

**- Australian Community Services Employers Association, Union
of Employers
ACSEAUE - Scheduled Election**

Declaration of Results for Uncontested Offices

E2014/79 & E2014/240

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.

President

Candidates

PONTING, Deborah Elvera

Vice-President

Candidates

TEAGUE, Kim Leslie

Secretary

Candidates

FAZLDEEN, Allan Daniel

Treasurer

Candidates

O'BRIEN, Jennifer

Board Member

Candidates

BICKNELL, Barry Athol
BRANNELLY, Kylie-anne

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



Matthew Tranter
Returning Officer

05/03/2015



Fair Work (Registered Organisations) Act 2009 - s197

POST ELECTION REPORT

Australian Community Services Employers Association, Union of Employers

Scheduled Election

ELECTION/S COVERED IN THIS REPORT

Election Decision No/s: E2014/79, E2014/240

RULES

Rules used for the election: 010Q: Incorporates alterations of 24/10/2014 (R2012/136 and R2013/50)

Rules difficult to apply/interpret: *None*

Model Rule reference (if any): *N/A*

ROLL OF VOTERS

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

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.



Matthew Tranter
Returning Officer

05/03/2015



DECISION

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

**Australian Community Services Employers Association, Union of
Employers**
(E2014/79)

MR ENRIGHT

MELBOURNE, 24 OCTOBER 2014

Arrangement for conduct of election.

[1] On 1 October 2014, the Australian Community Services Employers Association, Union of Employers (the organisation) lodged with the Fair Work Commission (the Commission) the prescribed information in relation to an election for the following offices:

President	(1)
Vice-President	(1)
Secretary	(1)
Treasurer	(1)
Board Member	(2)

[2] On 1 October 2014, the Commission wrote to the abovenamed organisation to inform it that a request for an extension of time to lodge the prescribed information would also have to be made.

[3] On 20 October 2014, the Commission again wrote to the abovenamed organisation requesting it lodge an application for an extension of time to lodge the prescribed information.

[4] On 20 October 2014, the abovenamed organisation lodged a written request for an extension of time to lodge the prescribed information, stating that the need for the election had been overlooked.

[5] I allow for the extension of time up until 1 October 2014 to lodge the prescribed information.

[6] 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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MOUTEVELIS, Michael

From: Kim Teague [Kim.Teague@cgw.com.au]
Sent: Monday, 20 October 2014 3:57 PM
To: VALE, David
Cc: Charles Hardy (executive@cmsolutions.org.au); Catherine Norris (CatherineN@cmsolutions.org.au)
Subject: ACSEA Scheduled Elections [CGW-BNEDOCS.FID695030]

Dear Sir,

On behalf of the Australian Community Services Employers Association, Union of Employers I request an extension of time to lodge the prescribed information for the scheduled election which is now due in matter E2014/79.

Unfortunately, the need for this election has been overlooked.

We would appreciate your favourable consideration in relation to this matter.

Kind regards

Kim Teague
President
ACSEA

T 61 7 3231 2911 **F** 61 7 3231 8911 **M** 0412 848 032 **E** kim.teague@cgw.com.au **W** www.cgw.com.au
Level 21, 400 George Street, Brisbane 4000 Australia GPO Box 834, Brisbane 4001

Assistant Sarah Towner (M-W) / Jacqueline Roberts (T-F) **T** 61 7 3231 2917

MOUTEVELIS, Michael

From: VALE, David
Sent: Monday, 20 October 2014 3:33 PM
To: 'Charles Hardy'
Cc: MOUTEVELIS, Michael
Subject: RE:

Dear Charles

Could the ACSEAUE please make a request for an extension of time to lodge the prescribed information for the scheduled election which is now due in matter E2014/79.

Once the Commission receives this request, it will be able to request the Australian Electoral Commission to conduct the election.

