



5 February 2016

Ms Jo-Anne Schofield
National Secretary
United Voice

Email: unitedvoice@unitedvoice.org.au

Dear Ms Schofield,

Reminder of actions required when persons elected to office

The Australian Electoral Commission has provided the Commission a declaration of results for the election [E2015/248]. 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 United Voice 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
Michael Moutevelis
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
National	1.1.2014	Secretary	Full Name	Retiring	Full Name	c/- the Registered Organisation, postal address of Registered Organisation	Paid official
	25.12.2013	President	vacant	Scheduled Election	Full Name	As above	mechanic
...							
NSW	1.1.2014 (resigned) 7.1.2014 (appointed)	President	Full Name	Resignation	Full Name	c/- the Branch, postal address of the Branch	mechanic
		Committee of Management Member	Full Name	Scheduled Election	Full Name	As above	mechanic
		Treasurer	Full Name	Scheduled Election	vacant	vacant	vacant
...							

MOULEVELIS, Michael

From: Christine Cox <Christine.Cox@aec.gov.au>
Sent: Wednesday, 3 February 2016 11:35 AM
To: Orgs
Cc: 'mark.boyd@unitedvoice.org.au'; Industrial Elections
Subject: Post Election Report and Declaration for United Voice Community and Property Services Division E2015-248 and Leisure and Tourism Division E2015-249 [DLM=For-Official-Use-Only]
Attachments: Declaration Uncontested Report E2015-248.pdf; Declaration Report Uncontested E2015-249.pdf; Post election Report E2015-248.pdf; Post election Report E2015-249.pdf
Categories: RIA

For-Official-Use-Only

Good Morning

I refer to the above election for your organisation.

Section 197(1) of the *Fair Work (Registered Organisations) Act 2009* ("the Act") requires the AEC to provide a written report on the conduct of the election to the Fair Work Commission 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 the Act 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) Regulations 2009* requires an organisation or branch to publish a notice on its website 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.

Regards
Chris

Chris Cox | Senior Returning Officer
Industrial & Commercial Elections | NSW State Office
Australian Electoral Commission
T: (02) 9375 6301 | F: (02) 6215 9910



Make sure you're **enrolled to vote.**
Visit www.aec.gov.au

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United Voice
Vacancy Community and Property Services
Division

Declaration of Results for Uncontested Offices

E2015/248

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.

Community and Property Services Division

Branch Executive Member

Candidates

INGLIS, Wesley

Delegate to National Council

Candidates

INGLIS, Wesley

Divisional Executive Member

Candidates

INGLIS, Wesley

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



Chris Cox
Returning Officer

1 February 2016



AEC

Australian Electoral Commission

Fair Work (Registered Organisations) Act 2009

POST ELECTION REPORT

Client: United Voice

Contact details: Mark Boyd
Secretary
NSW Branch
Locked Bag 12
HAYMARKET NSW 1240

Email: Mark.boyd@unitedvoice.org.au

AIR contact officer: Carolyn Moloney

Email: carolyn.moloney@fwc.gov.au

ELECTIONS COVERED IN THIS REPORT

Election Decision No/s: E2015/248

RULES

Rules used for elections Rule ID: [0108V: Incorporates the alterations of 6/10/2015 in matter R2015/192].

Rules difficult to apply/interpret: N/A

Model Rule reference (if any): N/A

ROLL OF VOTERS

As there were no contested offices, the Roll of voters was not required.

ALLEGATIONS OF IRREGULARITIES RECEIVED

Details of written allegations of irregularities, and action taken by AEC: N/A

Other irregularities identified, and action taken: N/A

ATTACHMENTS

Declaration of Uncontested Offices

Chris Cox
Returning Officer
Australian Electoral Commission
3 February 2016



Copy of Signed Decision

Title of Matter: Application/Notification by United Voice
Section: s.189(1) RO Act - Notification of elections for office - Casual vacancy or insufficient nominations
Subject: Casual Vacancies - NSW Branch Executive Member -Comm & Property Serv (1); Delegate to National Council from NSW Branch (1); NSW Branch Property & Serv Div Executive Member (1)
Matter Number(s): E2015/248

Dear Australian Electoral Commissioner via the Electoral Officer

Under subsection 189 of the *Fair Work (Registered Organisations) Act 2009*, please arrange for the conduct of the above election.

A copy of the Delegate's decision is attached for your information.

The relevant rulebook can be accessed via the Fair Work Commission's [website](#).

Contact: Ms Jo-Anne Schofield of the organisation, as per the prescribed information.

Please send the declaration(s) and post election report to the Fair Work Commission at orgs@fwc.gov.au.

