



2019 TOPICS:

1. The Mondelez decision shows that the Courts are completely out of touch with Australian workplaces.
2. Should the Fair Work Commission consider making family and domestic leave a paid entitlement to improve its efficacy and social impact?
3. Should section 65 of the Fair Work Act be expanded to provide obligations on employers to consider any request for flexible working regardless of the employee's personal circumstances?
4. Over-regulated: do we really need a religious freedom bill?
5. Should it be unlawful for an employee, regardless of seniority or remuneration, to be terminated without reason?
6. Should section 389(2) of the Fair Work Act 2009 (Cth) be amended to required that employer consider whether an employee could have been redeployed into a role that was being performed by a contractor or labour hire worker at the time of the dismissal?
7. Has enterprise bargaining passed its expiry date? Should Australia move to a new approach such as sector-wide bargaining?
8. Should employees be allowed to access superannuation during periods of unemployment?
9. Is the rise of employee class actions a response to the failures of the regulators in this space?
10. Is the BOOT test still relevant or should it be replaced with a new test?
11. In light of the changes to employer obligations in respect of casual employees - is hiring casual employees even worth it?
12. Is it necessary to introduce a dedicated dispute mediator at a federal level similar to the recent jurisdiction given to the Victorian Small Business Commission to mediate disputes?
13. Given the relatively small number of general protections claims that are determined at final hearing and the current delays in the federal courts, should the FWC be given powers to determine such disputes?
14. Does the punishment fit the crime? Jail time for wage theft is one step too far.
15. Should the Modern Award regime be dismantled in favour of an expanded and comprehensive NES which would set a broader base of minimum conditions of employment?
16. Is it time that the Fair Work Act was amended to include a third category of worker which is not an employee or an independent contractor?
17. Should the employee records exemption under the *Privacy Act 1988* (Cth) be reconsidered?
18. How widely should courts define 'personal workplace grievance' under the new whistle-blower provisions of the Corporations Act?