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FOREWORD

The Centre enjoyed another busy and productive year in 2014. A full program of research, teaching, publication and community engagement was delivered across the course of the year.

PERSONNEL

There were a number of important changes to personnel in 2014. We were very pleased to welcome back Tess Hardy as an academic member of the Centre. Tess had been a PhD student and Research Fellow in the Centre from 2010 to 2013. In June 2014 she joined Melbourne Law School as a lecturer. Tess’ PhD thesis, entitled *New Initiatives in Enforcing Employment Standards*, was passed in 2014. Tess will bring considerable talent both to the Centre and more broadly the Melbourne Law School. She brings a strong intellect to both her research and teaching, and a collegial, enthusiastic and engaged approach to her work life.

As many would be aware, in 2014 Sean Cooney took leave from Melbourne Law School in order to take up a position as a Labour Law Specialist in the Labour Law and Reform Unit at the International Labour Organisation. This position, based in Geneva, enables Sean to pursue his interests in comparative and international labour law in the context of the ILO system. Although Sean is on leave until 2017, he is returning to teach International Employment Law in the 2016 Melbourne Law Masters program.

*Last but not least*, in the latter part of 2014 both John Howe and Beth Gaze were promoted to full Professors, with effect from early 2015. These promotions are an important recognition of their efforts in the field, and their standing amongst their colleagues, both in Australia and internationally.

RESEARCH

Strong progress was made on all existing major research projects during 2014. Details can be found in the pages of this report. In particular, 2014 saw the commencement of work on the Australian Research Council grant held by Helen Anderson (with colleagues in corporate law) examining the regulation of fraudulent uses of the corporate form (phoenix activity). Joo-Cheong Tham with colleagues at RMIT University and Kent University progressed their project entitled ‘Precariousness in Law and Labour Markets: The Case of Temporary Migrant Workers’. The ARC funded project of Beth Gaze and Anna Chapman examining the intersections between the General Protections in the Fair Work Act 2009 (Cth) and anti-discrimination law also continued during 2014, with focus on the empirical dimensions of the project. In addition, Sean Cooney, Joo-Cheong Tham, John Howe with a team of other academics continued their project conducting a pilot study of low protection workers in Australia and in Indonesia.

In 2014 Anna Chapman was awarded a modest grant to undertake preliminary investigative work on a new project (with John Howe as well as Susan Ainsworth in the Faculty of Business and Economics) examining organisational policies and employment law.

The Centre provided a strong presence at the Biennial Conference of the Australian Labour Law Association, which was held in Manly in November 2014. Papers were delivered by most academic members of the Centre, as well as Research Fellows and PhD students. Details of these conference papers are contained in the list of publications towards the end of this annual report.
TEACHING AND LEARNING

The Centre continued to co-ordinate a strong teaching program in employment and labour relations law in 2014, both in the Juris Doctor degree, and in the Melbourne Law Masters program. In both programs our subjects attract both good enrolment numbers, and the student feedback on the subjects is very pleasing.

In the Juris Doctor program students have a choice of a number of subjects relevant to the field, including ‘Employment Law’ (which provides a thematic overview of the field), ‘Equality and Discrimination Law’ (which focuses on anti-discrimination law in Australia), in addition to the ability to undertake an internship with a range of organisations such as the Fair Work Commission and JobWatch (as part of the subject ‘Legal Internship’). In addition, students are able to undertake a supervised research paper in the field as part of their final year compulsory subject ‘Legal Research’.

The employment and labour relations law specialisation in the Melbourne Law Masters program offers eight integrated subjects (as detailed in the pages of this annual report). These subjects can be taken by students towards the Graduate Diploma in Employment and Labour Relations Law or the Master of Employment and Labour Relations Law. We also welcome students undertaking a minor or major thesis as part of their LLM. Of course, the Centre also welcomes PhD students.

PROFESSIONAL AND COMMUNITY ENGAGEMENT

The Centre delivered another strong program of seminars and other forms of engagement in 2014. Eleven seminars were held as part of the Labour Law Seminar Series. The topics of these seminars were varied, and included the work of the International Labour Organisation, the protection of employee entitlements, collective bargaining in China, the employer as fiduciary, and collective bargaining across four jurisdictions. These free seminars are open to the general public, and in 2014 were well attended by a range of participants in the field, including legal practitioners, law students, academics, and those engaged in the day to day business of industrial relations and/or human resource management.

