WORK & EMPLOYMENT RELATIONS
An Era of Change
Marian Baird, Keith Hancock & Joe Isaac (eds)
Leading scholars come together to pay tribute to Professor Russell Lansbury. They consider the policy implications arising from significant regulatory, social and economic change in Australia, in the context of lowered trade barriers, intense global competition and deregulation of financial markets. Topics include:
- the provision of legislated standards in determining the ‘safety net’
- characteristics of ‘modern awards’
- the roles of unions and employers
- the advent of paid parental leave
- the demand and supply sides of skill formation in Australian workplaces
- ‘high performance’ work systems
- equal remuneration & ‘women’s work’
- paradoxes in productivity issues
- the ‘exceptionalist’ view of Australian industrial relations
- worker voice
- lessons from the UK, the US and the EU.

2011  ISBN 9781862878501  PB  350 pp  rrp $59.95
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Michael Tooma
A fully updated new edition of Michael Tooma’s ground-breaking integrated approach to the law and practice of workplace health, safety, security and environment management.

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Praise for the first edition
Anyone who works with OHS in Australia will benefit from reading this book.

- Safeguard

A clear and succinct outline of the main statutory obligations of businesses.

- Law Institute Journal (Vic)

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Andrew Stewart
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It also explains the way in which enterprise bargaining and unfair dismissal laws introduced in 2009 are being interpreted and applied by Fair Work Australia and the courts.

A new Glossary provides succinct definitions of many technical terms used in the book.

2011 ISBN 9781862878204  PB  432 pp  rrp $74.95
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Other New Editions
Labour Law, 5th edn p2
Ballard’s Annotated Safety, Rehabilitation & Compensation Act 1988, 9th edn p5

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LABOUR LAW
5th edition
Breen Creighton & Andrew Stewart

The fifth edition of this leading text has been updated and substantially restructured to deal changes in labour law, and in particular the Fair Work legislation. It includes detailed analysis of the National Employment Standards, modern awards, the new enterprise bargaining regime, general protections against discriminatory or wrongful treatment at work, the revamped system for handling unfair dismissal claims, and much more besides. Labour Law continues to offer the most comprehensive and authoritative account of the subject for students and practitioners alike.

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– Labour & Industry
unique and comprehensive
– Journal of Industrial Relations
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– Industrial Relations Society Qld

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EMPLOYEE PROTECTION AT COMMON LAW
Joellen Riley

Riley shows how workplace relations law could develop the same duties of good faith and fair dealing as found in contemporary commercial law. She explains how the development of the duty of mutual trust and confidence could resolve individual workplace disputes over such matters as performance-based pay and termination benefits, and how the doctrine of estoppel might apply in the workplace context.

... highly recommended for academics, students and legal practitioners practising in workplace and employment law.
– Law Institute Journal (Vic)

The arguments presented in the chapters are accompanied by good case examples and readers of this book will feel Riley’s passion for the subject and her commitment to promoting fair dealing in workplace relationships.
– Australian Law Librarian

2005 ISBN 9781862875906 PB 280 pp rrp $59.95
Direct Price $55.00
ISBN 9781862876194 HB 288 pp rrp $85.00
Direct Price $80.00

FAIR WORK
The New Workplace Laws and the Work Choices Legacy
Anthony Forsyth & Andrew Stewart (eds)

This wide-ranging collection of essays is an authoritative and accessible analysis of the profound changes to labour regulation under the Howard and Rudd Governments.

... OHS professionals must understand how industrial relations changes will affect their own workplace and how they do their jobs. The Fair Work book is a great place to start.
– Kevin Jones, Safety at Work

2009 ISBN 9781862877368 PB 288 pp rrp $85.00
Direct Price $80.00

FRAGMENTED FUTURES
New Challenges in Working Life
Ian Watson, John Buchanan, Iain Campbell & Chris Briggs

This book examines the ‘fragmentation’ of working life as a result of social and economic change. It asks how we should address such fragmentation in pursuit of a society in which prosperity is shared, diversity, choice and opportunity are increased, and exclusion and inequality are minimised.

