

Australian Journal of Labour Law Style Guide

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Introductory Remarks

This style guide should be used as the primary reference guide for editors and authors of the Australian Journal of Labour Law. Where the AJLL Style Guide is silent, the LexisNexis style guide should be used (available [here](#)). In particular, part 18 of the LexisNexis Style Guide contains rules on plain English and respectful and inclusive language which should be adhered to. In the event that a query cannot be addressed by the AJLL Style Guide or the LexisNexis Style Guide, authors and editors may refer to the Australian Guide to Legal Citation 4.

General Rules

Pinpoints

Where a source has paragraph numbers, the first preference is that pinpoints be to paragraphs. Paragraphs should be indicated using square brackets (e.g. [12] or [12]–[13]) not ‘para’ or ‘paras’.

Page numbers should be indicated using numbers with no formatting (e.g. 12 or 12–13) and should not include ‘p’ or ‘pp’.

Pinpoints should not be preceded by ‘at’.

Quotations

Quotations should be formatted according to AGLC 4 rule 1.5. All quotations must have a pinpoint reference. The first preference is that the pinpoint be a paragraph number. If paragraph numbers are not used in the source, then a page number may be used.

Autobiographical Notes

General Rule

Authors are requested to supply details of their full name and current position, including relevant faculty and any centre affiliations, as part of the attribution. Academic qualifications should not be included. For example:

John Smith*

Joanna Dobson#

* Research Fellow, Centre for Employment and Labour Relations Law, Melbourne Law School, University of Melbourne.

Associate Professor (Human Resource Management), Faculty of Business and Economics, University of Melbourne.

Headings

General Rule

Titles should be centred, size 16, arial font. The name(s) of the author(s) should be centred, italicised, size 14, arial font.

Heading levels (not including the title and author(s)) should be formatted as follows:

- First level: centred, bold, all words in the heading except for articles, conjunctions and prepositions should be capitalised, size 14, arial font
- Second level: centred, not bold, no capitalisation other than first word in heading, size 14, arial font
- Third level: left aligned, bold, no capitalisation other than first word in heading, size 12, arial font
- Figures/tables: centred, italicised, no capitalisation other than first word in heading, size 12, arial font

Abbreviations, Symbols, Dashes and Short Titles

Abbreviations

Chapter	chap
Article(s)	art(s)
Example	eg
That is	ie
Part	Pt
Regulation(s)	reg(s)
Rule	r
Rules	rr
Section	s
Sections	ss
Clause	cl
Division	Div
Subdivision	Subdiv
Number	No
Volume	Vol

Abbreviations should not be used in the text of the article:

‘For example’ should be used in place of ‘eg’.

‘That is’ should be used in place of ‘ie’.

Symbols

An ampersand (&) should not be used unless it appears in a title of a source or name. For example, ACCI should be cited as Australian Chamber of Commerce and Industry not Australian Chamber of Commerce & Industry.

The percentage symbol (%) should be used rather than the words ‘per cent’. For example, it should be 50% not 50 per cent.

En-dashes, Em-dashes and Hyphens

En-dashes (–), Em-dashes (—) and hyphens (-) should be used in accordance with AGLC3 rule 1.6.3. Note, in particular:

- Em-dashes are used in text to indicate an interruption or to delineate a parenthetical clause;
- En-dashes are used for page spans, ie 17–22;
- Hyphens are used for compound words, ie evidence-based.

The relevant keyboard shortcuts are as follows:

En-dash:

- PC: Ctrl+[hyphen key on num keypad]
- Mac: option+[hyphen]

Em-dash:

- PC: Ctrl+Alt+[hyphen key on num keypad]
- Mac: shift+option+[hyphen]

Short Titles

An abbreviated or ‘short title’ to sources, such as legislation, may be used where appropriate. The short title should be included in brackets after the first time the source is referred to in the body of the text. The short title should also be included in brackets after the first time the source is referred to in the footnotes.

Inverted commas and prepositions (such as ‘the’) should *not* be used in short titles. For example:

... the system of occupational health and safety (OHS) legislation

Introductory Signals for Citations

Rule 1.2 of the *AGLC* should be followed with respect to introductory signals. For example:

- See, eg,
- See
- See also
- See especially
- See generally
- Cf
- But see
- *Contra*

Capitalisation

General Rule

Titles are to be capitalised in accordance with rule 1.7 of the AGLC4 — ie all words except articles, conjunctions and prepositions. The *Macquarie Dictionary* (available online through the University catalogue) can be useful for checking this.

In body text, capital letters should be kept to a minimum and used primarily when referring to proper nouns: eg, Supreme Court of NSW or the Australian Human Rights Commission, and thereafter: eg, court, commission.