Yours sincerely

DAVID VALE

Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission

Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011
www.fwc.gov.au

From: Charles Hardy [<mailto:executive@cmsolutions.org.au>]
Sent: Monday, 20 October 2014 3:32 PM
To: VALE, David
Subject:

Regards,

Charles Hardy
Executive Officer
Community Management Solutions
Unit 4
113 Breakfast Road
Newstead Qld 4006
Email: executive@cmsolutions.org.au
Website: www.cmsolutions.org.au
Direct Line: 07 3251 2010
Mobile: 0418 261 770
Phone: 07 3852 5177
Fax: 07 3852 5188
Call: 1300 007110



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MOUTEVELIS, Michael

From: VALE, David
Sent: Wednesday, 1 October 2014 4:10 PM
To: 'Industrial Elections'
Subject: E2014/79

Dear AEC

Please find the prescribed information and a copy of the current rulebook of the ACSEAUE for election number E2014/79.

Yours sincerely

DAVID VALE
Principal Adviser,
Regulatory Compliance Branch, NSW

Fair Work Commission
Tel: 02 8374 6509
Fax: 02 9380 6990
david.vale@fwc.gov.au

Level 10, Terrace Tower
80 William Street
East Sydney NSW 2011
www.fwc.gov.au



ACSEAUE_E2014_7 ACSEAUE
9_PI lodged 011...}_D2009_10001 &

MOUVEVELIS, Michael

From: PFEIFFER, Robert
Sent: Wednesday, 1 October 2014 11:15 AM
To: 'Catherine Norris'
Subject: RE: Conduct of Election - Courtesy letter ACS:0003023

Hi Catherine,

Thank you for the election notification received this morning from the President of the organisation, Mr Kim Teague. The election notice will be processed by a member of the team who will correspond with the organisation once a decision has been signed by the Delegate of FWC.

I note, however, that the attached prescribed information has not addressed an issue I raised in my correspondence to Mr Fazldeen on 24 September 2014. I indicated in my letter that, given the lateness of the prescribed information, an extension of time would have to be made. The letter stated, among other things, that:

'Further, when lodging the prescribed information you will need to apply to the General Manager for an extension of time given the lateness of the election notice. Such request will need to set out the reason why your organisation was unable to comply with the requirement.'

I request that you raise this issue with either Mr Fazldeen or Mr Teague and I look forward to the organisation's reply.

Regards,

ROBERT PFEIFFER
Senior Adviser
Regulatory Compliance Branch

Fair Work Commission
Tel: 03 8661 7936
Fax: 03 9655 0410
robert.pfeiffer@fwc.gov.au

11 Exhibition Street, Melbourne Victoria 3000
GPO Box 1994, Melbourne Victoria 3001

www.fwc.gov.au

From: Catherine Norris [<mailto:CatherineN@cmsolutions.org.au>]
Sent: Wednesday, 1 October 2014 10:03 AM
To: PFEIFFER, Robert
Subject: RE: Conduct of Election - Courtesy letter ACS:0003023

Hi Robert,

Attached is Australian Community Services Employers Association – Statement of prescribed Information for an Election.

If there is anything else that is required, please do not hesitate to contact me.

Regards,
Catherine

Catherine Norris
Office Manager
Community Management Solutions
Unit 4
113 Breakfast Creek Road
Newstead Qld 4006
Email: catherinen@cmsolutions.org.au
Website: www.cmsolutions.org.au
Direct Line: 07 3251 2030
Mobile: 0417 757 755
Phone: 07 3852 5177
Fax: 07 3852 5188
Call: 1300 007110

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From: robert.pfeiffer@fwc.gov.au [mailto:robert.pfeiffer@fwc.gov.au]

Sent: Wednesday, 24 September 2014 3:30 PM

To: ACSEA Info Mailbox

Subject: Conduct of Election - Courtesy letter

Please find attached correspondence regarding the matter **E2014/79 - Application/Notification by Australian Community Services Employers Association, Union of Employers**

This correspondence was sent automatically from the Fair Work Commission.

Please consider the impact to the environment and your responsibility before printing this email. This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the sender.



ABN: 68150 310 815

Statement of Prescribed Information for an Election

I, Kim Teague, being the President of the Australian Community Services Employers Association, Union of Employers, make the following statement:

I am the President of the Australian Community Services Employers Association, Union of Employers.

