

WORKPLACE REVIEW

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Right of entry provisions under the <i>Fair Work Act 2009</i> (Cth) are designed to provide a framework which balances the rights of unions, employers and employees. However, when union members' wishes conflict with those of their union, the <i>Fair Work Act</i> may leave employers stuck between a rock and a hard place.	52
Unfair dismissal: A change of focus in respect of remedy – <i>Rick Manuel</i>	
In this article, Rick Manuel takes a look at the approach to remedies for unfair dismissals for the parties concerned. While the vast majority of unfair dismissal matters are decided by an award of compensation, the question remains whether a greater focus on re-employment might develop over time as the jurisprudence of Fair Work Australia expands.	54
Wisdom of Solomon not required of employers – <i>Mark Curran</i>	
This article discusses the recent decision of the Western Australian Court of Appeal in <i>Laing O'Rourke (BMC) Pty Ltd v Kirwin</i> [2011] WASCA 117, which concerned the liability of an employer under occupational health and safety legislation following the passage of Cyclone George across the Pilbara in March 2007.	56
Plankers be warned: "Employers are 'board' with employees' antics" – <i>Aaron Allegretto</i>	
Planking antics have hit the news in recent months, with a number of employees sacked across Australia for planking while at work. Here, Aaron Allegretto looks at the planking craze, stating that planking, whether it occurs during work hours at the workplace or out of hours in a situation that has a relevant connection to the workplace, could lead to a workplace investigation and subsequent action. To that end, tips for employers on handling such situations are provided.	59
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