

Post Election Report For:

Election E2010/2544

Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries And Racecourses, Public Authorities, Water Boards Union.

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 the Industrial Registrar and to the organisation or branch for which 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 (ROA) Regulations 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.

Michael Brierley
Returning Officer
24 June 2010

Fair Work (Registered Organisations) Act 2009 – Schedule 1

POST ELECTION REPORT

ELECTION COVERED IN THIS REPORT

Election Decision No:2010/2544

RULES

Rules used for the election: [297V: Incorporates alterations of
[06/08/08] [R2008/285]

Rules difficult to apply/interpret: None

Model Rule reference (if any): N/A

ROLL OF VOTERS

The roll of voters was requested by the Returning Officer and prepared by the National Tertiary Education Industry Union, and held by the AEC. As there were no contested offices, the roll of voters was not utilised.

IRREGULARITIES

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

Other irregularities identified, and action taken: NIL

ATTACHMENTS

An Election with an extended nomination period was undertaken; both Declarations of results for uncontested offices are attached.

Michael Brierley
Returning Officer
24 June 2010

**Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks,
Cemeteries And Racecourses, Public Authorities, Water Boards Union
E2010/2544 Scheduled Election Part 1**

DECLARATION OF RESULTS FOR UNCONTESTED AND CONTESTED OFFICES

Results of the election for the following offices conducted in accordance with the provisions of the Workplace Relations Act 1996 and the rules of the organisation.

E2010/2544

Western Australian Division

Division President

Candidate

JAMES, David John

No candidates elected.

Division Vice-President

Candidate

AULD, Stuart Andrew

No candidates elected.

Division Treasurer

Candidate

BALLANTYNE, Andrea Ginette

No candidates elected.

Division Secretary

Candidate

JOHNSON, Andrew Gerard

No candidates elected.

Division Executive Committee Member (6)

Candidates

BRAND, Raymond
BROSHAN, Bliss Felicity Winfred
CRAWFORD, Peter Glenn
HUTCHINGS, Angus Henry George
LOVE, Martyn
SIGGLEKOW, Graham H

No candidates elected.

Division Conference Delegate from the Metropolitan Zone

Candidates

No nomination was received

No candidates elected.

Division Conference Delegate from the Central Districts Zone

Candidates

No nomination was received

No candidates elected.

Division Conference Delegate from the South Western Zone

Candidates

No nomination was received

No candidates elected.

Division Conference Delegate from the Coastal Districts Zone

Candidate

COOPER, Terance William

No candidates elected.

Division Conference Delegate from the Goldfields Zone

Candidate

CULLEN, Ronald James

No candidates elected.

Division Conference Delegate from the Murchison Zone

Candidate

MAVER, Dale

No candidates elected.

Division Conference Delegate from the Pilbara Zone

Candidate

No nomination was received

No candidates elected.

Division Conference Delegate from the Kimberley-Territories Zone

Candidate

No nomination was received

No candidates elected.

Division Trustee (3)

Candidate

EDWARDS, Eric Frederick

No candidates elected.

Union Council

Union Secretary

Candidate

JOHNSON, Andrew Gerard

No candidates elected.

Union Assistant Secretary

Candidate

BALLANTYNE, Andrea Ginette

No candidates elected.

Union Council Representative (10)

Candidates

AULD, Stuart Andrew
HUTCHINGS, Angus Henry George
JAMES, David John
MEARS, John Joseph

No candidates elected.

Michael Brierley
Returning Officer
Australian Electoral Commission
31 May 2010

Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries And Racecourses, Public Authorities, Water Board Union.

E2010/2544 Collegiate Election (Part 2)

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.

E2010/2544

Union Council

Union President

Candidate

JAMES, David John

Union Vice-Presidents (4)

Candidate

AULD, Stuart Andrew

No further nominations were accepted

Union Treasurer

Candidate

HUTCHINGS, Angus

Union Trustees (3) (3)

No nominations were received

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

Michael Brierley
Returning Officer

16 June 2010



FAIR WORK
AUSTRALIA

DECISION

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

**Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks,
Cemeteries and Racecourse, Public Authorities, Water Boards Union**
(E2010/2544)

T. LEE

MELBOURNE, 7 APRIL 2010

Arrangement for conduct of election.

[1] On 18 and 29 March 2010 and 6 April 2010 the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union lodged with Fair Work Australia the prescribed information in relation to an election for the following offices:

National

Union Secretary
Assistant Union Secretary
Union Council Representatives (10)

Union President
Union Vice Presidents (4)
Union Treasurer
Union Trustees (3)

Western Australian Division

Division President
Division Vice President
Division Treasurer
Division Secretary
Division Executive Committee Members (6)
Division Conference Delegate from each of the following zones:
Metropolitan
Central Districts
South Western
Coastal Districts
Goldfields
Murchison
Pilbara
Kimberley - Territories
Division Trustees (3)

[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.

