

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
NATIONAL OFFICE
CONCISE FINANCIAL REPORT
FOR THE YEAR ENDED 31 DECEMBER 2009**

OPERATING REPORT

This Operating Report covers:

- the activities of the Australian Rail, Tram & Bus Industry Union, National Office, and the results of those activities for the financial year ended 31st December 2009,
- significant changes in the nature of those activities as required under **s.254 Fair Work (Registered Organisations) Act 2009**.
- Details of any significant changes in financial affairs.
- Details of the rights of members to resign
- Details of officers and members who hold positions as trustees or company officers.
- Members of the committee of management
- Number of members and number of employees

1. Principal Activities & Results of the Activities of the National Office

The principal activities of the National Council of the Union, as conducted through the National Office, during the past year fell into the following categories:

ACTIVITIES AND RESULTS
Making agreements with employers
Implementation of the decisions of the National Executive and National Council
Implementation of the union's organising agenda, including direct assistance and strategic advice on particular industry or site organising projects, the training and development of officials and assistance to branches on planning and resourcing campaigns.
Industrial support including representation of individual member grievances, advice on legal and legislative matters, holding of union elections as provided for in the rules of the union, and responding to the needs of branches and members as provided for within the rules of the union, within the scope of any statutory or legal obligations.
The administration of federal awards, the certification of federal industrial agreements, the variation of awards following major test cases, and making application to vary federal awards on behalf of branches.
National media and communications to members, branches and the broader community via media releases in support of campaigns, web based technology, including the national magazine RTBU Worker.

Coordination of and Negotiation of key national industries, and assistance to branches on bargaining by request.
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The National Office has consulted with the ACTU on the development of claims to be pursued in the AIRC and union policy in general. Where appropriate, the National Office has assisted branches in the implementation of relevant decisions via the variation of awards.

The National Office has also been involved in lobbying and negotiations with different levels of Government and key industry organisations around issues of importance to ART&BIU members, eg training, skill shortage, fatigue management, vehicle design.

2. Any Significant Changes in Activities

There were Rule Changes passed at the National Council in November 2009 but these were not ratified by Fair Work Australia during the reporting period.

3. Details of any Significant Changes in Financial Affairs

The financial affairs of the National Office have altered marginally due to the following:

- There being no major National Union Funded Campaigns for the period.
- An increase in Meeting and Conference expenses due to there being a National Council during the Year 2009.
- The timing / receipt of Branch Capitation payments.
- The timing of payments for major National Union Affiliations.
- Lost Time expenses due the secondment of a National Organiser Infrastructure and the outsourcing of the National Union Accounts to the NSW Branch and the provision of Annual Leave Relief.

4. Right of Members to Resign

All Members of the Union have the right to resign from the Union in accordance with Rule 14 of the Union Rules (and Section 174 of Fair Work (RO) Act 2009); namely by providing notice addressed and delivered to the Secretary of the relevant Branch, including via email.

Rule 14 - RESIGNATION FROM MEMBERSHIP

- (1) A member of an organisation may resign from membership by written notice addressed and delivered to a person designated for the purpose in the rules of the organisation or a branch of the organisation.

Note: The notice of resignation can be given electronically if the organisation's rules allow for this (see section 9 of the *Electronic Transactions Act 1999*).

- (2) A notice of resignation from membership of an organisation takes effect:

- (a) where the member ceases to be eligible to become a member of the organisation:
- (i) on the day on which the notice is received by the organisation; or
 - (ii) on the day specified in the notice, which is a day not earlier than the day when the member ceases to be eligible to become a member; whichever is later; or
- (b) in any other case:
- (i) at the end of 2 weeks, or such shorter period as is specified in the rules of the organisation, after the notice is received by the organisation; or
 - (ii) on the day specified in the notice; whichever is later.
- (3) Any dues payable but not paid by a former member of an organisation, in relation to a period before the member's resignation from the organisation took effect, may be sued for and recovered in the name of the organisation, in a court of competent jurisdiction, as a debt due to the organisation.
- (4) A notice delivered to the person mentioned in subsection (1) is taken to have been received by the organisation when it was delivered.
- (5) A notice of resignation that has been received by the organisation is not invalid because it was not addressed and delivered in accordance with subsection (1).
- (6) A resignation from membership of an organisation is valid even if it is not effected in accordance with this section if the member is informed in writing by or on behalf of the organisation that the resignation has been accepted.

