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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 is renowned for its succinct and accessible coverage of this complex area of the law. The author's unique expertise and experience make this a high-quality book with a clear and cohesive style. This is a highly regarded, dependable choice of book for anyone needing an introduction to employment law. Key Features of the New Edition This new edition explains the various amendments made to the Fair Work Act under the Turnbull Government, in relation to matters such as enterprise bargaining, industrial action and the enforcement of employment entitlements. It highlights important changes to the regulation of workplace relations in the building and construction industry. Covers the many variations made by the Fair Work Commission in the course of its first (and last) four-yearly review of modern awards. Those variations include significant alterations to penalty rates in certain industries, as well as provisions on casual and part-time employment, payment of wages and the taking of annual leave. The text has been updated to incorporate other new case law since the last edition, including important decisions on the making and termination of enterprise agreements, adverse action and termination of employment. Reference is also made to various changes to State laws, particularly in Queensland, where the State industrial system was revamped in 2016.

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This new edition includes extensive references to the outcomes of the 2012 Fair Work Act Review. It details changes already made by the Fair Work Amendment Act 2012 (including the renaming of Fair Work Australia as the Fair Work Commission) and explains further reforms proposed by the Review that may be introduced in 2013. It also deals with important developments such as the introduction of the model Work Health and Safety regime; legislative changes on employee entitlements, superannuation, parental leave pay and workplace gender equality; new forms of regulation for the building, road transport and clothing industries; and the proposal for a new federal Human Rights and Anti-Discrimination Act. As always, the text has been updated to incorporate a raft of new case law on matters such as the formation and performance of employment contracts, the variation of modern awards, enterprise bargaining, unfair dismissal and the 'general protections' against wrongful treatment at work. This includes the High Court's ruling in *Board of Bendigo TAFE v Barclay* about the burden of proof in adverse action claims, and the various cases flowing from the 2011 Qantas industrial dispute. A new section has also been added on the status of internships and other forms of work experience.

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.

The most comprehensive and easy-to-read reference on the market today. Now used by thousands of human resources executives, in-house counsel, business owners and employment lawyers across the United States, this comprehensive guide addresses the latest legal rules and best practices to avoid liability in the California workplace. Comes complete with the latest California forms, checklists and compliance tools. For recent changes to the law, go to www.EmploymentLawPublishers.com for free legal updates between editions with your purchase.

Provides a fresh, topical and accessible account of the Australian law of contract.

The authors' goal in this new, second edition was to update & enhance the materials. At the same time, however, they used a general presumption against change & retained as many of

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the cases & as much of the structure of the book as possible, both for substantive reasons & to ease the transition for teachers. Casebook & Statutory Companion each also available electronically

This new edition of Texas Employment Law updates the governing law on a broad range of substantive topics and includes new forms and appendices to help you work more efficiently. The highlights include: Thoroughly revised and updated chapters, bringing you current on the law governing: Sex Discrimination (Ch. 19) Sexual Harassment (Ch. 20) Race Discrimination (Ch. 22) Age Discrimination (Ch. 23) Retaliation (Ch. 26) Whistleblower Protection Under Sarbanes-Oxley (Ch. 33) Texas Whistleblower Act (Ch. 34) Expanded coverage of these issues: Immigration-Related Employment Practices (Ch. 7) Statute of limitations for timeliness failures re Form I-9 ICE worksite enforcement actions Wages, Hours and Overtime (Ch. 9) Damages for emotional injury resulting from retaliation in violation of FLSA Issues re: workers who maintain irregular hours Employment Rules and Policies (Ch. 16) Why Texas courts refuse to recognize a claim for “negligent investigation” What constitutes “concerted activity” according to the NLRB and Fifth Circuit TCHRA: Procedures and Remedies (Ch. 18) When EEOC’s authority to investigate terminates Best practice re: pleading a request for attorney’s fees Disability Discrimination (Ch. 21) Work-site attendance as an “essential function” of the job Accommodation process — burdens/responsibilities of employer and employee Discrimination Based on National Origin, Religion, and Other Grounds (Ch. 24) When is a “permissive pretext” instruction appropriate? Viability of a claim for retaliatory hostile environment Family and Medical Leave Act (Ch. 25) Eligibility for FMLA leave: H1-b foreign nationals; off-site employees Whether a chiropractor can be considered a “health care provider” New Forms and Appendices, including: Original Petition – Libel and Slander (in connection with termination of employment) Defendant’s Answer to Plaintiff’s Complaint – ADA First Set of Interrogatories to Plaintiff – ADA Failure to Hire Case Response To Defendants’ Emergency Motion For Issuance of Letter Rogatory Motion for Summary Judgment – FMLA Case; Plaintiff’s Response; Order Denying Motion

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