



7 October 2025

Jiselle Hanna
Secretary
Victorian Branch, SPSF Group
CPSU, the Community and Public Sector Union (**CPSU**)
By email: jhanna@cpsuvic.org

Dear Ms Hanna,

**Your voluntary notification of apparent non-compliance with section 293F of the
*Fair Work (Registered Organisations) Act 2009***

We refer to your letter of 16 September 2025 disclosing an apparent contravention of section 293F of the *Fair Work (Registered Organisations) Act 2009 (RO Act)* by some of the officers of the CPSU SPSF Victorian Branch (**Branch**), specifically related to officer salaries.

Voluntary disclosure by the Branch

It was disclosed in your letter that, at a meeting on 18 August 2025, the Branch Council resolved to alter the salaries of the Branch Secretary and the Branch Assistant Secretary – specifically, voting to reduce those salaries – and that you and the Branch Assistant Secretary, Mitchell Vandewerdt-Holman, were present during the discussion and deliberation of this matter.

I note that your letter followed a presentation provided by staff of the Fair Work Commission (**Commission**) in which the Branch Executive were made aware of, among other things, the requirements outlined in section 293F of the RO Act.

I also note that the Commission staff who presented that session (Mr Steenson and Ms Guina) have confirmed to me that you verbally raised the matter with them immediately after they had spoken about section 293F and that, having sought their guidance, you committed to writing to the Commission about the matter.

Relevant legislation

Section 293F of the RO Act prohibits officers from taking part in decisions or deliberations in which they have a material personal interest.

In particular, section 293F(2), in relation to branches of organisations, provides that:

An officer of a branch of an organisation who has a material personal interest in a matter that relates to the affairs of the branch:

- (a) must not be present during any deliberation by the branch on the matter; and
- (b) must not take part in any decision of the branch with respect to the matter.

There is a narrow exemption set out in section 293F(4) of the RO Act, however the required conditions for section 293F(4) do not appear to have arisen or been met in this case.

Conduct that was the subject of the apparent contravention

From the available information, the Commission understands that:

- the Branch Council considered a matter directly involving yourself and Mr Vandewerdt-Holman, namely your salaries;
- the specific resolution was to enact a pay reduction for the offices of Branch Secretary and Branch Assistant Secretary – offices held by yourself and Mr Vandewerdt-Holman;
- the proposal arose from a commitment made to members during the recent Branch election, with salaries to be pegged to particular Victorian Public Sector (VPS) grades;
- while the matter involved the remuneration of yourself and Mr Vandewerdt-Holman – and thereby directly involved each of you – the proposal did not involve a financial ‘benefit’ to either yourself or Mr Vandewerdt-Holman; and
- both you and Mr Vandewerdt-Holman, while present during the deliberations, did not participate in either the discussion or the vote.

While it was not a factor in the current circumstances, it is easy to imagine how a person’s physical presence during the deliberation of a matter could either influence or be perceived to influence the way a matter is dealt with. This is particularly the case for people who hold positions of power in organisations.

Had the Branch Council considerations related to potential salary *increases* for yourself and Mr Vandewerdt-Holman, the Commission is likely to have considered the matter in a different light. The Commission does however, take a common sense and pragmatic approach to its regulatory role and in my view, the particular circumstances of this apparent contravention are clearly at the unintentional and lower end of the scale.

The General Manager of the Commission encourages voluntary disclosure and rectification as part of the Commission’s Compliance and Enforcement Policy, including through self-reporting, as has occurred in this matter.

As such, I commend your immediate recognition that, based on information from Commission staff, the conduct appeared to amount to an apparent contravention. I also acknowledge the prompt and frank disclosure by the Branch and the officers involved in relation to this matter.

Future compliance

The Commission expects that the Branch and its officers will comply with mandatory statutory obligations, including those imposed by section 293F and take a future approach of not allowing an officer to participate in decisions in which they have a material personal interest.

The Commission has key subject matter experts and extensive education and support material available in a range of forms, including those on our website. In order to ensure good governance and to facilitate best practice and ongoing compliance with the RO Act, the Branch is urged to continue engaging with our educational resources and activities, including by facilitating a further presentation by Commission staff to the broader Branch Council at an

early opportunity. Provided that such engagement occurs, the Commission does not propose to take any further compliance or enforcement action in relation to this specific incident.

It is my recommendation that for the purposes of transparency, the Branch publishes this letter on its website and updates that publication after a further presentation has been delivered by the Commission. That approach will demonstrate to members of the Branch the steps being taken to ensure a commitment to strong governance and voluntary compliance.

If you have any questions or would like to discuss this matter further, please contact Bill Steenson via email at bill.steenson@fwc.gov.au or by phone on (02) 9308 1925.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CE', with a small horizontal line extending to the right.

Chris Enright
Executive Director, Registered Organisations Services Branch
Fair Work Commission