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## A•S•U MEDIA RELEASE

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Tuesday 18 May, 2010

### “The Social and Community Services Workers Union”

## ASU member at Warrnambool SACS agency cleared

In the unfair dismissal case of ASU member Gary Lucas against Warrnambool community service agency Community Connections, Fair Work Australia have made the following decision;

**The Tribunal has determined in this matter there was no valid reason for the termination of the Applicant by the Respondent.**

**The Tribunal has come to the conclusion that the alleged death threats and the alleged defaming of the CEO did not occur and therefore there was no valid reason for the termination of the Applicant.**

In his decision, Commissioner Blair has ruled that the actual decision and the transcript of the Hearing are confidential.

ASU Assistant Secretary Lisa Darmanin said that she was pleased that the outrageous and damaging allegations levelled against Mr Lucas have been proven by Fair Work Australia to be unfounded, but she did express regret that the decision to suppress the outcome of a public hearing undermined the idea of natural justice for Mr Lucas and compounded the damage that has been done to him.

The ASU are currently seeking legal advice about whether or not to challenge the suppression of the decision and the transcript.

The union is concerned that this decision creates a precedent that community sector agencies will not be held accountable for bad management decisions that result in workers being treated unfairly.

“If an agency gets public funding, then surely the decisions made by their management – especially their unfair, unreasonable ones – ought to be subject to public scrutiny,” said Ms Darmanin.

-ENDS-

For further information:

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