



5 September 2016

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

Dear Ms O'Neil,

### **Reminder of actions required when persons elected to office**

The Australian Electoral Commission has provided the Fair Work Commission (the Commission) a declaration of results for the election [E2016/154] for the national office. This letter is a reminder of certain obligations imposed on organisations and on persons elected to office.

### **A notice must be published on the organisation's website**

The organisation or branch must publish on its website a notice that a copy of the report is available from the organisation, branch or the AEC on request. The notice must be kept on the website for a period of at least 3 months (see regulation 141 of the *Fair Work (Registered organisations) Regulations 2009*).

### **Holders of office required to undertake approved training**

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.

### **Organisation must notify the Commission of changes**

Also, section 233(2) of the RO Act requires that an organisation must notify the Commission **within 35 days of any changes** to the holders of office in the organisation. **If there are no changes a notification is not required.** 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;

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- 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

Jennifer Raeburn  
Regulatory Compliance Branch

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](mailto:nationaloffice@tcfvic.org.au)

**Post Election Report For: Textile, Clothing and Footwear Union of Australia  
Election E2016/154**

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.

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

Jeff Webb  
Returning Officer

31 August 2016

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: *E2016/154*

**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



Jeff Webb  
Returning Officer

31 August 2016

# Textile, Clothing and Footwear Union of Australia

## National Office – E2016/154

### Declaration of Results for Uncontested Offices

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 Secretary

##### Candidates

O'NEIL, Michele

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



Jeff Webb  
Returning Officer

30 August 2016



## DECISION

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

**Textile, Clothing and Footwear Union of Australia**  
(E2016/154)

MR ENRIGHT

MELBOURNE, 27 JULY 2016

*Arrangement for conduct of election.*

[1] On 22 June 2016 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 office:

National Secretary

[2] 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

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TEXTILE CLOTHING & FOOTWEAR UNION OF AUSTRALIA

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22 June 2016

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

**TCFUA National Office Election – [E2016/154]**

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) and (2) 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:

A handwritten signature in black ink, appearing to read 'Michele O'Neil', is written over a faint, light-colored circular stamp.

Michele O'Neil  
National Secretary

Date: 22 June 2016