

**United Voice
National Executive Member (Western Australian Branch)**

DECLARATION OF RESULTS FOR UNCONTESTED OFFICES

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.

E2013/175

Western Australia

National Executive Member

Candidate

SHAY, Kelly Louise

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

Simon Bulloch
Returning Officer

21 June 2013

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: : United Voice – WA Branch - Casual Vacancy Election

Contact details: Ms Louise Tarrant

Email: unitedvoice@unitedvoice.org.au

Tel: 02 8204 3000

FWA contact officer: Carolyn Maloney

Email: carolyn.maloney@fwc.gov.au

02 8374 6510

Tel:

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2013/175

RULES

Rules used for the election: 108V: Incorporates the alterations of 5 November 2012 in matter R2012/167

Rules difficult to apply/interpret: Nil

Model Rule reference (if any): N/A

ROLL OF VOTERS

The roll of voters was supplied by the United Voice WA Branch. As there was not an election the roll was not used.

IRREGULARITIES

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

Other irregularities identified, and action taken: Nil

ATTACHMENTS

Declaration of Results for Uncontested Offices

Simon Bulloch
Returning Officer
2 July 2013



United Voice National Office
303 Cleveland St, Redfern, NSW 2016
Locked Bag 9, Haymarket, NSW 1240
ABN 5272 8088 684

t (02) 8204 3000
f (02) 9281 4480
e unitedvoice@unitedvoice.org.au
w www.unitedvoice.org.au

13 May 2013

The General Manager
Fair Work Commission
Level 8, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011

Dear Sir/Madam

Notification of change of office holders

Thank you for your letter of 10 May 2013.

I write to advise of a change of office holders of the WA Branch of United Voice in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act*.

I advise that Carolyn Smith was elected as the Branch Secretary of the WA Branch of United Voice at its meeting on 27 March 2013. I enclose correspondence from the Branch Secretary of the WA Branch of United Voice and copies of Minutes of the meeting confirming that the election was carried out in accordance with the Rules of United Voice.

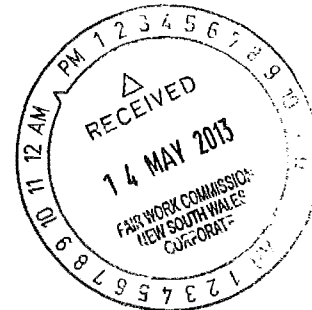
I am authorised by United Voice and under the Rules of United Voice to certify that this declaration is a correct statement of the changes made to the list of persons holding office in United Voice.

I apologise that this information has been supplied outside the prescribed period but note that it is only marginally outside the prescribed period and that no mischief has been caused by the delay in supply the information.

If you have any queries please contact David McElrea on (02) 8204 3048 or david.mcelrea@unitedvoice.org.au

Yours faithfully

Louise Tarrant
NATIONAL SECRETARY



UNITED VOICE

Registered Office 61 Thomas Street, Subiaco WA 6008
Postal Address PO Box 414, Subiaco WA 6904

Secretary Carolyn Smith
President Nina Devlin
Assistant Secretary Kelly Shay
Acting Assistant Secretaries Pat O'Donnell and Amber-Jade Sanderson

ABN 82 525 323 080



2nd of April 2013

Louise Tarrant
National Secretary
United Voice
Locked Bag 9
HAYMARKET NSW 1240

Dear Louise

NOTIFICATION OF CHANGE OF BRANCH SECRETARY AT UNITED VOICE

Please be advised that at our Branch Council meeting held before the Easter break on Wednesday March 27th 2013, I was officially appointed as Branch Secretary of United Voice.

I have filled the casual vacancy created by Mr David Kelly who resigned as Branch Secretary after winning the State seat of Bassendean at the March 9 2013 State Election.

The motion moved during the meeting is as follows:

It was moved C Powers, seconded J Blagdanic - "That due to Dave Kelly's resignation, Carolyn Smith be appointed by Branch Council for the position of Branch Secretary, which is being filled as a casual vacancy by way of a secret ballot."

The motion was put and declared CARRIED

Please find attached the minutes of the Branch Council meeting held on March 27th 2013 which gives further details of the process taken.

Regards

A handwritten signature in cursive script that reads 'Carolyn Smith'.

**Carolyn Smith
WA State Secretary
United Voice**

WESTERN AUSTRALIAN BRANCH OF
UNITED VOICE
(FEDERAL)

(Registered under the Fair Work Registered Organisations Act 2009)

Minutes of the Branch Council Meeting held at
61 Thomas Street, Subiaco on Wednesday, 27th March 2013,
commencing at 6.00pm.