Commonwealth always has a capital ‘C’, whereas the words – ‘federal’, ‘state’ and ‘territory’ – usually have a lower case ‘f’, ‘s’ and ‘t’ respectively.

The words ‘Fair Work’ and ‘Work Choices’ should always be capitalised if used in reference to the relevant statute, the system or the model. For example: the Fair Work system, the Work Choices model.

Spans of numbers

General Rule

For spans of numbers use as few figures as possible, but do not abbreviate numbers between 10 and 19. For example:

- 28–9, 230–1, 340–51; but
- 10–11, 214–15.

Subsequent references

General Rule

‘Ibid’ should be used to refer to a source in the immediately preceding footnote. However, ‘ibid’ should not be used where there are multiple sources in the preceding footnote.

The following format should be used where sources have been cited in a previous footnote, except where the source cited is legislation (an abbreviated title should be used) or where the source appears in the immediately preceding footnote ('ibid' should be used):

Author surname (n #)page

Eg, Brodie (n 19) 47

Subsequent references to cases can use the abbreviated case name.

1. Legislation and Bills

Titles of legislation should not be italicised. The Abbreviations included here should be used in preference to other abbreviations. The Constitution should be cited as Australian Constitution.

Title of Legislation Year (Jurisdiction) (Short Title) pinpoint.

Conciliation and Arbitration Act 1904 (Cth)

Workplace Relations Act 1996 (Cth) (WR Act) s 34(3)(a)

Workplace Relations Amendment (Work Choices) Act 2005 (Cth) (Work Choices Act)

Wrongs Act 1958 (Vic) Pt 2-1

Fair Work Act 2009 (Cth) (FW Act) Pt 3-4 Div 2

Fair Work Regulations 2009 (Cth) (FW Regulations) regs 3.42, 7.26

Fair Work Australia Rules 2010 (Cth) (FWA Rules) r 7.2

Fair Work Bill 2008 (Cth) (FW Bill) cl 5(1)

Subsequent references: FW Act s 549; WR Act ss 8, 10; Work Choices Act ss 12–18.

Note that subsequent references to legislation never use (n #).

2. Cases

The authorised report should be used where available. Unauthorised reports (rule 2.2) are the second preference and medium neutral citation (rule 2.3) is the third preference. On some occasions, a case will be unreported – refer to rule 2.4.

Subsequent references — for all case citations, subsequent references should be as follows:

E.g. *Koehler* (n 1) 59 (Kirby J); *Starkey* (n 3) [72]

For more examples: (see law library list or the appendix of AGLC4)

2.1 Cases published in an authorised report series

The authorised version of the report should be used where available. BC numbers should not be used.

Authorised reports: CLR, FCR, ALD, IR, VR, NSWLR

Case Name (Year) Volume Report Series Abbreviation Start Page, pinpoint (Judge/s)

Re Australian Education Union; Ex parte Victoria (1995) 184 CLR 188

Koehler v Cerebos (Australia) Ltd (2005) 222 CLR 44 (*Koehler*) 55 (Dawson and Toohey JJ)

2.2 Cases published in unauthorised report series

Unauthorised reports: ALR, FLR, ALJR, ACSR, ATPR

Case Name (Year) Volume Report Series Abbreviation Start Page, pinpoint (Judge/s)

ZG Operations Australia Pty Ltd v Jamsek (2022) 398 ALR 603

Construction, Forestry, Maritime, Mining and Energy Union (CFMMEU) v Personnel Contracting Pty Ltd (2022) 398 ALR 404; (2022) 96 ALJR 89.

2.3 Cases with a medium neutral citation

For cases with a medium neutral citation, the year should be indicated in square brackets. The pinpoint will ordinarily be to a paragraph number.

Decisions of the Fair Work Commission should be cited using this rule, with the jurisdiction abbreviation FWA, FWCA, or FWCFB for decisions of a full bench of the Commission, depending on how it is listed on the FWC database, available [here](#). Decisions of the AIRC should be cited either as unreported, or where they are published in the CAR, as cases with an unauthorised report series.

Case Name [Year] Jurisdiction Case Number (Full date) pinpoint.

Starkey v Cootes Transport Group Pty Ltd [2011] FWA 228 (12 January 2011) (*Starkey*) [68]

HMDB Constructions PL v Bayside CC [2010] VCAT 22 (3 June 2010)

2.4 Unreported cases

Case Name (Unreported, Jurisdiction, Judge, Full Date) pinpoint.

