Copy of Signed Decision

Title of Matter: Application/Notification by Textile, Clothing and Footwear Union of Australia
Section: s.189(1) RO Act - Notification of elections for office
Subject: National President, National Senior Vice President, National Junior Vice President and 2 National Trustees
Matter Number(s): E2015/60

A copy of the Delegate's election decision in relation to the above matter is attached for your information.

Please note: Section 233(2) of the *Fair Work (Registered Organisations) Act 2009* requires details of changes to an organisation's records be declared to the Fair Work Commission. This includes changes resulting from the conduct of elections. Changes must be declared within 35 days of their occurrence.

Inquiries:

Any inquiries relating to this are to be directed to Sarah Wilkin
Phone: (03) 8661 7026, email: sarah.wilkin@fwc.gov.au.

2 MARCH 2015



DECISION

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

Textile, Clothing and Footwear Union of Australia
(E2015/60)

MR ENRIGHT

MELBOURNE, 2 MARCH 2015

Arrangement for conduct of election.

[1] On 22 and 27 January 2015 the Textile, Clothing and Footwear Union of Australia lodged with the Fair Work Commission the prescribed information in relation to an election for the following offices:

National President
National Senior Vice President
National Trustees (2)

[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

[2015] FWCD 1273

Printed by authority of the Commonwealth Government Printer

<Price code A, PR561319>



TEXTILE CLOTHING & FOOTWEAR UNION OF AUSTRALIA

National Secretary

Michele O'Neil

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Email nationaloffice@tcfvic.org.au

Website www.tcfua.org.au

27 February 2015

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

TCFUA National Office Elections

I refer to the above matter.

Please find attached an amended Statement of Prescribed Information that was originally lodged on 22 January 2015. This amended Statement of Prescribed Information corrects some minor errors and also reflects the change of positions due for election as a result of amendments to the TCFUA Rules. (R2015-11) (20 February 2015).

I advise that the following officers' terms of office will expire at the Annual Meeting of the National Council of the Textile Clothing & Footwear Union of Australia to be held from 6 to 7 May 2015 in Victoria. Pursuant to subsection 189(1) of the Fair Work (Registered Organisations) Act 2009 I hereby request that the AEC conduct elections for the following positions:

- National President
- National Senior Vice President
- National Trustees (2)

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

Please contact me should you wish to discuss.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michele O'Neil', written over a light blue horizontal line.

Michele O'Neil

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 & Footwear Union of Australia, make the following statement:

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

I am authorised to lodge the following prescribed information concerning forthcoming elections in the National Office of the Textile Clothing & 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*.

Signed:



Dated: 27/2/15

Offices/Positions

- National President
- National Senior Vice President
- National Trustee (2)

Reasons for election:

- Election for offices and positions above are required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for collegiate electoral system is by and from the National Council, totalling 5 persons (Rule 30(a)(iii))

Nominations open and close:

- 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 in relation to the election shall be determined by the Returning Officer

Cut off date for roll:

- The day provided for in the rules of the organisation as the day on which the roll of voters is to be closed is to be determined by the Returning Officer (Rule 30(e))



Copy of Prescribed Information

Title of Matter: Application/Notification by Textile, Clothing and Footwear Union of Australia
Section: s.189(1) RO Act - Notification of elections for office
Subject: National President, National Senior Vice President, National Junior Vice President and 2 National Trustees
Matter Number(s): E2015/60

Attn: Electoral Officer

A copy of the Prescribed Information in relation to the above matter is attached for your information.

The election decision will be forwarded to your office in due course.

Inquiries:

Any inquiries relating to this are to be directed to: orgs@fwc.gov.au.

3 FEBRUARY 2015

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

Website www.tcfua.org.au

22 January 2015

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

TCFUA National Office Elections

I refer to the above matter.

I advise that the following officers' terms of office will expire at the Annual Meeting of the National Council of the Textile Clothing & Footwear Union of Australia to be held from 6 to 7 May 2015 in Victoria. 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:

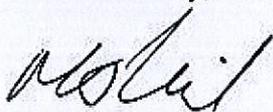
- National President
- National Senior Vice President
- National Junior Vice President
- National Trustees (2)

I further advise that the National Council has commenced the process to abolish the position of National Junior Vice President via a proposed Rules Alteration to the TCFUA Registered Rules. Relevant documentation is being lodged with the Fair Work Commission in the next week. If, and when the Rules Alteration is certified, the TCFUA will advise accordingly and provide an amended Statement of Prescribed Information reflecting the change in position.

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 offices or positions for which an election is required are as follows:

- National President
- National Senior Vice President
- National Junior Vice President
- National Trustees (2)

REASON FOR ELECTION

The reason for the election of each office or position set out above is that the term of each 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:

- National President
- National Senior Vice President
- National Junior Vice President
- National Trustees (2)

COMPOSITION OF ELECTORATE

The electorate comprises the Textile Clothing and Footwear Union National Councillors – National Officers

KIND OF VOTING SYSTEM

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

Signed:

A handwritten signature in black ink, appearing to read 'Michele O'Neil', written in a cursive style.

Michele O'Neil

Date: 22 January 2015