Four seminars were held as part of the Sponsors’ Seminar Series. These seminars are invitation-only events, conducted solely for the members of the Centre’s sponsoring firms and organisations. These seminars generally attract a smaller group of participants and enable the discussion and consideration of more complex matters suitable for the specialised interests of the attendees.

In 2014 the Centre was pleased to co-host the two Melbourne lectures held as part of the Fair Work Commission’s Workplace Relations Education Series. The first lecture examined the underlying values informing the drafting of labour law legislation (Dr Richard Naughton) and the second was on the topic of pay equity (Professor Andrew Stewart and Dr Meg Smith).

In addition to these seminars, the Centre hosted a number of other events in 2014. These included the launch of Helen Anderson’s new book ‘The Protection of Employee Entitlements in Insolvency: An Australian Perspective’ (published by MUP), as well as a research report authored by John Howe, Tess Hardy and Sean Cooney entitled ‘The Transformation of Enforcement of Minimum Employment Standards in Australia: A Review of the FWO’s Activities from 2006–2012’. In 2014 the Centre also hosted a workshop on the rights of migrant workers. This workshop was an initiative of the Centre, Victoria Legal Aid, JobWatch, and the Federation of Community Legal Centres.
20TH ANNIVERSARY

The year 2014 marks the 20th Anniversary of the establishment of the Centre in the Melbourne Law School. To celebrate this achievement, planning is underway for the Centre to host a workshop on ‘The Evolving Project of Labour Law’ at Melbourne Law School in February 2016. This one and a half day workshop will explore how labour law scholarship in Australia has evolved and where it is going, including with respect to its focus and concerns, boundaries, methodologies and approaches.

ACKNOWLEDGEMENTS

The publication of the annual report provides an opportunity to make special acknowledgement of the important contributions made to the Centre and its work by the legal practices and organisations that are Centre Sponsors. Thanks is also extended to the Centre academic associates, teaching associates, and members of the Advisory Board. We are pleased to note that 14 firms and one government agency renewed their sponsorship of the Centre in 2015. In addition to the Sponsors’ financial contributions, members of these practices frequently participate in the Centre’s research and teaching programs, as well as attending (and in some cases presenting at) the Sponsors’ Seminar Series. The many aspects of our relationships with our Sponsors are, we believe, mutually enriching. We would like to thank Rigby Cooke for its support over the last few years. Regrettably Rigby Cooke decided not to renew its sponsorship in 2015.

The ongoing support and contributions of our sponsors, as well as our academic, teaching and research associates, and the members of the Advisory Board, are all essential to the Centre’s continuing success and vitality. We also wish to thank the JD students who are involved in the Centre as Student Editorial Assistants for the Australian Journal of Labour Law, or as research assistants for the various research projects in which Centre members are involved. Also important is the financial and administrative support provided by the Melbourne Law School. Once again, we thank all those who continue to offer their support: without it the Centre could not do much of the work that it does.

John Howe  
Anna Chapman
OBJECTIVES OF THE CENTRE FOR EMPLOYMENT AND LABOUR RELATIONS LAW

The Centre was established in the Melbourne Law School in 1994. It is Australia’s first research centre devoted exclusively to developing an understanding of the role and function of labour law. Its objectives are:

• to undertake and encourage independent research on all aspects of labour and employment regulation in Australia and internationally;

• to undertake and encourage critical research on the development of labour and employment law as a discipline, including the exploration of future developments;

• to undertake and promote the teaching of labour and employment law, including by developing and promoting innovative teaching methods and teaching materials, and by fostering graduate research;

• to disseminate the results of research in labour and employment law through publication in the form of working papers, journal articles and books, and in the form of seminar programs and conferences, participation in public debate, information exchange, and consultancies; and

• to establish and foster links with similar bodies, internationally and nationally, and to facilitate engagement between scholars, students, policymakers, the legal profession, industrial relations practitioners and other individuals and organisations working in labour and employment law.
THE CENTRE: PEOPLE AND RELATIONSHIPS

CENTRE FACULTY MEMBERS

Associate Professor John Howe BA, LLB (Monash), LLM (Temple) (Summa Cum Laude), PhD (Melb)  
Director  
Room 0901 ph: (03) 8344 1094, j.howe@unimelb.edu.au

Professor John Howe is Deputy Dean of Melbourne Law School, and a Director of the Centre for Employment and Labour Relations Law. His research interests include regulatory theory, corporate accountability and labour law, and he teaches in the areas of corporations law, corporate social responsibility and labour law. John is also a member of the Centre for Corporate Law and Securities Regulation. John has written extensively on the nature of various mechanisms of labour regulation, and the intersection between state-based regulation and corporate governance. He is co-editor of the book Labour Law and Labour Market Regulation published by Federation Press in 2006, and his book Regulating for Job Creation was published by Federation Press in late 2008. He is presently engaged in research concerning regulatory enforcement of minimum employment standards.