It’s a fantastic book ... detailed, reflecting the collective experience of the authors, and yet it also manages to paint ‘the big picture’.
– Work Employment and Society

2003 ISBN 9781862874718 PB 266 pp rrp $49.50
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INDUSTRIAL RELATIONS • LABOUR LAW • DISCRIMINATION & EEO

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an invaluable source as a text or reference
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unique and comprehensive
– Journal of Industrial Relations
an enormously valuable tool that provides a clear analysis – Worksite
by far the leading industrial and employment law text in Australia
– Industrial Relations Society Qld
Regulating for Job Creation

John Howe

Howe explores the regulatory character of job creation policies and programs, in particular the nature and function of law in this context, and presents case studies of three key Commonwealth job creation programs: the Community Employment Program; JobStart; and the New Enterprise Incentive Scheme.

Howe is one of the lead researchers in ... labour law scholarship in Australia ...

The book is accessibly written and clearly of wide and interdisciplinary interest ...

In sum Howe’s contribution is arguably three-fold. First, he has contributed to labour law knowledge on job creation, which is a neglected area. Second, he has helped to facilitate interaction between labour lawyers and IR researchers on questions of job creation, calling for interdisciplinary perspectives. Third, his book adds to the understanding of law and its role alongside the state and the market in regulating the world of work and unemployment, during a now longstanding and important period of restructuring. The book is to be highly recommended on all three of these counts.

The Right to Strike in Australia

Shae McCrystal

This detailed study of the laws which impact on the capacity of workers to take industrial action asks – is there a right to strike in Australia?

McCrystal considers the right to strike under international law, the past Australian conciliation and arbitration systems and present enterprise bargaining regime, at common law and under trade practices legislation and the Fair Work Act 2009.

[An] impressive and much-needed book ... It is legal scholarship at its very best.

... What comes across most powerfully in this part of the book is the sharp contrast between the legal rhetoric and the practical reality. There may be a right to strike rhetorically, but in practice Australia is a country where there is no right to strike save in exceptional circumstances.

The Tools of Regulation

Arie Freiberg

A practical and accessible guide to modern regulation that focuses on the available processes and tools. Freiberg identifies and analyses six broad classes of regulatory tools: economic, transactional, authorisational, structural, informational and legal.

He considers not just enforcement but the ‘web of factors’ that operate to influence behaviour and produce regulatory outcomes: market forces, social norms, ethics, codes of conduct and practice, guidelines, standards, business processes and technological constraints.

Labour Law and Labour Market Regulation

Essays on the Construction, Constitution and Regulation of Labour Markets


The book is both concrete in its inquiry and theoretically sophisticated in its analysis. ... [It] is a remarkable collection of thirty-seven articles on topics ranging from general theories on legislative design and infrastructure to highly concrete topics such as the administration of unemployment and the problems of voluntary, undocumented and household work.

Comparative Labor Law & Policy Journal

Unquestionably a landmark in Australian labour law scholarship [that] will influence debates in many other countries ... Sim<o>~Deakin, MULR

[A] scholarly work of formidable proportions ... a comprehensive and erudite collection. ... [It] will be read and re-read, discussed and consulted for a long time to come.

Labour & Industry

THE RIGHT TO STRIKE IN AUSTRALIA

Shae McCrystal

This detailed study of the laws which impact on the capacity of workers to take industrial action asks – is there a right to strike in Australia?

McCrystal considers the right to strike under international law, the past Australian conciliation and arbitration systems and present enterprise bargaining regime, at common law and under trade practices legislation and the Fair Work Act 2009.

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Journal of Industrial Relations

What a splendid book. I sat down and read it from front to back. It was engaging, comprehensive and relevant. I am very impressed.

David Holmes, Industrial Officer, LHMU

POWER AT WORK

Rebuilding the Australian Union Movement

Michael Crosby

Power at Work asks how unions can be relevant today and focuses on their central role of organising work places and industries. Crosby proposes an evidence-based plan for renewal that is hardheaded, practical and achievable.

[Crosby’s]’ account of the strategic imperatives confronting Australian unions in the 21st century is the most comprehensive statement of the issues yet written.

Greg Combet, former Secretary, Australian Council of Trade Unions

2010 ISBN 9781862877931 PB 346 pp rrp $85.00

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DISCRIMINATION LAW AND PRACTICE

3rd edition

Chris Ronalds

Concise and practical, this guide to discrimination law discusses developments in the key areas of employment, education, harassment and victimisation, as well as trends in remedies and the level of monetary damages. It analyses High Court decisions on the definitions of direct and indirect discrimination and all major decisions applying those cases. It examines the impact of changes in the federal industrial relations arena, developments at the intersection between discrimination law and industrial law, and the use of discrimination law principles in unfair dismissal cases.