Victorian WorkCover Authority v Chem-Mak Pty Ltd (Unreported, County Court of Victoria, O’Shea J, 10 September 1999)

3. Awards and Enterprise Agreements

Modern Awards came into effect on 1 January 2010 following the passage of the Fair Work Act. Pre-modern awards pre-date the Fair Work Act. Some states, including NSW and Queensland have their own IR system and series of Awards.

3.1 Modern Awards

Award citations should include the date of the relevant version in parentheses where relevant. The number and version date of an award is available on the Fair Work Ombudsman website, available [here](#).

Name of Award [Award Number] (at Full Date of Version)

Hospitality Industry (General) Award 2010 [MA000009] (at 21 June 2012)

Subsequent reference: Hospitality Industry (General) Award (n 5) cl 12

3.2 State-based and Pre-Modern Awards

State-based and Pre-Modern Awards should be cited as an unreported case (see rule 2.4).

The Office of the Renewable Energy Regulator Certified Agreement 2001 – 2002 (Unreported, AIRC, Deegan C, PR906020, 12 July 2001) cl 161

Crown Employees (Public Sector – Salaries 2021) Award (Unreported, Industrial Relations Commission of New South Wales, Webster C, Case No 2021/111220, 9 July 2021) cl 3.

3.3 Enterprise Agreements

The title of an enterprise agreement should be cited as it appears on the Fair Work Commission database, available [here](#). A citation to the approval decision should be used. Variations to agreements and termination decisions should be similarly cited. Supported bargaining authorisations, single interest employer authorisations and similar decisions should be cited using the medium neutral citation rule (rule 2.3).

Title of Agreement [Date] FWAA Number (Full Date) (Short Title) pinpoint

International Workforce Pty Ltd re International Workforce Pty Ltd Enterprise Agreement 2009 [2010] FWAA 4003 (26 May 2010) (International Workforce) cl 9.7

Subsequent reference: International Workforce (n 7) cl 12.57

4. Books and Book Chapters

Always include the full title of a book including any subtitles.

The first initial of an author should be used, rather than their full first name. Where there are 4 or more authors, et al should be used.

For books published by Federation Press, the place of publication should always be Sydney. Edition numbers should be indicated using 'ed'.

Subsequent reference: eg, Owens (n 3) 46; Chapman (n 4)

4.1 Books

Author/s, *Book Title*, 1st ed, Publisher, Place of Publication, Year, pinpoint

B Creighton and A Stewart, *Labour Law*, 5th ed Federation Press, Sydney, 2010, 67

A Stewart, *Stewart's Guide to Employment Law*, 4th ed, Federation Press, Sydney, 2013, 108

R Johnstone et al, *Beyond Employment: The Legal Regulation of Work Relationships*, Federation Press, Sydney, 2012, 73

4.2 Book Chapters and Edited Books

Chapter Author/s, 'Chapter Title', in Editor/s (Ed/s), *Book Title*, 1st ed, Publisher, Place of Publication, Year, Start Page, pinpoint

R Owens, 'The Peripheral Worker: Women and the Legal Regulation of Outwork', in M Thornton (Ed), *Public and Private: Feminist Legal Debates*, Oxford University Press, Melbourne, 1995, 40, 52

A Chapman, 'Regulating Family through Employee Entitlements', in C Arup et al (Eds), *Labour Law and Labour Market Regulation: Essays on the Construction, Constitution and Regulation of Labour Markets and Work Relationships*, Federation Press, Sydney, 2006, 454, 462–4

R S Tracey, 'Individual Rights in Industry', in D W Rawson and C Fisher (Eds), *Changing Industrial Law*, Croom Helm, Sydney, 1984, 10

5. Journal Articles

Always use the full title of the article, including any subtitles.

The first initial of an author should be used, rather than their full first name. Where there are 4 or more authors, et al should be used.

Do not include the issue number unless issues within the volume are consecutively paginated.

Use the full title of the journal.

Author/s, 'Title of Article' (Year) Volume *Journal Title* Start Page, Pinpoint

M Christie, 'Legal Duties and Liabilities of Federal Union Officials' (1986) 15 *Melbourne University Law Review* 591, 594

E Bluff and R Johnstone, 'The Relationship between "Reasonably Practicable" and Risk Management' (2005) 18 *Australian Journal of Labour Law* 197, 201–21

Subsequent reference: Christie (n 5) 610; Bluff and Johnstone (n 6) 212

6. Conference Papers, University Working Papers, Public Lectures and Speeches

6.1 Conference Papers, Public Lectures and Speeches

Author/s, 'Title of Paper/Lecture/Speech' format presented/delivered at
Conference/Seminar Series Name, Place, Full Date, pinpoint.