A handwritten signature in black ink, appearing to be 'L. E. ...'.

GENERAL MANAGER
FAIR WORK AUSTRALIA

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LGRCEU




*Western Australian Shire Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities Water Boards Union*

SECRETARY ANDREW JOHNSON

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1800 199 945

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Registrar
Fair Work Australia
11 Exhibition Street
Melbourne Victoria
3000
Fax: 03 96550401
ATTENTION: Larry Powell

Dear Registrar

ELECTION OF OFFICE BEARERS

I am the duly elected Secretary of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union Western Australian Division (the Union) having been declared elected by the Returning Officer appointed by the Australian electoral Commission to conduct the Union elections in April 2006 and I have remained in that position until this date.

At a duly constituted meeting of the Union, I was instructed to make application to Fair Work Australia for the conduct of elections by the Australian Electoral Commission for the Union's Office Bearers. A copy of the resolution is attached as Attachment A.

As the Secretary, I am authorised to make an application for the conduct of the elections and to lodge the information set out in Regulation 138 required for the conduct of an election under Section 189(1) of the Fair Work (Registered Organisations) Act 2009.

The details required under the Act and the Regulations are included as Attachment B. To the best of my knowledge, the information contained in Attachment is true and accurate.

Given that the terms of the current office holders will expire prior to the completion of the election process, the current Office holders will operate in a care-taker mode until the elections are finalised.

I have asked Ken Trainer (who provides a range of services to the Union) to liaise with Fair Work Australia on any matters that arise from this application. His contact is 08 9246 4229.

ATTACHMENT B

1 THE OFFICES FOR WHICH AN ELECTION IS TO BE CONDUCTED

National Union Council

- Union President
- Union Vice Presidents (4)
- Union Treasurer
- Union Secretary
- Union Assistant Secretary (1)
- Union Trustees (3)
- Union council Representatives (3)

Western Australian Division Conference

- Division President
- Division Vice President
- Division Treasurer
- Division Secretary
- Division Executive Committee Members (6)
- Division Conference Delegates from each of the following zones
 - Metropolitan
 - Central districts
 - South Western
 - Coastal Districts
 - Goldfields
 - Murchison
 - Pilbara
 - Kimberley – Territories

2 REASON FOR ELECTION

The terms of all of the above positions were for four years. The date of the declaration of the previous Union elections was 22 March 2006 for the first part of the election and 2 May 2006 for the second part of the election. The second part of the election was for the Union Council and involved the positions of

- Union President
- Union Vice President (4)
- Union Treasurer
- Union Trustees (3)

3 ELECTORATE

All members of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks, Cemeteries and Racecourse, Public Authorities, Water Boards Union Western Australian Division. The membership of the WA Division and the National Division have the same membership.

4 NOMINATION PERIOD

Nominations for all positions should be opened at the earliest possible practical dates approved by Fair Work Australia and the Australian Electoral Commission.

The rules of the Union provide that the nominations are to close one month from the date they open.

5 CUT OFF DATE FOR THE ROLL

Ten days from the date on which nominations are opened.

6 TYPE OF VOTING SYSTEM

Direct election

a. a. Johnson March 18 2010

Signed by Andrew Gerard Johnson as the Officer of the Union authorised to make the application for the conduct of the ballot.

**FEDERAL
MINUTES OF EXECUTIVE MEETING
OF THE**

*Western Australian Shire Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities, Water Boards Union*

112 Charles Street, West Perth

Monday 8th March, 2010

At 3.45pm Mr David James opened the meeting.

- | | | |
|-----------|-------------------|---|
| 1. | Present: | Mr A Johnson
Mr D James (<i>Chairperson</i>)
Ms A Ballantyne
Mr S Barron |
| | Apologies: | D Stephens |

Minutes of Last Meeting(s)

The Minutes of the previous Executive meetings held on the 8th of February, 2010 as presented and read are accepted.

Moved: A Ballantyne
Seconded: S Barron
Passed unanimously

Financial Report(s)

MOTION: 2006 FINANCIAL & OPERATING REPORT

The Committee adopt the Draft 2006 Financial Accounts and Operating report to the 31st of December, 2006.

Moved: A Ballantyne
Seconded: D James
Passed unanimously

MOTION: 2006 FEDERAL COMMITTEE OF MANAGEMENT STATEMENT

The 2006 Committee of Management Statement of the Federal Executive be executed and provided to the Auditor.