[An] easily digested overview for the newcomer to discrimination law. It is aimed not only at practitioners but at organisations that may seek to ensure compliance.

– Hearsay (Qld Bar Assn)

A useful and informative text ... a necessary inclusion on the shelf of any practitioner with an interest in discrimination law.

– Law Institute Journal (Vic)

2008 ISBN 9781862876705 PB 288 pp rrp $59.95
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MANAGING WORKPLACE CONFLICT

Alternative Dispute Resolution in Australia

Bernadine Van Gramberg

This critical analysis of alternative dispute resolution (ADR) in Australia is ideal for ADR and management consultants, legal practitioners, human resource managers and students of ADR.

2006 ISBN 978 1862875777 PB 256 pp rrp $64.95
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AUSTRALIAN ANTI-DISCRIMINATION LAW

Text, Cases and Materials

Neil Rees, Katherine Lindsay & Simon Rice

The real strength of this book is in the perceptive and insightful commentary bringing together the cases and materials extracted in it. [T]he questions posed at the end of each chapter ... are designed in such a way as to challenge the reader to think about the contents of the substantive part of the book and serve to highlight the complexity of anti-discrimination law that protects many classes, some of whose interests may not merge.

– Human Rights Law Review

Australian Anti-Discrimination Law is the answer to the prayers of the discrimination law practitioner for a complete case and materials textbook on the subject. The book contains extracts from cases (state, federal and international), statutes and statutory instruments, and academic materials where they assist our understanding.

The authors are eminently qualified by their practical and academic experience. The book deals thoroughly with the subject from procedure and remedies through philosophical and political underpinnings to thorny issues of constitutional, international and comparative law. It covers both state and federal discrimination law.

– Law Institute Journal (Vic)

2008 ISBN 9781862876613 PB 720 pp rrp $99.00
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THINK LIKE CHINESE

Zhang Haihua & Geoff Baker

This engaging and accessible book includes chapters on understanding Chinese work cultures, management practices, gaining the best out of Chinese staff, and dispute resolution.

[T]his book offers a wealth of experience and understanding of topics from building relationships to dealing with conflicts, handling localisation and attitudes to work ethics and the boss. It should be read and absorbed by anyone with an interest in doing business or managing staff in the world’s biggest market.

– Asia Pulse

2008 ISBN 9781862876880 PB 208 pp rrp $39.95
Direct Price $35.00

THE LABOUR MARKET ATE MY BABIES

Work, Children and a Sustainable Future

Barbara Pocock

Pocock ... explores the shrinking capacity of Australian families to sustain themselves as parents become increasingly time-poor and consumption-dependent; women’s growing role in the workforce; the explosion in the for-profit childcare sector; and falling job security. The ground covered by The Labour Market Ate My Babies is wide-ranging and interesting, but where it really shines is in its in-depth interviews with young people on how their parents’ work affects them and their future plans for work and family.

– Workers Online

[This book] deserves a wide audience. Its aim is to explore some of the consequences for families and children of our increasing reliance on markets. Its unique contribution is to report these impacts from the perspective of a cohort of young people, principally teenagers, rather than focus on adult perceptions and problems.

... [It] provides compelling evidence that the conditions in which adults are employed shape not only their own experiences, but the attitudes of their children. We are only beginning to appreciate these intergenerational effects. Barbara Pocock has succeeded in showing why we should take these issues seriously.

– Industrial Relations Society of South Australia Newsletter

2006 ISBN 9781862876040 PB 264 pp rrp $44.95
Direct Price $40.00

BULLYING

From Backyard to Boardroom

2nd edition

Paul McCarthy, Jane Rylance, Robin Bennett & Helga Zimmerman (eds)

[An] important book which addresses a contemporary issue in many Australian workplaces. Containing implications for individuals, groups, organisations and governments...