G Giudice, 'Industrial Relations Society of the ACT Inc Conference', speech delivered at the *ACT Industrial Relations Society Conference*, Canberra, 31 March 2004, 3

A Bandt, 'Deconstructing the International Labour Organisation', paper presented at the *Legal Edge Seminar Series*, Centre for Commercial Law, Australian National University, 5 August 2003, 21

6.2 University Working Papers

Author/s, *Title of Working Paper*, Working Paper No 123, Department/Research
Centre, University, Year, pinpoint.

A Forsyth, *Re-Regulatory Tendencies in Australian and New Zealand Labour Law*, Working Paper No 21, Centre for Employment and Labour Relations Law, University of Melbourne, 2001, 14

L Bluff, *The Use of Infringement Notices in OHS Law Enforcement*, Working Paper No 23, National Research Centre for OHS Regulation, Australian National University, 2004

7. Parliamentary Material

7.1 Hansard

The first initial of the speaker's first name should be used, rather than their full first name. Their position e.g. Minister for Employment and Workplace Relations, may be included if relevant. The Parliaments of Queensland, the ACT and the NT are unicameral, so the chamber should be omitted.

Jurisdiction, *Parliamentary Debates*, Chamber, Full Date, pinpoint (Name of Speaker)

Commonwealth, *Parliamentary Debates*, House of Representatives, 3 September 2004, 11234 (J Howard)

Commonwealth, *Parliamentary Debates*, Legislative Assembly, 18 November 2004, 1760 (K Rudd)

Victoria, *Parliamentary Debates*, Legislative Assembly, 16 October 2003, 20–1 (R Hulls)

Victoria, *Parliamentary Debates*, Legislative Council, 2 September 2009, 5–18 (R Hulls)

7.2 Explanatory Memoranda to Bills

The Explanatory Memorandum to the Fair Work Bill 2008 (Cth) has two separate sets of paragraph numbers, r1 – r360 (regulatory analysis and 1 – 2721 (notes on clauses). The letter ‘r’ should precede the paragraph number only for a reference to a paragraph number in the regulatory analysis section.

Explanatory Memorandum, Bill Citation, Parliament, Year, pinpoint

Explanatory Memorandum, Fair Work Bill 2008 (Cth), Parliament of Australia, 2008, [r228]

Explanatory Memorandum, Wage Theft Bill 2020 (Vic), Parliament of Victoria, 2020, 8

7.3 Reports of Parliamentary Committees

Name of Committee, *Title of Report*, Parliament, Place of sitting, Year, pinpoint

House of Representatives Standing Committee on Employment and Workplace Relations, *Making it Fair: Pay Equity and Associated Issues Related to Increasing Female Participation in the Workplace*, Parliament of Australia, Canberra, 2009, 25

Senate Education, Employment and Workplace Relations Legislation Committee, *Equal Opportunity for Women in the Workplace Amendment Bill 2012*, Parliament of Australia, Canberra, May 2012 (Senate Report)

Legislative Assembly Legal and Social Issues Committee, *Final Report of the Inquiry into Anti-Vilification Protections*, Parliament of Victoria, Melbourne, 2021

8. News and Media Releases

8.1 Newspaper articles – online and print

Author/s, 'Title of Article', *Title of Newspaper*, Full Date

E Connolly, 'Strapped for Cash', *Sydney Morning Herald*, 15 February 2001

'Sackings on the Agenda Again', *Workplace Express*, 15 February 2008

If a newspaper article is sourced online, formatting should be as follows:

D Crowe, 'Business Prepares to take IR Fight to Voters', *Sydney Morning Herald* (online, 31 August 2023) <<https://www.smh.com.au/politics/federal/business-prepares-to-take-ir-fight-to-voters-20230831-p5e0u6.html>> (accessed 20 November 2023)

8.2 Blog posts

Author/s, 'Title of Post', *Title of Blog*, Full Date, <URL> (accessed Full Date of Access)

A Blackham, 'Sham Self-Employment in the High Court: Fair Work Ombudsman v Quest South Perth Holdings Pty Ltd', *Opinions on High*, 7 March 2016, <<https://blogs.unimelb.edu.au/opinionsonhigh/2016/03/07/blackham-quest/>> (accessed 14 November 2023)

8.3 Media releases

Author/s, *Title of Media Release*, Media Release, Full Date

B Shorten, K Rudd and M Ferguson, 'Pacific and East Timor Workers Helping Australian Farmers and the Tourism Industry' (Media Release, 18 December 2011)

9. International Materials

9.1 ILO Conventions

Convention title, Year of Adoption, No 123 (Short Title)

Convention concerning Termination of Employment at the Initiative of the Employer, 1982, No 158 (*Convention No 158*)

Subsequent reference: *Convention No 158*, art 5(2)

9.2 UN Conventions and other conventions

Most conventions of the UN are catalogued using the United Nations Treaty System. Where the treaty is

available on UNTS, the UNTS volume number should be indicated. The Year is the year of entry into force, **not** the year of adoption or the year that an instrument was opened for signature.