Moved: A Johnson
Seconded: S Barron
Passed unanimously

MOTION: APPOINTMENT TO PREPARE 2007 TO JUNE 2009 ACCOUNTS

The Committee of Management appoint Mr Douglas Telfer to prepare the Federal financial accounts for the Calendar years ending December 2007, December 2008 and the half year to June, 2009.

Moved: A Johnson
Seconded: S Barron
Passed unanimously

MOTION: REQUEST FOR ELECTION TO FEDERAL COMMITTEE POSITIONS

The Committee of Management authorise the Secretary to write to Fair Work Australia requesting election for Federal Committee positions.

Moved: A Ballantyne
Seconded: D James
Passed unanimously

MOTION: SIGNATORIES – FEDERAL COMMITTEE

The Committee of Management authorise the continuation of all signatories of all cheques, Bank Transfers and execution of Legal documents (including applications to the Industrial Tribunals) by the Federal Office bearers who will remain in position, subject to legal advice.

Moved: A Ballantyne
Seconded: S Barron
Passed unanimously

NEXT MEETING(s) Monday, 12th of April, 2010
112 Charles Street West Perth

Close of Meeting 3.50 pm

General Discussion

NOTE: Future/Deferred Discussion Topics

Attachments:

Signed:

Secretary

Signed:

Chairperson

Dated:

Dated:

WA DIVISION
MINUTES OF EXECUTIVE MEETING
OF THE

*Western Australian State Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities, Water Boards Union*
(WA DIVISION)

112 Charles Street, West Perth

Monday 8th March, 2010

(NOTE: The WA Division Executive Meeting and State Executive meetings were run concurrently)

At 5.00pm Mr David James, Chairperson opened the meeting.

1.

Present:

Mr D James (*Chairperson*)
Mr A Johnson
Ms A Ballantyne
Mr G Hutchings
Mr E Edwards
Mr M Love
Mr P Crawford
Mr S Auld
Mr M Love
Mr J Mears
Mr G Sigglekow

Apologies: Mr B Dyer, Mr S Barron, Mr D Stephens, Mr R Brand

Minutes of Last Meeting(s)

The Minutes of the previous Executive meetings held on the 8th of February, 2010 as presented and read are accepted.

Moved: S Auld
Seconded: G Hutchings
Passed unanimously

Financial Report(s)

Assistant Secretary Andrea Ballantyne presented financial papers in regard to February, 2010 and the Draft 2006 Financial Accounts and Operating report and answered questions.

MOTION

The Unions Cheque expenditure, transfers of funds and direct debits for the month of February, 2010 being Cheque numbers 694 - 705 as read be accepted and approved.

Moved: G Sigglekow
Seconded: M Love
Passed unanimously

EXEC WA DIV-MARCH 10

3

NOTE: Mr A Johnson and Ms A Ballantyne left the meeting at 5.35pm in order for the Committee to discuss past Unpaid Wages

Past Unpaid Staff Wages

MOTION

The Committee accept Ms A Ballantyne's tabled letter (dated the 1st of March, 2010) waiving interest payments on past unpaid wages.

Moved. G Sigglekow

Seconded. P Crawford

Passed unanimously

Staff Superannuation

The Committee accept that the following Union staff members,

- Mr A Johnson
- Ms A Ballantyne
- Ms S Weightman
- Mr M Love
- Ms C Hicks, have outstanding Superannuation entitlements

MOTION

The Committee accepts the recommendation that the Accountants final recommendations be adopted.

Moved. D James

Seconded. J Mears

Passed unanimously

NOTE: Mr A Johnson and Ms A Ballantyne returned to the meeting at 5.40pm.

Notice of Protected Action Capel

MOTION

The Secretary has authority to initiate Notices of Protected Action in relation to the following:

- Capel.

Moved. A Ballantyne

Seconded. D James

Passed unanimously

NOTE: WA Division Elections – Current office holder positions expire on the 21st of March, 2010.

WA Division Election

MOTION

The Committee authorise the President or Secretary to write to Fair Work Australia requesting elections for all positions of the WA Division of the Union.

Moved. A Ballantyne

Seconded. P Crawford

Passed unanimously

MOTION

The Committee of Management authorise the continuation of all signatories of all cheques, Bank Transfers and execution of Legal documents (including applications to the Industrial Tribunals) by the Interim Division Office Holders who will remain in position, subject to legal advice.

Moved: A Ballantyne

Seconded: G Hutchings

Passed unanimously

EXEC WA DIV-MARCH 10

Mr T Cooper - Bridgetown

MOTION

The Committee authorise the Secretary to grant Mr Terry Cooper, from Bridgetown (a member and shop steward for 41 years) two weeks free stay at the Unions holiday unit at Denmark to be taken in the low season.

