

States:

1. My full name is Robert Philip Morrey and I reside at an address known to the Fair Work Commission.
2. I have been asked to come in to the Fair Work Commission to provide information in relation to a number of issues within my knowledge concerning the Health Services Union Vic. No. 1 Branch and I have agreed to do so.
3. In about December 2005 I was working as a pharmacy store person at Royal Melbourne Hospital and I was a member of the HSU. In June or July 2006 I became a union delegate of the HSU.
4. After the election and amalgamation with New South Wales in about 2009, I became President of the sub branch of the Royal Melbourne Hospital. My role included chairing meetings, organising delegates, attending human resource meetings and things to that nature.
5. In the 2009 election I ran for election on the Doug-Byron ticket, which failed. The Kathy Jackson-Marco Bolano ticket was successful.

2012 election

6. In the 2012 election there were three tickets in all; aside from Marco's there was Diana Asmar and another guy from Geelong.
7. I was asked to go on both Diana Asmar's and Marco Bolano's ticket. I researched both tickets and as a result of my research I decided to go on Marco's ticket.
8. I ran for the BCOM of the HSU Vic No. 1 Branch. I was successful and was elected as a BCOM member. Marco Bolano was not successful.
9. Diana Asmar was successful in the Secretary's role and Leonie Flynn was successful as the Assistant Secretary. The election was in November and December 2012.
10. It is usual in elections that if a particular ticket gets elected, most or all of the people on that ticket take up positions. In this election, the majority of people to get elected were from Diana's ticket and there were only three from Marco's ticket. The three from Marco's ticket were Leonie, Pat O' Brien and I.
11. Prior to the election, I had only met Leonie and Pat on one occasion each for the taking of photographs.

First meeting

12. The first meeting was called on a Sunday after the election. Diana Asmar and Kimberley Kitching wanted to have an official meeting even though not all of the BCOM were in attendance and we didn't have an agenda to run to. I made it known that I was not comfortable for this to be a proper meeting. I asked them to call an extraordinary meeting because we had no formal agenda and I didn't think we should be voting on topics.

13. I asked for a vote about the extraordinary meeting issue and the vote was unsuccessful. I warned the meeting that doing things in haste would come back and bite them.
14. When we arrived at the meeting, we were handed an agenda.
15. During the course of the meeting one of the issues voted on was the formation of a Finance Committee. Diana asked a number of people on her ticket to put their hands up for the Committee and one of the people on Diana's ticket didn't want to do it. The consequence was that Pat O'Brien put his hand up to go on the Committee and he was voted onto the Committee.

Second meeting

16. At the next meeting in January, 2013 we received the agenda and one of the items on the agenda was an election for the finance committee. Diana Asmar and Kimberley Kitching weren't happy about Pat being on the Committee and there was going to be another vote on it.
17. I wasn't happy with Kimberley Kitching attending every meeting because she wasn't part of the BCOM. I understand people can be invited to attend a meeting to give advice and things like that but Kimberley was taking notes, giving advice and having a very significant role. She would take over from Diana when Diana started to lose track of what she was talking about. This occurred in relation to most if not all of the issues discussed at the BCOM meeting. I was concerned about this as it wasn't Kimberley's role to tell the BCOM the information that she did.
18. When the matter of the finance committee was raised at the meeting in January, Pat was asked to stand down from his position on the committee and he refused. Diana and Kimberley had sought legal advice from Holding Redlich about whether Pat could be thrown off the committee and the advice was that he could.
19. My problem with this was people had been voted on the BCOM and we should have got on with the job and not worried about whose ticket people had been on.
20. I believe Diana wanted people on the finance committee who she could control and Pat wasn't going to be one of them.
21. In the end, Pat was thrown off the finance committee and another person from Diana's ticket was put on the committee.

Concerns about finances

22. After the early meetings in January and February 2013 I started to expect that the BCOM would get financial reports but none were forthcoming. We were told that there was an audit going on that hadn't finished which I couldn't understand because it shouldn't have been that complex and shouldn't have taken the time we were being told it was taking.
23. The BCOM started asking for financial reports and there was an occasion where the auditor came in (I think in February 2013) to give us a preliminary report. He gave the report verbally, but it was not detail and nothing was put in writing. By March or April we still hadn't received anything which was a concern to me.