Convention title Year of EIF (UNTS vol no) (Short Title)

International Covenant of Economic, Social and Cultural Rights 1976 (UNTS 3) (ICESCR)

Where a convention does not have an UNTS number, the following rule applies. This will likely be the case for regional conventions from bodies such as the OAU or the EU.

Convention Title Year

Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea 1949

9.3 Other international materials

Other international materials should be cited using the appropriate rule for the source type e.g. case, report. The LexisNexis style guide contains guidance on citing international case law.

Documents of the UN including General Comments by UN Treaty Bodies are catalogued using a UN Document Number. The UN Doc Number should be included in the citation where used:

Author, Document Title, UN Doc No, Full Date

CESCR, *General Comment No 23 (2016) on the Right to Just and Favourable Conditions of Work*, UN Doc E/C.12/GC/23, 27 April 2016

10. Other source types

10.1 Reports and Policy Statements

Report citations will differ slightly depending on the body that published the report. For example, reports of the Productivity Commission will generally include a report type and number. The author and the publisher may be the same organisation — where this is the case both should be included. The citation should include all information that is available and reasonably necessary to locate the source. The general rule is to be used as a guide only, and irrelevant information omitted where appropriate.

Author/s, Report Title, (Year) Report Type No 123, Publisher, Place, pinpoint

AIRC, *Annual Report of the President of the Australian Industrial Relations Commission 1 July 2002 to 30 June 2003*, AIRC, Melbourne, 5

Productivity Commission, *National Workers' Compensation and Occupational Health and Safety Frameworks* (2004) Inquiry Report No 27, Productivity Commission, Canberra, 99– 100

M Waite and L Will, *Self-Employed Contractors in Australia: Incidence and Characteristics: Staff Research Paper* (2001) Productivity Commission, Canberra, 27, 30

Royal Commission into the Building and Construction Industry, *Working Arrangements — Their Effects on Workers' Entitlements and Public Revenue* (2002) Discussion Paper 11, Royal Commission into the Building and Construction Industry, Canberra

COAG Reform Council, *Seamless National Economy: Report on Performance 2011* (2011) Australian Government, Canberra, xi, chap 4

HIH Royal Commission, *The Failure of HIH Insurance* (2003) Vol 1, AGPS, Canberra

Attorney-General's Department, *Australia's Human Rights Framework* (2010) Australian Government, Canberra, 9

K Rudd and J Gillard, *Forward with Fairness: Policy Implementation Plan* (2007) Australian Labor Party, Canberra, 24

10.2 ABS Data

Australian Bureau of Statistics, *Data Set Name*, Cat No, ABS, Canberra, Date, pinpoint

Australian Bureau of Statistics, *Labour Market Summary, October 2011*, Cat No 6105.0, ABS, Canberra, October 2011

Australian Bureau of Statistics, *Personal Safety Survey*, Cat No 4906.0, ABS, Canberra, 2006, 11

10.3 Submissions

A submission may have individual authors or an organisational author. Where the submission is made on behalf of an organisation, both should be indicated, even where they are identical.

Where a submission is made by an individual in their personal capacity (including anonymous submissions), the organisation should be omitted. Submissions by academics and experts should indicate the university or organisation with which they are affiliated.

Submissions may not have an official title. If this is the case, the submission title should indicate the inquiry or consultation round to which the submission was made.

Author/s, *Submission Title*, Organisation, Place, Year, pinpoint

Victorian Government, *Final Submission – Productivity Commission Inquiry*, Victorian Government, Melbourne, 2003, 8

J Mills and L Zhang, *Submission to the Department of Immigration and Citizenship Strategic Review of the Student Visa Program*, United Voice, Melbourne, 2011, 5

10.4 Web Pages

Where information is taken directly from a web page, the URL and date accessed should be included. The URL provided should be as specific as possible to the material being cited without being inappropriate for the length of formatting of a footnote.

Name of Website, *Web Page Title*, at <URL> (accessed Full Date)

Department of Immigration and Citizenship, *Visas, Immigration and Refugees: Students — Conditions for Working while Studying*, at

<http://www.immi.gov.au.ezp.lib.unimelb.edu.au/students/students/working_while_studying/conditions.htm> (accessed 14 September 2012)