Note: Regulations may require employers who offer payroll deduction facilities to inform employees that cessation of payroll deduction by an employee does not constitute resignation (see section 359).

5. Board Positions held by officers

To the best of our knowledge and belief, only the following Officers held any of the following positions by virtue of their office of the Rail, Tram and Bus Union National Council are:

- a trustee of a superannuation entity or exempt public sector superannuation scheme; or
- a director of a company that is the trustee of a superannuation entity or an exempt public sector superannuation scheme; and
- where a criterion for the officer being the trustee or director is that the officer is an officer of a registered organisation.

The member(s) listed below hold the following position(s) as trustees or company directors:

OFFICIAL	ORGANISATION
Nick Lewocki	<ul style="list-style-type: none"> • An Employee Representative appointed to the Trustee Board of the State Trustee Corporation • A Director of the Trades Hall Association

	<ul style="list-style-type: none"> • A Director of Australian Industrial and Skills Forum Pty Ltd • A Director of the Transport and Logistics Centre (TALC) • A Director of A.S.I.F.
Alex Claassens	<ul style="list-style-type: none"> • A Director of Australian Industrial and Skills Forum Pty Ltd • A Director Encompass Credit Union • A Director of A.S.I.F.
Doug Klineberg	<ul style="list-style-type: none"> • A Director of Australian Industrial and Skills Forum Pty Ltd
Ashley Waddell	<ul style="list-style-type: none"> • Transport & Distribution Training SA Board
Phil Altieri	<ul style="list-style-type: none"> • A Director of Transport Friendly Society Ltd • A Director of Transport Health

6. Membership of the Union.

There were 34,554 members of the union as at 31st December 2009.

7. Employees of the National Office

As at 31 December 2009 the National Office employed **5** full time employees and one half part time employee with a total number of 5½ employees on a full time equivalent basis.

8. Members of the National Executive

The following persons were members of the National Executive, during the year ending 31st December 2009;

Greg Harvey	National Secretary	1.01.2009 to 12.06.2009
Phil Kessey	National Secretary (Actg)	12.06.2009 to 31.10.2009
Allan Barden	National Secretary	1.11.2009 to 31.12.2009
Trevor Dobbyn	National President	1.01.2009 to 19.05.2009
Ken Mason	National President	19.05.2009 to 31.12.2009
Raul Baonza	National Vice-President	1.01.2009 to 19.05.2009
James Styles	National Vice-President	19.05.2009 to 31.12.2009
Joanne McCallum	National Vice-President Affirmative Action	1.01.2009 to 31.12.2009

Nick Lewocki	Branch Secretary – NSW	1.01.2009 to 31.12.2009
Samantha Simonetis	Branch Secretary – Tas	1.01.2009 to 31.12.2009
Owen Doogan	Branch Secretary – QLD	1.01.2009 to 31.12.2009
Ashley Waddell	Branch Secretary – SA&NT	1.01.2009 to 31.12.2009
Phillip Woodcock	Branch Secretary – WA	1.01.2009 to 31.12.2009
John Curley	Assistant National Secretary – Rail Operations	1.01.2009 to 11.08.2009
Dennis Ellis	Assistant National Secretary – Fleet Maintenance	1.01.2009 to 31.12.2009
Ross Schimke	Assistant National Secretary – Infrastructure	1.01.2009 to 31.12.2009
Dave Mathie	Assistant National Secretary – Locomotive	1.01.2009 to 19.05.2009
Darren Lamont	Assistant National Secretary – Locomotive	19.05.2009 to 31.12.2009
Phil Altieri	Assistant National Secretary – Tram & Bus	1.01.2009 to 31.12.2009
Phillip Kessey	Assistant National Secretary – Administrative Superv.	1.01.2009 to 31.12.2009
Alex Claassens	NSW Branch Delegate	1.01.2009 to 31.12.2009
David Matters	Qld Branch Delegate	1.01.2009 to 31.12.2009
Lou Di Gregorio	Vic Branch Delegate (T&B)	1.01.2009 to 31.12.2009
Michael Schmitzer	NSW Branch Delegate	1.01.2009 to 31.12.2009
Peter Allen	Qld Branch Delegate	1.01.2009 to 31.12.2009

Allan Barden

NATIONAL SECRETARY

Dated: 21 May 2010

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
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COMMITTEE OF MANAGEMENT STATEMENT

On 21 May 2010, the Committee of Management of the Australian Rail Tram & Bus Industry Union National Office passed the following resolution in relation to the general purpose financial report (GPFR) of the reporting unit for the financial year ended 31 December 2009.