– WorkSite

... a useful tool in the fight against workplace bullying

– Law Society Journal (NSW)

2001 ISBN 9781862873926 PB 176 pp rrp $38.50
Direct Price $35.00
**Work, Family and the Law**

*Jill Murray (ed)*

*Work, Family and the Law* weighs the performance of the industrial tribunals, the private bargaining between employers and workers and also the courts in their employment jurisdiction. Comparisons are made between Australia and other countries, particularly in Europe. Avenues of promise and areas of particular concern are indicated in the context of an era of rapid change in industrial relations.

Many of the issues concern the friendliness of the workplace towards women but chapters recognise that the juxtaposition of work and family has become much broader than a women and children’s issue. Many men are now involved in primary care while care of the elderly at home is a special issue (Vol 23, No 1) of the journal

**Work, Family and the Law in Context**

*Avenues of promise and areas of particular concern are indicated in the context of an era of rapid change in industrial relations.***

**The Work/Life Collision**

*Barbara Pocock*

Pocock analyses a vast range of material and brings together in a cogent and accessible style the private and public tensions besetting many Australians.

Labour History

[A] significant contribution to informed debate of work/life issues in Australia.

... The book builds a strong case of the vital role government has in developing social and community structures, and workplace practices and attitudes that are conducive to employees balancing their work and family lives.

The book is relevant to a wide audience including human resource managers, policy makers, social researchers and students. *The Work/Life Collision* would be an essential starting point for anyone researching the spheres of work, family and gender in Australia. This is a landmark book because it transcends the ‘old’ debates about work and family issues.

— *Journal of Industrial Relations*

**Annotated Safety, Rehabilitation and Compensation Act 1988**

*New edition*

*John Oman Ballard & Peter Sutherland with Allan Anforth*

This well-known reference book provides the full text of the Act and comprehensive annotations, organised on a section by section basis, covering all significant decisions of the High Court, the Federal Court and the Administrative Appeals Tribunal.

The book includes a list of all instruments gazetted under the Act or entered in the Register of Legislative Instruments, and consideration of military compensation arrangements under the Act, Defence Determination 2000/1 and the *Military Rehabilitation and Compensation Act 2004*.

Canberra barrister Allan Anforth contributes an expanded Practitioner’s Guide aimed at claimants under the Act and their advocates.

Review of the 8th edition

Over the years Ballard’s commentaries have been cited in decisions of Tribunals and of the Courts, and frequently used in support of a particular interpretation. This demonstrates just how scholarly and reliable the annotations are viewed. The fact that they are updated annually, keeps them as current as is reasonably possible.

Ballard is and remains a comprehensive but manageable small compendium of the SRC legislation, of the more important decisions and of the likely interpretations of contentious issues. Any practitioner who works in this area cannot adequately represent his or her client without having the most up to date edition of Ballard at hand, whether in or out of Court. It remains the first and often last source of reference. It speaks volumes for its importance, when almost without fail, there are at least 3 copies of it on the bar table and the bench during most hearings. It is worthwhile keeping both the more extensive electronic version for use in Chambers and the hard cop for ease of access in Court or the Tribunal.

— *Law Letter*

**Occupational Health and Safety Law in Victoria**

*3rd edition*

*Breen Creighton & Peter Rozen*

[This third edition ... makes a significant contribution to understanding the problem [of workplace injury, ill-health and death], how it is regulated, and the benefits and shortcomings of the current regulatory system in Victoria. ... The authors are experts in both the theory and practice of OHS law and must be commended for the thoroughness and cogency of their analysis.

Although they focus on Victorian law, the authors make useful comparisons with the law in other Australian jurisdictions and in Britain. This contributes to a fuller understanding of the area.

The book also deals effectively with the increasingly important and sometimes difficult question of Commonwealth-state relations in this area of labour law. The authors engage throughout in a robust analysis of the law and its administration, explaining clearly where, in their view, there are shortcomings and what might be done about them.

— *Law Institute Journal (Vic)*

**Mine Safety Law • Regulation • Policy**

*Neil Gunningham*

This book analyses the strengths and weaknesses of mine safety legislation in the ‘mining States’, and considers how best to design, implement and enforce safe mining practice.

This impressive work provides important insights into how law, regulation and policy interact and influence workplace practice that are relevant beyond the mining industry and which will assist national efforts to improve Australia’s OHS performance.

