

IN THE MATTER OF AN APPLICATION BETWEEN:

MARK JOHNSTON

APPLICANT

-AND-

**FEDERAL BOARD
(MARK PACK AS REPRESENTATIVE)**

RESPONDENT

CASE MANAGEMENT RULING

Catherine Smart

Case Manager

20th February 2025

RULING

1. The appeal is dismissed.
2. Parties are to make submissions about the publication of this ruling by 4pm on 27th February 2025

BACKGROUND AND REASONING

3. This case has been brought by Mark Johnston (in a personal capacity) against the Federal Board claiming that the Board should have submitted various definitions including of 'bullying and harassment' to the Federal Conference under Article 9.9.
4. Mark Pack, as President and therefore the Chair of the Federal Board holds that these definitions are not rules as defined by the Article but are a different type of document.
5. He points out that this is the sixth time the Board (or its predecessors) has made a decision to adopt or update a document such as this without submitting it to the Federal Conference as it believed it did not come under Article 9.9.
6. I find Mark Pack's reasoning to be persuasive and therefore dismiss the Appeal

20th February 2025