- (a) the financial statements and notes comply with the Australian Accounting Standards;
- (b) the financial statements and notes comply with the reporting guidelines of the Industrial Registrar;
- (c) the financial statements and notes give a fair view of the financial performance, financial position and cash flows of the reporting unit for the financial year to which they relate;
- (d) there are reasonable grounds to believe that the reporting unit will be able to pay its debts as and when they become due and payable; and
- (e) during the financial year to which the GPFR relates and since the end of that year:
 - (i) meetings of the committee of management were held in accordance with the rules of the organisation including the rules of a branch concerned; and
 - (ii) the financial affairs of the reporting unit have been managed in accordance with the rules of the organisation including the rules of the branch concerned; and
 - (iii) the financial records of the reporting unit have been kept and maintained in accordance with the FW (RO) Act 2009 and the FW (RO) Regulations; and
 - (iv) the financial records of the reporting unit have been kept, as far as practicable, in a consistent manner to each of the other reporting units of the organisation; and
 - (v) no further information has been sought in any request of a member of the reporting unit or a Registrar duly made under section 272 of the FW (RO) Act 2009; and
 - (vi) no order for inspection of financial records have been made by the Commission under section 273 of the FW (RO) Act 2009.
- (f) The National Council has not derived any revenue during the year as a result of any recovery of wages activity it may have undertaken on behalf of members.

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Signed 21 May 2010 by Allan Barden in accordance with such resolution as is passed by the committee of management.

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OTHER INFORMATION

Concise Financial Report

The Committee of Management of the Australian Rail, Tram & Bus Industry Union National Office has resolved to provide a concise financial report to members for the financial year ended 31 December 2009.

The concise financial report has been derived from the full report and cannot be expected to provide as full an understanding of the financial performance, financial position and financial and investing activities of the branch as the full report. A copy of the full report and auditor's report will be sent to any member who requests them free of charge.

Members are advised of the following provisions:

RAO Schedule of the Workplace Relations Act 1996

Sec 272 Information to be provided to members or Registrar

- (1) A member of a reporting unit, or a Registrar, may apply to the reporting unit for specified prescribed information in relation to the reporting unit to be made available to the person making the application.
- (2) The application must be in writing and must specify the period within which, and the manner in which, the information is to be made available. The period must not be less than 14 days after the application is given to the reporting unit.
- (3) A reporting unit must comply with an application made under subsection (1).

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
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INCOME STATEMENT

For the Year Ended 31st December 2009

	Note	2009	2008
<u>INCOME</u>			
Interest Received		25,373	52,694
Capitation		1,613,921	1,629,805
Affiliations		—	—
IR Campaign Levy		—	—
Other Income		(1,290)	21,369
		<hr/>	<hr/>
TOTAL INCOME		1,638,004	1,703,868
<u>LESS EXPENSES INCURRED</u>			
Depreciation		51,792	40,985
Donations, Affiliation Fees & Subscriptions-Industrial		103,939	98,474
Donations		5,291	2,868
Council, Executive Expenses & Lost Time		109,844	140,443
Remuneration-Officer Holders		158,592	123,926
Remuneration- Employees		382,202	390,657
Repairs and Maintenance		20,255	25,756
Superannuation		49,918	52,528
Other Expenses		749,774	396,969
		<hr/>	<hr/>
TOTAL EXPENSES INCURRED		1,631,607	1,272,606
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<u>NET INCOME</u>		6,397	431,262
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**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
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**STATEMENT OF CHANGES IN EQUITY
As at 31st December 2009**

	Retained Profits	Asset Reval	Total
	\$	\$	\$
Balance 1/1/2008	1,988,600	14,305	2,002,905
Surplus/movement for year	431,262	-	431,262
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Balance 31/12/2008	2,419,862	14,305	2,434,167
Surplus/movement for year	6,397	-	6,397
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Balance 31/12/2009	2,426,260	14,305	2,440,565
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**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
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**STATEMENT OF FINANCIAL POSITION
As at 31st December 2009**