— Robin Stewart-Crompton, CEO, National Occupational Health & Safety Commission, 2001-06

Excellent coverage of a topical and critical area

— Graham Terrey, formerly Director of Mine Safety and Chief Inspector of Mines for NSW
**WORK AND STRIFE IN PARADISE**

*The History of Labour Relations in Queensland 1859-2009*

Bradley Bowden, Simon Blackwood, Cath Rafferty & Cameron Allan (eds)

Labour relations – often of a turbulent nature – have preoccupied Queensland’s governments and shaped the experiences of its working men and women.

This book provides an overview of Qld’s industrial relations system as a whole, looking at a diverse range of experiences – including those of employers, women workers, indigenous workers, unions, the Queensland Industrial Relations Commission, labour law, industrial disputation, the workings of the health and safety system, and working life in regional areas.

It argues that, overall, Queensland’s system of industrial regulation was central to its economic and social development and that, despite past emphasis on the large-scale strikes that periodically raked the state, consensus normally prevailed.

2009 ISBN 9781862877528 PB 368 pp rrp $39.95  
Direct Price $35.00  
ISBN 9781862877535 HB 368 pp rrp $59.95  
Direct Price $55.00

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**WORK ON TRIAL**

*Canadian Labour Law Struggles*  
Judy Fudge & Eric Tucker

Work on Trial is a collection of studies of eleven major cases and events that have helped to shape the legal landscape of work in Canada. While most of the cases are well-known because of the impact they have had on collective bargaining, individual employment law, or human rights, less is known about the social and political contexts in which the cases arose, the backgrounds and personal- 

alities of the judges and the litigants, the legal manoeuvres that were em- 
ployed, or the ultimate fate of all those who were involved. These studies, written by some of Canada’s leading labour and legal historians, provide this context. Each study tells a compel- ling story, rich in detail and full of perceptive insights into the complex relationship between law and work.

2010 Irwin Law, Canada  ISBN 9781552211670  
HB 426 pp rrp $85.00  
Direct Price $80.00

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**EMERGENCY LAW**

*Rights, Liabilities and Duties of Emergency Workers & Volunteers*  
3rd edition  
Michael Eburn

Emergency Law gives a clear and concise account of the law that applies in a civil emergency and to the Australian emergency services, as well as the rights and obligations of those who provide emergency care to the sick or injured, whether professionals, trained volunteers, neighbours or strangers who stop to help.

This third edition has been revised, expanded and updated with reference to new legislation and case law. There are also extended discussions on the role of coroners and Royal Commissioners, and the question of whether or not an emergency service organisation is vicariously liable for the actions of volunteers. The text gives a clear insight into legal issues involved in planning for and responding to emergencies.

obligatory reading for emergency workers be they paid or volunteer.

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**UNDERSTANDING ETHICS**

*3rd edition*  
Noel Preston

This immensely successful book covers the key ethical issues of our times: biodiversity, stem cell research, cloning and genetic patents, war, terrorism, torture and capital punishment, global warming, animal rights, population and poverty, same sex marriages, truth telling. It also covers key themes in education and the workplace such as ethics for teachers and schools, and the ethics of disciplinary processes.

2007 ISBN 9781862876620 PB 224 pp rrp $39.95  
Direct Price $35.00

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**AGAInst ALL ODDS**

*The History of the United Firefighters Union in Queensland, 1917-2008*

Bradley Bowden

Leading historian Bradley Bowden recounts the long battle, waged against many obstacles, by Qld firefighters for their own union. In an era of large, amalgamated unions it remains a small union, servicing the special needs of firefighters.

2008 ISBN 9781862876934 PB 176 pp rrp $29.95  
Direct Price $25.00  
ISBN 9781862876958 HB 176 pp rrp $49.95  
Direct Price $45.00

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**WORTH FIGHTING FOR**

*The Memoirs of Ray Gietzelt, General Secretary of the Federated Miscellaneous Workers Union of Australia: 1955-1984*

Ray Gietzelt

Overall, this book is a valuable and interesting account of the leadership of one of Australia’s foremost trade unions which also provides insights into the broader political and economic developments in the Australian labour movement.

