

Stewarts Guide To Employment Law

Eugene Schofield-Georgeson

Stewart's Guide to Employment Law Andrew Stewart,2015-02 This new edition explains the changes made by the Fair Work Amendment Act 2013, including the Fair Work Commission's new power to deal with claims of workplace bullying. It details the Abbott Government's reform agenda, covering important changes not just to the Fair Work Act, but to legislation on parental leave, superannuation, the recovery of employee entitlements, the building and construction industry, and registered organisations. It also highlights the potential for further changes from various inquiries that have been established, as well as the first four-yearly review of the modern award system. The text has been updated to incorporate new case law since the last edition, including important decisions by the High Court on whether there is an implied duty of 'mutual trust and confidence' in the employment relationship, whether employers can dismiss employees for 'offensive' conduct during otherwise lawful union activities, and the scope of an employer's obligation to withhold pay from striking workers. Reference is also made to some controversial changes to State laws, particularly on the powers of industrial tribunals to set wages and conditions for public sector workers, and on the control of disruptive pickets and workplace protests. In the news... Scope of anti-bullying orders broad but still unclear, OHSAlert, 10 April 2015 Read full article...

Stewart's Guide to Employment Law Andrew Stewart,2021-07-31

Discrimination Law and Practice Chris Ronalds,Elizabeth Raper,2012-07-02 This seminal textbook on the practical application of Australian discrimination law is suitable for all involved in this branch of the law - lawyers, business people, human resources and industrial relations staff, advocates and students. *Discrimination Law and Practice* examines important recent cases in key areas of discrimination law and particularly in all aspects of employment and harassment, the provision of goods and services and education.

The Wages Crisis in Australia Andrew Stewart,Jim Stanford,Tess Hardy,2018-11-30

Creighton & Stewart's Labour Law William Breen Creighton,Andrew Stewart,Anthony Forsyth,Mark Irving,Richard Johnstone,Shae McCrystal,2016 The latest edition of this leading text features a new and expanded team of authors, who explain and analyse Australia's complex system of labour regulation. The book has been substantially restructured and updated to cover the many statutory amendments introduced or proposed over the past five years, especially to the Fair Work legislation, but also on matters such as work health and safety. A particular feature is the coverage of the Productivity

Commission's 2015 report on the workplace relations system, outlining both its assessment of the regulatory framework and recommendations for change. There is discussion too of other important inquiries and reviews, including the Fair Work Commission's changes to the modern award system and the Heydon Royal Commission into Trade Union Governance and Corruption. The new edition also outlines the policy proposals released during the 2016 election campaign and explores the potential for future reforms. The new edition also makes extensive reference to new decisions by the courts and tribunals, on matters such as the distinction between employees and independent contractors, enterprise bargaining, trust and confidence in the employment relationship, the burden of proof in adverse action claims, and much more besides. As always, the book is full of pointers to further reading, with a substantial bibliography and index connecting readers to the voluminous academic literature on the subject. A new chapter also explores some of the insights to be gained from various theoretical perspectives on the concept of 'regulation' in general, and labour regulation in particular. Creighton & Stewart's *Labour Law* continues to offer the most comprehensive and authoritative account of the subject for students and practitioners alike.