CHAIR: N Devlin

PRESENT
(Branch Councillors): C Smith, A Biddle, J Blagdanic, S Christie, W Curry, S Curtis, P De Gois, B Godfrey, R Hansen, P Hitt, J Lush, T Milligan, M Nugent, C Powers, K Prescott-Brown, L Singh, G Spence, M Rose

PRESENT (Officials): A Barrett, F Hebden, E Molloy, P O'Donnell, M O'Driscoll, J Phillips, K Pnacek, A Samson, AJ Sanderson, Mark Bydder

R Lewtas (Observer), J Horrigan (Observer)

APOLOGIES: A Wright, B Wright

It was moved P De Gois, seconded K Prescott-Brown -"That the apologies be received."

The motion was put and declared CARRIED

MINUTES OF PREVIOUS BRANCH COUNCIL MEETING:

Branch Council Meeting – 12th December 2012

It was moved M Nugent, seconded P Hitt - "That the minutes of the Branch Council meeting held on Wednesday 12th December 2012 be received and adopted."

The motion was put and declared CARRIED

Branch Executive Meeting – 14th November 2012

It was moved K Prescott-Brown, seconded M Nugent - "That the minutes of the Branch Executive meeting held on Wednesday 14th November 2012 be received and adopted."

The motion was put and declared CARRIED

Branch Executive Meeting – 16th January 2013

It was moved M Nugent, seconded P De Gois - "That the minutes of the Branch Executive meeting held on Wednesday 16th January 2013 be received and adopted."

The motion was put and declared CARRIED

Branch Executive Meeting – 13th February 2013

It was moved M Nugent, seconded K Prescott-Brown - "That the minutes of the Branch Executive meeting held on Wednesday 13th February 2013 be received and adopted."

The motion was put and declared CARRIED

MATTERS ARISING:

There were no matters arising.

FINANCIAL REPORT:

The Acting Secretary presented the financial report for February 2012 followed by questions. It was moved B Godfrey, seconded P Hitt - "That the financial report be received."

The motion was put and declared CARRIED

The Acting Secretary presented the Accounts for payment dated Wednesday 27th March 2013. It was moved P De Gois, seconded M Nugent - "That the accounts for payment be received."

The motion was put and declared CARRIED

AUGUSTA HOLIDAY HOMES:

The sale of the Augusta Holiday Homes finally settled on Monday afternoon. This is great news. We were patient with the buyer due to the good price for the property. We were offered \$1.2 million and \$936,000 of this has been transferred to our account with the remainder to follow as previously reported. This money will immediately come off of our Cheriton Street loan which is a quarter of what we need to pay back.

CHERITON STREET BUILDING:

Probuild has kept on track for a late August finish. Once winter arrives we may lose a couple of days due to bad weather. The concrete pouring for all floors has been done. We are on track and on budget which is good news.

CORRESPONDENCE:

A list of correspondence between 12th December 2012 and 26th March 2013 was circulated. It was moved P Hitt, seconded M Nugent - "That the correspondence be received."

The motion was put and declared CARRIED

CASUAL VACANCIES:

The Acting Secretary gave an overview of the process required by the rules of the Union for filling casual vacancies. The Acting Secretary advised of all the steps that have been taken by the Branch to adhere to this process.

Two casual vacancies exist due to the retirement and resignation of Irene Snow, Vice President and the resignation of Dave Kelly, Branch Secretary who won the seat of Bassendean at the March 9 State Election.

The Acting Secretary reported that after calling for nominations for both positions by way of an advertisement in the West Australian, only one nomination was received for each position. The nominations were as follows:

Vice President – Matthew Nugent
Branch Secretary – Carolyn Smith

A secret ballot was then conducted at the meeting. Ballot papers enclosed in the Branch Council packs were as follows:

1) Vice President Position

Only one expression of interest was received for the casual vacancy for the position of Vice President. The person is an eligible candidate under the rules of the Union.

Do you agree to fill the vacancy with the person who has lodged the expression of interest, namely Matthew Nugent?

Yes No

[Tick one box)

2) Branch Secretary Position

Only one expression of interest was received for the casual vacancy for the position of Branch Secretary. The person is an eligible candidate under the rules of the Union.

Do you agree to fill the vacancy with the person who has lodged the expression of interest, namely Carolyn Smith?

Yes No

[Tick one box)

The votes were placed into sealed ballot boxes by Branch Councillors.