24. We were trying to understand where we stood financially because we didn't know if we still owed money to NSW, we didn't know how many organisers we could put on or what we could pay them. As far as the BCOM was concerned, these were important issues.
25. When I was on the BCOM, I wasn't aware of what the salaries, terms or conditions were for any of the people being put on. It was not something that was ever put to or discussed by the BCOM.
26. In January 2013 I came out of work and I was seeking new employment. I was interested in becoming an organiser and that is one of the reasons why I was interested in how many organisers we could employ and what we could pay them.
27. Although I wasn't working in the industry at the time, I stayed on the BCOM as the HSU rules permitted me to stay on the BCOM while I was looking for work.
28. I have been asked about my views regarding whether any one or more people dominated or were unduly influential in the BCOM. We were getting told by Diana that every single thing would go through her and she would have the veto for everything. Once Pat O'Brien would ask a question, Kimberley would defer it to the next meeting and you couldn't get an answer to any issues being raised. Part of my problem with Kimberley was that she sat in every meeting and gave advice about a range of things.
29. In my view, the BCOM was dominated by Diana Asmar and Kimberley Kitching. It would often occur that Kimberley would take over conversations started by Diana.
30. I was convinced that we were not being provided with information about our financial position, contracts etc. and I was concerned about the time frame. In other words, after a few months we should have been provided with details about the finances but they were not provided to us. We did receive a partial administrators report but after asking for the full administrators report on numerous occasions, we were eventually told by Kimberley Kitching that it was too hard to obtain.

HSU Rules

31. The BCOM asked for a copy of the rules in December 2012, and we received them in January 2013 at the second BCOM meeting.
32. The reason the BCOM asked for the rules was because none of us knew what the rules provided. We needed to find out what the function and role of the BCOM was and we wanted to know people's roles and their positions so that when we wanted to ask questions, we could direct the question to the person responsible.
33. As we read through the rules over time we couldn't figure out why the Assistant Secretary wasn't attending the meetings.

Assistant Secretary / Treasurer

34. I have also been asked if I have an understanding of whether Leonie Flynn was prevented from performing her role as the Assistant Secretary / Treasurer. I thought she should have been in the BCOM meetings but I only saw her at two meetings out of the four I attended. The Assistant Secretary should have been the one giving us

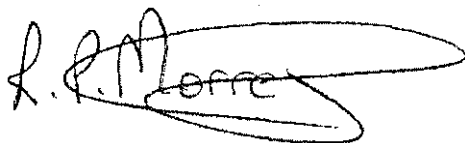
the information about the finances. I don't know the specific rules but I understand the Assistant Secretary has a bit more information because they chair a range of committees.

35. I thought what was happening was that Leonie was being kept out of the meetings so that Diana's side could run the meeting and have control.
36. I thought that as a Committee member, Leonie should have been at the meetings so that she could have provided a different point of view from the people dominating the meeting or those on Diana's ticket.

Employment

37. In late March, April 2013 I got a job outside the Health System and resigned from the BCOM.
38. I think it was in about May 2013 I spoke to Leonie and she told me there were positions available in the union. I couldn't find any advertised positions and I was only going on what Leonie had told me.
39. I later contacted Diana and she told me that there were organisers jobs going. I couldn't find any jobs on seek, Ethical Jobs or newspapers. The HSU Vic No. 1 Branch didn't have a web site at that stage.
40. I sent my resume into Diana and I received a response to come in for an interview. I was later interviewed by Diana and the lead organiser who has one leg. I was unsuccessful for the job.
41. From January 2013 I started seeing people at the Branch who I was told by Diana had been employed on a temporary basis. Daniel Govan was one who was employed as a part time organiser and I thought it was unusual for a person to be a part time organiser.
42. I have been told by a colleague that there were a number of people employed in industrial officer roles who had no experience in health services or industrial officers roles. My colleague made a complaint about this issue and told me that he was sacked because of it.
43. I have been asked whether I have any specific information or concerns about financial management issues and although I have thought about, I don't have anything further to add.
44. I have been offered the provision of legal assistance by the Union for any contact I have with the Fair Work Commission but I have not taken up that offer.

Signed



Robert Morrey

Date 09-10-2013