Employee's Guide to Employment Law Dennis Murray, Jillian Stewart, 2013

Industrial Relations Reform Keith Hancock, Russell D. Lansbury, 2016 Industrial relations is critically important for economic performance as well as the social cohesion of a nation. In Australia, industrial relations has been subject to numerous reforms by both Labor and Liberal-National Party Coalition governments during recent decades. This book critically analyses recent changes in work and employment relations and their policy implications for Australia. Scholarly essays by prominent experts in the field examine the lessons that can be learned from previous attempts to reform industrial relations by governments with different political agendas and challenges which may lie ahead. Some of the key questions addressed in this book include: What can be learned from past attempts to reform the industrial relations system? What have been the impacts of recent legislative reforms from the Howard government's 'WorkChoices' to the Rudd/Gillard government's 'Fair Work Australia' and the recent Abbott/Turnbull government's policies on industrial relations? How does politics influence proposals for industrial relations reform? What reforms are required in relation to women, work and family issues? How should collective bargaining and dispute settlement systems be reformed? How have wages and productivity been affected by reforms of the industrial relations system? What are the key issues facing Australia in relation to immigration and workforce skills? The book is based on a symposium which celebrated the outstanding contributions of Professor Joe Isaac to scholarship and the practice of industrial relations in Australia and at the international level for more than seven decades. In the media... What has happened to collective bargaining since the end of WorkChoices?, *The Conversation*, 2 May 2016 Read article...

[Internships, Employability and the Search for Decent Work Experience](#) Andrew Stewart, Rosemary Owens, Niall O'Higgins, Anne Hewitt, 2021-06-25 This groundbreaking book examines the growing phenomenon of internships and the

policy issues they raise, during a time when internships or traineeships have become an important way of transitioning from education into paid work.

Contract Law Andrew Stewart, Warren Swain, Karen Fairweather, 2019-06-21 Provides a fresh, topical and accessible account of the Australian law of contract.

A Manager's Guide to Employment Law Dana M. Muir, 2003-06-03 Managers at all levels are constantly challenged to do more with fewer employees, to motivate diverse groups of people, and to face up to tough people problems in their workforces. An important key to managers' success is accomplishing these goals while protecting themselves and their companies from legal liability. Yet some in management tend to blame legal requirements for hindering progress toward solving problems. U.S. law, however, provides managers with broad discretion in many employment situations and in most cases helps ensure that managers perform their essential functions in a way that is fundamentally fair while still supporting company goals. *A Manager's Guide to Employment Law* will help managers make day-to-day decisions on how best to manage their employees and handle issues of legal liability. Expert author Dana Muir identifies the subtle and unnecessary mistakes managers make that cause legal headaches and shows how becoming familiar with basic principles of employment law will enable them to develop an internal compass to help make the right decisions. Each chapter focuses on legal concepts of broad application in today's workplace, providing real examples of problems managers face and offering strategies for addressing those problems.

Work Choices Andrew Stewart, George Williams, 2007 Andrew Stewart and George Williams, leading scholars and media commentators, explain what has been called the most important decision of the Australian High Court since the Tasmanian Dam Case in 1983. They show what was being argued and why it was being argued, as well as what was decided and the implications for Australia's future. They include key passages of the majority judgment, and from the dissents of Justices Kirby and Callinan. Is this "a destabilising intrusion of direct federal lawmaking into areas of legislation which, since federation, have been the subjects of State laws" (Justice Kirby)? Might it reduce State Parliaments to "impotent debating societies" (Justice Callinan)?

Macken's Law of Employment Carolyn Sappideen, 2011-01-01 For over 30 years, students, academics and professionals have relied on MACKEN'S LAW OF EMPLOYMENT as one of Australia's most respected works in employment law. This 7th edition continues in that tradition. Authored by a distinguished team of experts, the carefully selected topics and case extracts along with the scholarly commentary ensure reputable guidance on common law and equitable principles as they affect contracts of employment.

Australian Master Fair Work Guide, 2010 This guide defines and explains the key areas of industrial relations under the federal system.

