

Former Paine CFO files breach-of-contract suit

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Paine College's former chief financial officer says he was fired out of retaliation just days after he "ethically responded to inquiries" posed to him by the college's accreditation body during a March on-site visit, according to a breach-of-contract lawsuit filed against Paine on Thursday in Richmond County Superior Court.



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FILE

Edward Patrick (pictured) said that Paine President George C. Bradley has shown a pattern of abusive employment practices toward college employees and that he was the fourth CFO whom Bradley had fired since becoming president in 2009.

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Edward Patrick said that Paine President George C. Bradley has shown a pattern of abusive employment practices toward college employees and that he was the fourth CFO whom Bradley had fired since becoming president in 2009.

"Unless his abusive and tyrannical behavior is punished, penalized and deterred, it will likely continue into the future," the lawsuit states.

Patrick was hired July 15, 2013, on a three-year contract and was fired March 17, four days after he was interviewed by the Southern Association of Colleges and Schools Commission on Colleges. SACSCOC was on campus to review progress that Paine had made toward resolving financial and operational violations committed over the previous two years. Three months after that visit, SACSCOC placed Paine on probation, the most severe sanction possible and the final step before accreditation is revoked.

According to Patrick's employment contract, Paine was obligated to pay the balance of his \$135,000 annual salary in the event of a termination before his three years were up.

In a termination letter March 17, Bradley stated that Patrick violated his contract because he "failed to follow the high moral and ethical standards" expected of a CFO and was not "pursuing the lawful objectives" of the office. He did not elaborate

or cite any examples.

Bradley offered Patrick three months' separation pay if he agreed to resign. Patrick pitched a counteroffer of \$36,000 to be paid by March 21, but Bradley refused and gave Patrick six days to vacate his campus residence.

In his lawsuit, Patrick said Bradley committed a breach of contract and wrongful eviction because even if Bradley had the right to demand possession of the residence, Georgia law requires tenants be given 60 days to leave. Patrick and his two young children were given six days.

A Georgia Department of Labor examiner's review on April 11 found that Patrick did not violate his employer's rules and was performing the duties for which he was hired and therefore is entitled to unemployment benefits.

Patrick is requesting punitive damages and compensation to be proved at the time of trial, according to the lawsuit.

In an April 15 grievance to Paine human resources and the board of trustees, and in a formal complaint to SACSCOC on June 12, Patrick outlines further allegations of retaliation and misconduct by Bradley.

Patrick said he and Controller Burshunda Harden met with the visiting SACSCOC committee March 11 for three hours, during which the questions were largely focused on Bradley and his leadership.

In response to the questioning, Patrick told the committee that Bradley had canceled the standing weekly meeting with Patrick for the past 10 to 12 weeks and that Bradley was instead being advised by Roger McLean, who served as CFO for a year before Patrick but was at that time an external consultant.

He told the committee that he had never been given a job description and that he considered there to be almost \$600,000 of wasteful spending occurring.

Patrick said his termination was also retaliatory because he expressed concern that Bradley had not received a Form 1099 for some prescription drug payments, meals, travel costs for his wife and personal purchases, which he said could possibly count as tax evasion, according to his letter to the board of trustees.

In his June 12 complaint to SACSCOC, Patrick said two Paine officials gave false reasons to the trustees during an April board meeting as to why Patrick was fired. He said board Chairman Silas Norman read aloud a letter, which he claimed was written by

a SACSCOC official, that detailed the “incompetency of Edward Patrick.”

The complaint also states that McLean made a false statement by telling board members that Patrick met with the SACSCOC committee off campus when the meeting actually took place on campus. Patrick urged SACSCOC President Belle Wheelan to verify those claims with the nine board members who were present at the meeting.

In his complaint to SACSCOC, Patrick also said no board of trustees member, except for Norman, is given copies of important documents about Paine’s accreditation sanctions and is not informed about correspondence from SACSCOC or the Department of Education.

“If the correspondence was shared, it was brief and minimized,” Patrick wrote. “A serious matter such as an imminent SACSCOC sanctions, was just information briefly provided to the Board of Trustees members with no remediation plan provided to the Trustees or requested by the Board. The President and his Council provide information to the Board of Trustees with little or no feedback or insight from the Board of Trustees.”