

WORKPLACE REVIEW

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Regulation of union ballots in Australia – a reflection – Keith Harvey	
Government regulation of union election ballots has been a controversial matter in Australia until relatively recently. In this article former union Industrial Officer Keith Harvey looks at the background to the introduction of “court-controlled” ballots for Australian union officials, with particular reference to the turbulent events of the 1940s and 1950s when Communist and anti-Communist groups battled for control of unions and their delegations to Australian Labor Party (ALP) conferences.	96
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Employees could be at risk of a loss of accrued leave entitlements – and at risk, is the statutory requirement to pay them – once a company enters external administration. Employees of companies in receivership may lose entitlements they would ordinarily receive during liquidation, depending entirely on the time at which a company enters administration or liquidation.	101
“Bullying” in common law litigation – Lachlan Robison	
“Bullying” has become an important issue in a number of spheres both in relation to statutory compensation schemes and at common law. Courts have long accepted that employers may incur common law liability for “bullying” of their staff in the context of established principles of the law of negligence. Exactly what is “bullying”, however, is a question that has vexed many a practitioner, especially in common law matters where there is no rigid definition. The recent New South Wales District Court decision in <i>Lal v Australian Administrative Services Pty Ltd</i> sheds light on that question and has removed a considerable degree of uncertainty in advising parties in negligence claims arising out of allegations of bullying.	105
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