Observer, R Lewtas, then opened the boxes and counted the votes while scrutineers, N Devlin (President) and K Prescott-Brown (Branch Councillor) looked on.

R Lewtas announced the ballot results as follows:

- 1) Matthew Nugent for Vice President Position – 19 Yes votes and 0 No votes
- 2) Carolyn Smith for Branch Secretary – 19 Yes votes and 0 No votes.

It was moved K Prescott-Brown, seconded P De Gois - "That due to Irene Snow's retirement and resignation, Matthew Nugent be appointed by Branch Council for the position of Vice President, which is being filled as a casual vacancy by way of a secret ballot."

The motion was put and declared CARRIED

It was moved C Powers, seconded J Blagdanic - "That due to Dave Kelly's resignation, Carolyn Smith be appointed by Branch Council for the position of Branch Secretary, which is being filled as a casual vacancy by way of a secret ballot."

The motion was put and declared CARRIED

SECRETARY'S REPORT:

The Secretary's Report was deferred to the Quarterly General Meeting.

GENERAL BUSINESS:

There being no further business, the meeting closed at 6.26pm.

Next Branch Council Meeting:

22nd May 2013



FAIR WORK
COMMISSION

10 May 2013

Ms Louise Tarrant
National Secretary
United Voice
Locked Bag 9
HAYMARKET NSW 1240

Also by facsimile: (02) 9281 4480

Dear Ms Tarrant

Arrangements for the conduct of an Election (E2013/175)

A copy of the decision in relation to the above matter is enclosed.

The Fair Work Commission is making arrangements, under subsections 189(3) of the *Fair Work (Registered Organisations) Act 2009*, with the Electoral Commissioner for the conduct of the subject election by a member of staff of the Australian Electoral Commission, who will contact you in the near future about the election.

I note that the prescribed information was only for a National Executive Member representing the Western Australian Branch. I also note that Mr Kelly held other offices with United Voice, namely the Branch Secretary of the Western Australian Branch of the organisation.

Accordingly, could you advise whether an election will be held for the office of Branch Secretary of the Western Australian Branch in accordance with the rules of the organisation.

If the casual vacancy for the office of Branch Secretary for the Western Australian Branch has been appointed to date, could you please lodge a notification of change of office holders with the Commission as soon as practicable, in accordance with s.233(2) of the *Fair Work (Registered Organisations) Act 2009*.

Yours sincerely

Carolyn Moloney
Assistant Adviser
Regulatory Compliance Branch, NSW
Fair Work Commission



DECISION

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

United Voice
(E2013/175)

AILS A CARRUTHERS

MELBOURNE, 10 MAY 2013

Arrangement for conduct of election.

[1] On 6 May 2013 United Voice lodged with the Fair Work Commission prescribed information in relation to an election, for the residue of the term, for the following office:

National Executive

National Executive Member (Western Australia Branch) (1)

[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
FAIR WORK COMMISSION

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MOLONEY, Carolyn

From: MOLONEY, Carolyn
Sent: Friday, 10 May 2013 3:33 PM
To: 'Industrial Elections'
Subject: E2013/175
Attachments: E2013_175_UV National Executive Member_Casual vacancy_10052013.pdf; E2013_175 UV letter to AEC_10052013.pdf

Dear AEC

Please find attached a copy of the Decision for the upcoming casual vacancy election of United Voice (E2013/175).

Kind regards,

CAROLYN MOLONEY
Assistant Adviser
Regulatory Compliance Branch

Fair Work Commission
Tel: 02 8374 6510
Fax: 02 9380 6990
carolyn.moloney@fwc.gov.au

Level 8, Terrace Tower, 80 William Street
East Sydney NSW 2011

www.fwc.gov.au

Please be aware that my email address has changed to carolyn.moloney@fwc.gov.au effective 1 January 2013. Please update your records accordingly.

10 May 2013



FAIR WORK
COMMISSION

Electoral Commissioner Through

Australian Electoral Officer (industrial.elections@aec.gov.au)

Under subsection 189 of the Fair Work (Registered Organisations) Act 2009, please arrange for the conduct of the following election by the Australian Electoral Commission:

E No 2013/175

RE: UNITED VOICE

Positions:

See Decision

Relevant Information: Casual vacancy election.

Contact: Louise Tarrant, National Secretary

Phone: (02) 8204 3000

A copy of the decision is enclosed.