Note	2009 \$	2008 \$
<u>CURRENT ASSETS</u>		
Cash and Cash Equivalents	1,865,890	1,716,356
Receivables	206,152	357,168
Other	39,648	7,448
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<u>TOTAL CURRENT ASSETS</u>	2,111,690	2,080,972
 <u>NON-CURRENT ASSETS</u>		
Financial Assets	10	50
Property	414,989	424,677
Plant & Equipment	71,486	53,671
Motor Vehicles	21,274	38,586
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<u>TOTAL NON-CURRENT ASSETS</u>	507,759	516,984
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<u>TOTAL ASSETS</u>	2,619,449	2,597,956
 <u>CURRENT LIABILITIES</u>		
Accounts Payable	107,309	85,227
Provisions	71,576	78,562
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<u>TOTAL CURRENT LIABILITIES</u>	178,885	163,789
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<u>TOTAL LIABILITIES</u>	178,885	163,789
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<u>NET ASSETS</u>	2,440,565	2,434,167
 <u>ACCUMULATED FUNDS</u>		
Reserves	14,305	14,305
Accumulated Surplus	2,426,260	2,419,862
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<u>ACCUMULATED FUNDS</u>	2,440,565	2,434,167
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**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
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**STATEMENT OF CASH FLOWS
For the Year Ended 31st December 2009**

	This Year Inflows (Outflows) \$	Last Year Inflows (Outflows) \$
CASH FLOW FROM OPERATING ACTIVITIES		
Capitation and other income	1,734,158	1,290,786
Payments to suppliers and employees	(1,567,431)	(1,103,755)
Interest received	25,373	52,695
Sundry Income	-	21,369
	192,100	261,095
CASH FLOW FROM INVESTING ACTIVITIES		
Proceeds from (Payment for) property, plant and equipment	(42,606)	(26,760)
Proceeds(Payments) financial assets	40	10
Payment for purchase of investment.	—	-
	(42,566)	(26,750)
Net cash provided by (used in) investing activities	(42,566)	(26,750)
Net increase (decrease) in cash held	149,534	234,345
Cash at beginning of year	1,716,356	1,482,011
	1,865,890	1,716,355
Cash at end of year (Note 1)		
	1,865,890	1,716,355
<u>NOTES TO THE STATEMENT OF CASH FLOWS</u>		
Note 1: Reconciliation of Cash		
Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the statement of financial position as follows:		
Cash at Bank and on Deposit	1,865,890	1,716,356
	1,865,890	1,716,356
Note 2: Reconciliation of Cash Flow from Operations with profit from ordinary activities		
Profit from ordinary activities	6,397	431,262
Depreciation	51,792	40,985
Change in assets and liabilities		
(Increase)/Decrease in receivables	120,237	(92,153)
(Increase)/Decrease in prepaid expenses	(1,422)	1,685
Increase/(Decrease) in creditors	22,082	(72,478)
Increase/(Decrease) in provision for employee entitlements	(6,986)	(48,206)
	192,100	261,095
Cash flows from operations	192,100	261,095

**AUSTRALIAN RAIL, TRAM & BUS INDUSTRY UNION
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**INDEPENDENT AUDITOR'S STATEMENT
TO THE MEMBERS**

Scope

We have audited the concise financial report of The Australian Rail, Tram & Bus Industry Union, National Office for the financial year ended 31 December, 2009 comprising the Committee of Management Statement, Income Statement, Balance Sheet, Statement of Cash Flows and notes to the financial statements.

Committee of management Responsibility

The Committee of Management are responsible for the preparation and fair presentation of the financial report in accordance with Reporting Guidelines or Part 3 of Chapter 8 of Schedule 1B of the Fair Work (Registered Organisations) Act 2009. This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

Our procedures in respect of the audit of the concise financial report included testing that the information in the concise financial report is consistent with the full financial report, and examination, on a test basis, of evidence supporting the amounts and other disclosures which were directly derived from the full financial report.

These procedures have been undertaken to form an opinion whether, in all material respects, the concise financial report is presented fairly in accordance with Accounting Standards and the Fair Work (Registered Organisations) Act 2009.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian Professional Ethical Pronouncements.

Audit Opinion

In our opinion, the Concise Financial Report of The Australian Rail, Tram & Bus Industry Union, National Office for the year ended 31st December, 2009, is in accordance with the full audited general purpose financial report available for inspection my members.

The Audit opinion, express in that report is as follows:

In our opinion, the general purpose financial report of the Australian Rail, Tram & Bus Industry Union, National Office, presents fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia as well as the requirements imposed by the Reporting Guidelines or Part 3 of Chapter 8 of Schedule 1B of the Fair Work (Registered Organisations) Act 2009

Ken Mangraviti
Registered Company Auditor
Ken Mangraviti Pty Ltd
Dated : 21 May, 2010