Research Handbook on the Economics of Labor and Employment Law Michael L. Wachter, Cynthia L. Estlund, 2012-01-01
Wachter and Estlund have assembled a feast on the economic analysis of issues in labor and employment law for scholars and policy-makers. The volume begins with foundational discussions of the economic analysis of the individual employment relationship and collective bargaining. It then progresses to discussions of the theoretical and empirical work on a wide range of important labor and employment law topics including: union organizing and employee choice, the impact of unions on firm and economic performance, the impact of unions on the enforcement of legal rights, just cause for dismissal, covenants not to compete and employment discrimination. Anyone who wants to study what economists have to say on these topics would do well to begin with this collection. Æ Kenneth G. Dau-Schmidt, Indiana University Bloomington School of Law, US
This Research Handbook assembles the original work of leading legal and economic scholars, working in a variety of traditions and methodologies, on the economic analysis of labor and employment law. In addition to surveying the current state of the art on the economics of labor markets and employment relations, the volume's 16 chapters assess aspects of traditional labor law and union organizing, the law governing the employment contract and termination of employment, employment discrimination and other employer mandates, restrictions on employee mobility, and the forum and remedies for labor and employment claims. Comprising a variety of approaches, the Research Handbook on the Economics of Labor and Employment Law will appeal to legal scholars in labor and employment law, industrial relations scholars and labor economists.

Australian Anti-Discrimination Law Neil Rees, Simon Rice, Dominique Allen, 2018-02-27
This new edition of Australia's most comprehensive book on anti-discrimination law has been fully revised and updated, re-written and reformatted to enhance its accessibility. It continues to offer both a substantial text for a specialist audience, and a powerful critique of anti-discrimination law in Australia. The authors support their analysis and explanation of legislation and case law with carefully selected extracts from a broad range of decisions, law reform reports, and academic writers and commentators. [T]his encyclopaedic work is simply indispensable. The authors are acknowledged experts and seasoned campaigners, and their lucid exposition is enriched by extensive quotation from the work of other expert commentators. The coverage is breathtaking in its scope and depth, the attention to detail astonishing. To identify the differences between State, Territory and Commonwealth provisions, topic by topic, is a work of herculean proportions, requiring meticulous care. - The Hon Justice Chris Maxwell AC (from the foreword)
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public debate that triggered the changes. Comprehensive analysis of the operation of special measures provisions in all of the anti-discrimination statutes. Integrated discussion of the exceptions to the prohibition of discrimination for each attribute and in each area.

Employment Law Made Easy Jillian Stewart, Dennis Murray, 2015

Multinational Human Resource Management and the Law Matthew W. Finkin, Joel Cutcher-Gershenfeld, Takashi Araki, Roberto Fragale Filho, Andrew Stewart, Bernd Waas, 2013-09-30 Multinational corporations face considerable complexity in setting the terms and conditions of employment. Differing national laws prevent firms from developing consistent sets of employment policies, but, at the same time, employees are often expected

Contract, Labour Law and the Realities of Working Life Eugene Schofield-Georgeson, 2024-07-05 This book offers a critical and timely account of how labour law has become a means for protecting employers rather than workers. The past few decades have witnessed something of a 'silent revolution' in the traditional protective role that labour law has played in the lives of workers. While this transformation has been overt in the realm of the market and at the level of the legislature, the role of the judiciary in this process remains significantly under-studied. Focussing on Australia, but drawing also on material from New Zealand, the UK and Canada, this book investigates how the common law has intervened to shape labour law in the image of commercial contract, determining disputes and defining legal issues by ignoring the realities of working life. Under this new conception of labour law, industrial relations between workers and employers are rarely reciprocal or relational. Rather, they are determined by the legal meaning and purpose of the contract of employment, drafted by lawyers for the benefit of employers and their human resources departments. Having demonstrated how approaches to contractual formalist legal reasoning have redefined labour law, this book goes on to propose an array of innovative legal and policy strategies to restore the protective role of labour law to the employment relationship. Scholarly, but also accessible to students, this book will appeal to those with interests in labour law, contract law and sociolegal studies.

Comparative Labor Law Matthew W. Finkin, Guy Mundlak, 2015-07-31 Economic pressure, as well as transnational and domestic corporate policies, has placed labor law under severe stress. National responses are so deeply embedded in institutions reflecting local traditions that meaningful comparison is daunting. This bo

Encyclopedia of law and economics. 2. Labor and employment law and economics Kenneth G. Dau-Schmidt, Gerrit De Geest, 2009

Decoding **Stewarts Guide To Employment Law**: Revealing the Captivating Potential of Verbal Expression

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