I further request that you arrange for this office to be notified that arrangements for the conduct of this election have been made, by email transmission at industrial.elections@fwc.gov.au

Carolyn Moloney
Fair Work Commission

Terrace Towers Telephone: (02) 8374 6666
80 William Street International: (612) 8374 6666
East Sydney NSW 2011 Facsimile: (02) 9380 6990
Email: sydney@fwc.gov.au

MOLONEY, Carolyn

From: MOLONEY, Carolyn
Sent: Monday, 6 May 2013 2:35 PM
To: 'Industrial Elections'
Subject: E2013/175
Attachments: UV WA Branch_E2013_175_P1 lodged_06052013.pdf; 108V United Voice R2012_167 05112012.pdf

Dear AEC

Please find attached prescribed information and a copy of the current rulebook for an casual vacancy election of United Voice (E2013/175).

Kind regards,

CAROLYN MOLONEY
Assistant Adviser
Regulatory Compliance Branch

Fair Work Commission
Tel: 02 8374 6510
Fax: 02 9380 6990
carolyn.moloney@fwc.gov.au

Level 8, Terrace Tower, 80 William Street
East Sydney NSW 2011

www.fwc.gov.au

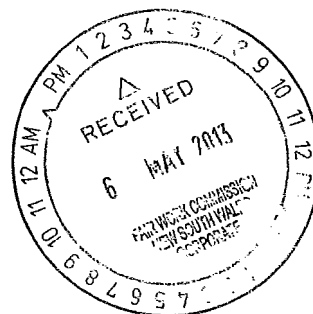
Please be aware that my email address has changed to carolyn.moloney@fwc.gov.au effective 1 January 2013. Please update your records accordingly.



E2013/175

2 May 2013

The General Manager
Fair Work Australia
Level 8, Terrace Tower
80 William Street
EAST SYDNEY NSW 2011



Dear Sir/Madam

Notice of prescribed information for election

I write to request that an election be held for the National Executive of United Voice.

The prescribed information pursuant to s.189(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") and Regulation 138 of the *Fair Work (Registered Organisations) Regulations 2009* is as follows:

1. The name of each office or position for which an election is required is:
 - 1.1. Member of the National Executive (WA Branch).
2. The reason for the election is that a casual vacancy in the office or position has occurred. Dave Kelly, member of the National executive from WA, has resigned from his role. A copy of his resignation is attached.
3. Not applicable.
4. The electorates for the office or position are the delegates to National Council - Rule 22(g).
5. 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 United Voice in relation to the election are contained in rules 22(f) and 22(g) of the Rules. It is proposed that, subject to the agreement of Fair Work Australia and the returning

officer appointed by the AEC, that nominations be called on 3 June 2013 and close on 14 June 2013.


6. The day on which the roll of voters is to be closed is provided for in Rule 22(f) of the United Voice rules. The roll of voters has already closed as it consists of the delegates to the National Council of United Voice elected at the last quadrennial election as well as those subsequent casual vacancies filled either by Branch election or Branch Council appointment.
7. The voting system to be employed in the conduct of the election is a direct voting system.

I confirm that I am authorised by United Voice and by the rules of United Voice to make this statement on behalf of United Voice and that this information is lodged under subsection 189(1) of the Act.

In the event that nominations close on 14 June 2013, the prescribed information will not have been lodged more than two months before the first day when a person may, under the rules of United Voice, become a candidate in an election. Accordingly, I request that the General Manager allows the lodged on a later day in accordance with s.189(2).

If you have any queries please contact David McElrea on (02) 8204 3048 or david.mcelrea@unitedvoice.org.au

Yours faithfully



Louise Tarrant
NATIONAL SECRETARY

UNITED VOICE

Registered Office 61 Thomas Street, Subiaco WA 6008
Postal Address PO Box 414, Subiaco WA 6904

Secretary Carolyn Smith
President Nina Devlin
Assistant Secretary Kelly Shay
Acting Assistant Secretaries Pat O'Donnell and Amber-Jade Sanderson

ABN 82 525 323 080



4th of April 2013

Louise Tarrant
National Secretary
United Voice
Locked Bag 9
HAYMARKET NSW 1240

Dear Louise

**NOTIFICATION OF RESIGNATION OF DAVID KELLY FROM NATIONAL EXECUTIVE
AND NATIONAL COUNCIL**

Please be advised that the WA Branch's former Secretary resigned from all positions held within the Union on 12th of March 2013. This includes his position on the National Executive and as a Delegate on National Council.

I have attached a copy of Mr Kelly's resignation letter.

Kind Regards

A handwritten signature in cursive script that reads "Carolyn Smith".

Carolyn Smith
WA State Secretary
United Voice