2004 ISBN 9781862875340 PB 231 pp rrp $29.95  
Direct Price $25.00

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Fire Australia

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ADVOCACY
Preparation and Performance
Hugh M Selby
This book explains the ‘what’, the ‘why’ and the ‘how’ of basic advocacy skills and techniques. It will be useful not only for beginner advocates but also anyone involved in workplace-related prosecutions for unfair dismissal, discrimination, and safety breaches, for example.

 Expect an insightful introduction to the practice and principles of good advocacy from a well-published academic. The beginner advocate (like me) will find some very useful ways of understanding some of the rules of evidence and a solid grounding in how to properly prepare a case for trial.

 Selby provides tips about some of the nuances advocacy, such as effectively having a witness describe lighting and dealing with one’s own anxiety. …

 This fairly short book is littered with practical examples and is thus quite easy to digest. I can recommend it as a useful reference tool.

 Ethos (ACT Law Society)

2009 ISBN 9781862877443 PB 216 pp rrp $59.95 Direct Price $55.00

THE BOOK OF THE BOARD
Effective Governance for Non-profit Organisations
2nd edition
David Fishel

[A] refreshing text on the issue of governance in the not-for-profit sector. With a strong emphasis on the social context of the task and a lot of sensible advice regarding process to boards, CEOs, and even executive staff, not-for-profit organisations are effectively located in their true context.

 Arena Magazine

[A] must-have for members of non-profit boards who want to develop a better understanding of what being on a board is all about and how to improve their board’s performance … If you are serious about building your board’s capability, read and use this book.

 Law Institute Journal (Vic)

2008 ISBN 9781862876897 PB 300 pp rrp $59.95 Direct Price $55.00

PLAIN LANGUAGE FOR LAWYERS
4th edition
Michèle M Asprey
This comprehensive, practical, entertaining and enormously useful book has established itself over 18 years and three editions, in Australia and overseas. This fourth edition is an extensive revision, bringing up-to-date all case law, legislation, texts and online references. It covers why lawyers should write in plain language, plain language as an international standard, principles of legal interpretation, step-by-step elements of plain language writing, and typography and document design for facilitating on-screen reading and writing. There is also an extended plain language vocabulary.

Praise for previous edition
The book belongs in the library of anyone wishing to communicate more clearly in writing – not just lawyers!

Law Institute Journal (Victoria)

2010 ISBN 9781862877757 PB 352 pp rrp $59.95 Direct Price $55.00

CONCISE LEGAL RESEARCH
6th edition
Robert Watt & Francis Johns
The value of the book lies in establishing a feeling of confidence in the reader who might be involved with legal research for the first time. To those who are experienced in legal research this new edition will still serve as both a useful aide-memoire and stimulation for the conduct of their future research.

Legal Education Digest

[A] surprisingly comprehensive guide, truly compact, with an emphasis on time management, and the transition between traditional and online resources. This is the kind of refreshing relief from black letter tomes that made you have a sigh of relief at university, with its accessible style and logical structure.

Ethos (ACT Law Society)

2009 ISBN 978 1862877238 PB 336 pp rrp $59.95 Direct Price $55.00

THE IMMIGRATION KIT
8th edition
Suhad Kamand, Rowena Irish, Peter Bollard, Kerry Murphy & Mark Webster

The book has benefited from having multiple authors, [who] are all well-respected experts in the field … the book is an extremely valuable plain English guide to this quite complex areas of the law.

Australian Law Librarian

The Kit is an excellent guide of immigration law and its machinery. It covers the entire range of Australian immigration laws, with emphasis given to the most popular visa subclasses. The good thing is that the Kit is written in simple, easy to understand language. This will greatly help the lay person who is faced with an immigration enquiry.

Ethos (ACT Law Society)

2008 ISBN 9781862876811 PB 1128 pp rrp $125.00 Direct Price $115.00

PILLARS OF POWER
Australia’s Institutions
David Solomon
This is an engaging survey, based on extensive interviews, of where power is based in Australia today. An entire chapter is devoted to trade unions.

David Solomon’s account of contemporary Australia forensically explores recent developments in Australia’s key political, legal, economic and educational institutions. Pillars of Power will be a handy reference for journalists who did not take courses about Australian government, but who find themselves having to write, say, about trade unions, an aspect of Australia’s federal system, or the role of the Australian public service.

Australian Journalism Review

2007 ISBN 9781862876453 PB 256 pp rrp $39.95 Direct Price $35.00
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