Inquiries:

Any inquiries relating to this matter are to be directed to Carolyn Moloney through orgs@fwc.gov.au.

13 OCTOBER 2015



Copy of Signed Decision

Title of Matter: Application/Notification by United Voice
Section: s.189(1) RO Act - Notification of elections for office - Casual vacancy or insufficient nominations
Subject: Casual Vacancies - NSW Branch Executive Member -Comm & Property Serv (1); Delegate to National Council from NSW Branch (1); NSW Branch Property & Serv Div Executive Member (1)
Matter Number(s): E2015/248

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 Carolyn Moloney
Phone: 02 8374 6510, email: carolyn.moloney@fwc.gov.au, Fax: 02 9380 6990.

13 OCTOBER 2015



DECISION

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

United Voice
(E2015/248)

MR ENRIGHT

MELBOURNE, 13 OCTOBER 2015

Arrangement for conduct of election.

[1] On 16 September 2015 United Voice lodged with the Fair Work Commission the prescribed information in relation to a casual vacancy election, for the remainder of the term, for the following offices:

New South Wales Branch

Branch Executive Member from the Community and Property Services Division (1)

Delegate to National Council from the Community and Property Services Division (1)

Branch Divisional Executive Member from the Community and Property Services Division (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

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[2015] FWCD 6687

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Copy of Prescribed Information

Title of Matter: Application/Notification by United Voice
Section: s.189(1) RO Act - Notification of elections for office - Casual vacancy or insufficient nominations
Subject: Casual Vacancies - NSW Branch Executive Member -Comm & Property Serv (1); Delegate to National Councillor from NSW Branch (1); NSW Branch Property & Serv Div Executive Member (1)
Matter Number(s): E2015/248

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.

16 SEPTEMBER 2015



14th September 2015

The General Manager
Fair Work Australia
80 William Street
EAST SYDNEY NSW 2011
By email: orgs@fw.gov.au

Dear Sir/Madam,

Notice of Prescribed Information for Election

I write to request that an election be held for vacant offices in the New South Wales Branch of United Voice.

The prescribed information pursuant to S189(1) of the Fair Work (Registered Organisations) Act 2009 and Regulation 138 of the Fair Work (Registered Organisations) Regulations 2009 is as follows:

1. The name of each office for which an election is required:
 - 1.1. NSW Branch Executive member representing Community and Property Services
 - 1.2. Delegate to National Council (NSW Branch)
 - 1.3. NSW Branch Property & Services Divisional Executive member.
2. The reason for the election is that casual vacancies in the office referred to above has occurred, as follows:
 - 2.1. Denise Pickering resigned from the offices of Branch Council, Branch Executive, delegate to National Council and Divisional Executive member, representing Community and Property Services, effective 27th May 2015.
3. If more than one of the offices or positions for which an election is required has the same name
...
 - 3.1. Not applicable
4. The electorate for the office or position is as follows:
 - 4.1. All financial members attached to the Community and Property Services Division of the New South Wales Branch.
5. The date and time of the beginning and end of the period in which the 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 Rule 42.
 - 5.1. The vacancy referred to in Paragraphs 1 and 2 above is for a term of office that exceeds twelve (12) months and therefore does not fall within Rule 42(e) of the Rules.

5.2. This Rule provides:

5.2.1. Casual vacancies, other than those provided for in sub-rule (e), must be filled by the appropriate manner of election elsewhere provided in these rules.

5.3. Rule 40 sets out the “appropriate manner of election”.

6. The day on which the roll of voters is to be closed is provided for in Rule 40 of the Union Rules.

7. The voting system to be employed in the conduct of the election is prescribed in Rule 40(r), which provides:

7.1. All elections conducted under this Rule will be conducted according to a “first past the post” system of voting such that in any election a person must mark his or her vote on the ballot paper by writing a cross (X) or by making any other legible mark which makes the voter’s intention clear in the square opposite the name of the candidate or candidates for whom the person votes.

Please contact Wayne Newell on [REDACTED] if you have any enquiries in relation to this matter.

I, Jo-anne Schofield, 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 s.189 of the Fair Work (Registered Organisations) Act 2009.

Yours faithfully



Jo-anne Schofield
NATIONAL SECRETARY

Attachments:

Change of Officer Notification

Copy of resignation email received

Fair Work Commission Change of Officer Notification Form

- Changes to Offices and Office Holders in the United Voice NSW Branch

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	Occupation of <u>New</u> Office Holder
NSW	25 May 2015	NSW Branch Executive member, Delegate to National Council, NSW Branch Executive	Denise Pickering	Resignation			