

- United Firefighters' Union of Australia Casual Vacancies WA Branch

Declaration of Results for Uncontested Offices

E2013/305

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.

West Australian Branch

Branch Vice President - WAFB Firefighter

Candidates

MCNAMARA, Wallace

Branch Trustee - WAFB Firefighter

Candidates

STOCKLEY, Brad Andrew

General Ordinary Committee of Management Member

Candidates

BAILEY, Kerry Yvonne

WAFB Officer Ordinary Committee of Management Member (2)

Candidates

BOWRING, Lexie
MACKINTOSH, Neil John

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

Karen Greygoose
Returning Officer

20 February 2014

Fair Work (Registered Organisations) Act 2009
POST ELECTION REPORT

Client: United Firefighters' Union of Australia (WA Branch)

Contact details: Kevin Jolly Email: kevinjolly@ufuofwa.net.au
Tel: (08) 9228 8122

FWA contact: Email: industrial.elections@fwa.gov.au

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2013/305

RULES

Rules used for the election:

259V: Incorporates alterations of 17/02/2012 [R2012/6]

Rules difficult to apply/interpret:

My suggestion to the Secretary was to consider modifying Rule 71(2) to allow the BCOM to fill casual vacancies six (6) months after a general election by appointment rather than election.

Model Rule reference (if any): N/A, recommend that the model rules be amended to include a casual vacancy policy

ROLL OF VOTERS

As there were no contested offices, no Roll of Voters was required.

IRREGULARITIES

There were no irregularities either identified by the Returning Officer or reported from external sources.

ATTACHMENTS

Declaration of Results for Uncontested Offices

Karen Greygoose
Returning Officer

Post Election Report For:

Election E No 2013/305

I refer to the above election for your organisation.

Section 197(1) of the Fair Work (Registered Organisations) Act 2009 requires the AEC to provide a written report on the conduct of the election to the General Manager 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 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 Regulations 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.

Karen Greygoose
Returning Officer

Division of Tangney
13/200 St Georges Tce, Perth WA 6000
GPO Box 9867, PERTH WA 6848
Tel: (08) 6363 8013 Fax: (08) 6363 8004

[2013] FWCD 9172

The attached document replaces the document previously issued with the above code on 2 December 2013.

The document heading has been changed to “Correction to Decision”

Elizabeth Mercovich
Regulatory Compliance Branch

Dated 19 December 2013



CORRECTION TO DECISION

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

United Firefighters' Union of Australia
(E2013/305)

MR ENRIGHT

MELBOURNE, 2 DECEMBER 2013

Arrangement for conduct of election.

[1] On 22 November 2013 the Delegate of the General Manager issued a decision [2013] FWAD 9172 [PR544841] to allow the conduct of elections for various offices of the Western Australian Branch of the United Firefighters' Union of Australia in notification E2013/305.

[2] In the above decision arrangements were made under subsection 189(3) of the *Fair Work (Registered Organisations) Act 2009*, for the conduct of the election by the Australian Electoral Commission for interalia:

WA Branch WAFB Officer Ordinary Committee of Management Member

The number of those offices was incorrectly stated in that decision and should be as follows:

WA Branch WAFB Officer Ordinary Committee of Management Member (2)

[3] The decision of 22 November 2013 should read accordingly.



DELEGATE OF THE GENERAL MANAGER

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<Price code A, PR545212>



DECISION

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

United Firefighters' Union of Australia
(E2013/305)

MR ENRIGHT

MELBOURNE, 22 NOVEMBER 2013

Arrangement for conduct of election.

[1] On 13 November 2013 the United Firefighters' Union of Australia lodged with the Fair Work Commission the prescribed information in relation to an election to fill a casual vacancy for the remainder of the term of office in the following offices:

WA Branch Vice President WAFB Firefighter
WA Branch Trustee WAFB Firefighter
WA Branch General Ordinary Committee of Management Member
WA Branch WAFB Officer Ordinary Committee of Management Member

[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

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<Price code A, PR544841>

13 November 2013

General Manager
Fair Work Australia
GPO Box 1994
Melbourne Vic 3001

By email: orgs@fwa.gov.au

Dear General Manager

Election – s189 Fair Work (Registered Organisations) Act 2009

Please find enclosed a notice and prescribed information for a by-election for the West Australian Branch of the United Firefighters Union of Australia.

Yours sincerely



Peter Marshall
National Secretary

**UNITED FIREFIGHTERS UNION
OF AUSTRALIA**



ABN 51 824 544 070

410 Brunswick Street,
Fitzroy, Victoria 3065
Phone: (03) 9419 8811
Fax: (03) 9419 9258

Email: ufunational@ufunat.asn.au
www.ufua.asn.au

President: Greg Northcott

Secretary: Peter Marshall

Notice and Statement of Prescribed Information for an Election

I, Peter Marshall, being the National Secretary of the United Firefighters Union of Australia, make the following statement:

I am the National Secretary of the United Firefighters Union of Australia,

I am authorised to lodge the following prescribed information concerning forthcoming elections in the Western Australian Branch of the United Firefighters 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: 13 November 2013

Offices:

5 Branch Committee Members (Officers)

One (1) Branch Vice President- WAFB Firefighter

One (1) Branch Trustee WAFB Firefighter

One (1) General Ordinary Committee of Management Member

Two (2) WAFB Officer Ordinary Committee of Management Member

Reasons for election:

Election is required to fill casual vacancies that have recently occurred (documentary information relating to the resignations of the following is enclosed):

1. Chester Mackean holding the office of Branch Vice President- WAFB Firefighter
2. Wallace McNamara holding the office of Branch Trustee WAFB Firefighter
3. Brendon McLaughlin holding the office of General Ordinary Committee of Management Member
4. John Manocchio holding the office of WAFB Officer Ordinary Committee of Management Member
5. Les Holden holding the office of WAFB Officer Ordinary Committee of Management Member

Elected by:

The electorate for the direct voting system is the whole of the Western Australian Branch.

Nominations open:

Monday 2nd December 2013

Nominations close:

5 p.m. on Monday 3rd February 2014

Cut off date for roll:

7 days before the date on which nominations are opened (2nd December 2013) in accordance with Rule 27, that date being Monday 25th November.