Moved. A Johnson

Seconded. D James

Passed unanimously

Suspension of Union fees – Mr S Pole (City of Wanneroo)

MOTION

The Committee authorise suspension of Mr Poles Unions fees until otherwise advised and an offer of 1 weeks free stay at the Unions holiday unit at Denmark to be taken in the low season be made to him.

Moved. A Ballantyne

Seconded. A Johnson

Passed unanimously

Mr B Paton - Stirling

MOTION

The Committee authorise the Secretary to offer Mr Brian Paton, (Stirling) 1 weeks free stay at the Unions holiday unit at Denmark to be taken in the low season.

Moved. A Ballantyne

Seconded. A Johnson

Passed unanimously

NOTE: FOR FUTURE CONSIDERATION
Consideration of adjusting the fee structure for use of the Denmark Holiday Units.

NEXT EXECUTIVE MEETING(s) Monday, 12th of April, 2010
To be announced
At 112 Charles Street West Perth

Close of Meeting 6.03 pm

General Discussion

NOTE: Future/Deferred Discussion Topics

Attachments:

Signed:

Secretary

Signed:

Chairperson

Dated:

Dated:

LGRCEU



FORMERLY THE
FOR OVER 106 YEARS

MEU

*Western Australian Shire Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities Water Boards Union*

SECRETARY ANDREW JOHNSON

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For the attention of

Mr Scott Shepherd

LGRCEU



FORMERLY THE ~~MEL~~
FOR OVER 106 YEARS

*Western Australian Shire Councils, Municipal Road Boards,
Health Boards, Parks, Cemeteries and Racecourses,
Public Authorities Water Boards Union*

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26th March, 2010

Mr L Powell, Statutory
Australian Industrial Registry
GPO Box 1994
MELBOURNE VIC 3001

Facsimile No.: 03 9655 0410

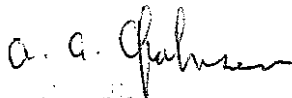
Dear Mr Powell,

RE: AMENDED ELECTION REQUEST

Thank you for your advice regarding the Unions original request. Please find attached an amended schedule as requested for your attention.

We thank the registry for its assistance in this process.

Yours faithfully,



Andrew Johnson
SECRETARY

Encl.

ATTACHMENT B

1 THE OFFICES FOR WHICH AN ELECTION IS TO BE CONDUCTED

National

Union President*
Union Vice Presidents (4)*
Union Secretary
Union Assistant Secretary (1)
Union Treasurer*
Union Trustees (3)*
Union Council Representatives (10)

Western Australian Division

Division President
Division Vice President
Division Treasurer
Division Secretary
Division Executive Committee Members (6)
Division Conference Delegate from each of the following zones
 Metropolitan
 Central districts
 South Western
 Coastal Districts
 Goldfields
 Murchison
 Pilbara
 Kimberley – Territories
Division Trustees (3)

2 REASON FOR ELECTION

The terms of all of the above positions were for four years. The terms of office for each position have expired. The date of the declaration of the previous Union elections was 22 March 2006 for the first part of the election and 2 May 2006 for the second part of the election.

The second part of the election was for the Union Council and involved the positions of

Union President
Union Vice President (4)
Union Treasurer
Union Trustees (3)

3 ELECTORATE

Other than those positions marked with an asterisk, the electorate is all members of the Western Australian Shire Councils, Municipal Road Boards, Health Boards, Parks,

a.g.g

Cemeteries and Racecourse, Public Authorities, Water Boards Union Western Australian Division.

The membership of the WA Division and the National Division have the same membership.

For the positions marked with an asterisk, the electorate is the members of the National Union Council.

4 NOMINATION PERIOD

For positions not marked with an asterisk, nominations for all positions should be opened at the earliest possible practical dates approved by Fair Work Australia and the Australian Electoral Commission.

The rules of the Union provide that the nominations for those positions not marked with an asterisk are to close twenty eight days from the date they open.

Nominations for the positions marked with an asterisk are to be made at the annual general meeting of the Union Council at which the election is held.

5 CUT OFF DATE FOR THE ROLL

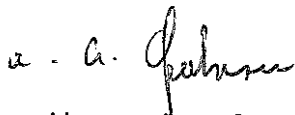
Seven days from the date on which nominations are opened.

6 TYPE OF VOTING SYSTEM

The positions not marked with an asterisk have a direct voting system.
The positions marked with an asterisk have a collegiate voting system.

7. NUMBER OF MEMBERS

The number of members as at 31 December 2009 was 1388 as shown in the Annual Return filed with Fair Work Australia



Signed by Andrew Gerard Johnson as the Officer of the Union authorised to make the application for the conduct of the ballot.