I am authorised to lodge the following information concerning forthcoming elections of the Australian Community Services Employers Association, Union of Employers, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

Signed: [Signature] KIM LESLIE TEAGUE

Dated: 30th September 2014

Offices/Positions

A	President (Direct Voting System)
	Vice-President (DVS)
	Secretary (DVS)
	Treasurer (DVS)
	Board Member (2) (DVS)

Reason for Election

- Election for offices and positions marked A is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for the direct voting system is the whole of the Membership.

Nominations open:

- For officers to be elected by direct voting system – the first Monday of the month.

Nominations close:

- For officers to be elected by direct voting system – (twelve) 12 noon on 21st day after sending the notice of nomination.

Cut-off date for roll:

- In all cases – 30 days prior to the opening date for nominations – rule (27)

PO Box 3060, Newstead Qld 4006

Website: www.cmsolutions.org.au Email: info@cmsolutions.org.au



24 September 2014

Mr Allan Fazldeen
Secretary
Australian Community Services Employers Association, Union of Employers

Sent via email: info@acsea.org

Dear Mr Fazldeen,

Courtesy Letter - Election for offices [E2014/79]

A perusal of the rules of the Australian Community Services Employers Association, Union of Employers discloses that an election for offices within the organisation is now overdue. It appears from information gathered from the rules that the calling of nominations for the election should perhaps have occurred in June or July.

This is a courtesy letter to remind you of the obligation to lodge information about the election (known as the 'prescribed information') pursuant to sections 189(1) and (2) of the *Fair Work (Registered Organisations) Act 2009* (the 'Act'). While we endeavour to provide courtesy letters in sufficient time for organisations to lodge their prescribed information on time, the obligation to do so ultimately rests with the organisation. Please note that the prescribed information must be lodged with the Fair Work Commission two months before a person may, under the rules, become a candidate in the election.

If you have a different interpretation for the commencement of the election under your rules please let me know, otherwise, the prescribed information should contain details of the election as required by regulation 138(1) of the *Fair Work (Registered Organisations) Regulations 2009* (the 'Regulations'), and should include any subsequent elections such as an election for offices under the collegiate electoral system, if that is relevant. A sample of the prescribed information can be found on our website at www.fwc.gov.au/sample_documents.

The prescribed information can be emailed to orgs@fwc.gov.au and should be done so at your earliest opportunity. Further, when lodging the prescribed information you will need to apply to the General Manager for an extension of time given the lateness of the election notice. Such request will need to set out the reason why your organisation was unable to comply with the requirement.

It should be noted Section 189(2) is a civil penalty provision. Failure to comply may result in legal proceedings being issued with the possibility of a pecuniary penalty being imposed upon an officer and/or your organisation.

When lodging the prescribed information, please quote [E2014/79]

Should you seek any clarification in relation to the above, please contact me on (03) 8661 7936 or via email at robert.pfeiffer@fwc.gov.au.

Yours sincerely,

Robert Pfeiffer
Senior Adviser
Regulatory Compliance Branch



ABN: 68150 310 815


Statement of Prescribed Information for an Election

I, **Kim Teague**, being the **President** of the **Australian Community Services Employers Association, Union of Employers**, make the following statement:

I am the **President** of the **Australian Community Services Employers Association, Union of Employers**.

I am authorised to lodge the following information concerning forthcoming elections of the **Australian Community Services Employers Association, Union of Employers**, and

I confirm that the following information is being lodged under subsection 189(1) of the Fair Work (Registered Organisations) Act 2009.

Signed:  **KIM LESLIE TEAGUE**

Dated: 30th September 2014

Offices/Positions

A	President (Direct Voting System)
	Vice-President (DVS)
	Secretary (DVS)
	Treasurer (DVS)
	Board Member (2) (DVS)

Reason for Election

- Election for offices and positions marked A is required as the terms of office are due to expire in the normal course of events under the rules of the organisation.

Elected by:

- The electorate for the direct voting system is the whole of the Membership.

Nominations open:

- For officers to be elected by direct voting system – the first Monday of the month.

Nominations close:

- For officers to be elected by direct voting system – (twelve) 12 noon on 21st day after sending the notice of nomination.

Cut-off date for roll:

- In all cases – 30 days prior to the opening date for nominations – rule (27)