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▶▶ Union makes adverse action claim against Catholic college principal

03 May 2011 5:31pm

The principal of a Catholic secondary college took adverse action against teachers and administrative employees when he directed them not to make further complaints about alleged bullying and intimidation to their union, the Victorian Independent Education Union claims in a case lodged in the Federal Magistrates Court.

The union says about 30 members at the [Catholic Regional College Sydenham](#), in Melbourne, passed a resolution at a meeting late last year requesting that the VIEU take up their concerns about "unreasonable and intimidatory treatment" by the principal.

The [VIEU](#) wrote to the employer, Father John O'Reilly, the same day and attached the resolution.

Some three days later the principal, who had Father O'Reilly standing beside him, addressed the teachers in "a very stern and admonishing tone" in response to the letter, for about five minutes after a mass at the college, according to the union.

The principal told the members the accusations of bullying and intimidation against him were unfounded and that he was personally hurt by them.

He said, according to the union, that the college had internal procedures for dealing with bullying and harassment, that the college's policy required that any complaint be made to him or the Catholic Education Office, and that the union shouldn't be used as a channel for airing internal grievances.

"This is an internal matter and VIEU has no right to interfere", he allegedly told the members.

"You do not have a choice. If you feel you have been bullied, you are obliged to work through the college's processes".

The union contends that the principal said that if staff were not happy then they should "move on".

He also, it says, specifically addressed those in leadership positions, accusing them of disloyalty and asserting that if they pursued bullying or harassment complaints, then they were obliged to stand down.

Principal denied members the right to complain: Union

The VIEU alleges that by his alleged conduct, the principal directed its members to refrain from exercising a key workplace right - to make a complaint or inquiry to their union about their employment.

It says the principal by his conduct injured the members in their jobs, altered their positions and discriminated against them by treating a complaint as a breach of their employment obligations and threatening that there would be consequences.

The union also alleges that by his statements, the principal coerced the members against engaging in industrial activity.

It also claims the employer advised, encouraged and incited the principal to make the alleged statements to the members.

The case has been set down for three days of hearings before Federal Magistrate Heather Riley, starting on July 25.

Independent Education Union Of Australia v John O'Reilly & Anor, MLG1766/2010

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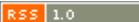
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