Prior to commencing an academic career, John worked in private legal practice, and also as a researcher for public policy and advocacy organisations in Washington DC. John was Secretary of the Australian Labour Law Association between 2005 and 2009. He presently serves on the Organising Committee of the Regulating for Decent Work Network, the Steering Committee of the Labour Law Research Network and from January 2015 is an Editor of the Australian Journal of Labour Law.

Associate Professor Anna Chapman BCom, LLB (Hons), LLM (Melb), PhD (Adelaide)  
Director  
Room 0702 ph: (03) 8344 5625, a.chapman@unimelb.edu.au

Associate Professor Anna Chapman is a Director of the Centre for Employment and Labour Relations Law, and a Course Director of the MLM Employment and Labour Relations Law program. Anna was an Editor of the Australian Journal of Labour Law from 2009 to January 2015. Anna holds Bachelor degrees in both Commerce and Law (with Hons) from the University of Melbourne, an LLM from the University of Melbourne and a PhD from the University of Adelaide (with a Dean's Commendation for Doctoral Thesis Excellence). Her research focuses on employment law and gender, sexuality, and race. This work has engaged particularly with minimum standards, including leave entitlements and working hours, in addition to general protections (adverse action), unfair dismissal and discrimination law.

Associate Professor Helen Anderson LLB (Hons) (Melb), Grad Dip Bus (Acc), LLM, PhD (Monash)  
Room 0753 ph: (03) 9035 5467, h.anderson@unimelb.edu.au

Associate Professor Helen Anderson joined the Centre for Employment and Labour Relations Law and Melbourne Law School in January 2010 after working for 21 years at Monash University. She practised briefly and worked for the Legal Aid Commission before becoming an academic in 1989. The fair treatment of vulnerable corporate stakeholders has been her abiding research interest: her masters major thesis dealt with shareholders who rely on published audit opinions and her doctoral thesis was concerned with creditors in corporate insolvency. She continues this interest with her work on improving the recovery rights of employees in corporate insolvency. In 2014, she and a team of other academics were successful in obtaining an ARC Discovery Grant to examine fraudulent phoenix activity.

Professor Sean Cooney BA, LLB (Hons), LLM (Melb), LLM, JSD (Columbia)

Professor Cooney is currently on leave from the University of Melbourne until 2017, having taken up a position as a Labour Law Specialist at the International Labour Organisation in Geneva. Professor Sean Cooney's research interests are in international and comparative labour law, with a particular focus on East Asia. Sean is a graduate of the University of Melbourne and, after several years in legal practice, obtained his doctoral degree at Columbia University. He has published in a range of international journals in English and in Chinese, and has examined issues of comparative labour law, and labour law enforcement, with a particular emphasis on East Asia. His recent research includes an ARC-funded study of the Fair Work Ombudsman, together with John Howe and Tess Hardy as well as a second ARC-funded study on the development of labour and corporate law in the Asia Pacific (with Richard Mitchell, Petra Mahy, Peter Gahan and Ian Ramsay). His most recent major publication is Law and Fair Work in China, (Routledge 2013) together with Sarah Biddulph and Zhu Ying.
Associate Professor Beth Gaze  BSc, LLB (Hons) (Monash), LLM (Cal) (Berkeley) PhD
Room 0830 ph: (03) 8344 6173, egaze@unimelb.edu.au

Professor Beth Gaze taught law at Monash Law School before joining Melbourne Law School in 2005. Her research interests lie in anti-discrimination and equality law, feminist legal thought, and administrative law including tribunals, and she has a particular interest in socio-legal research including empirical research. She has published extensively in these areas, and has been the recipient of several ARC Grants. Beth has acted as an expert adviser to parliament, and is a member of the Editorial Board of the International Journal of Discrimination and the Law. With Anna Chapman, she is presently engaged in a major project on the intersection between provisions of the Fair Work Act 2009 (Cth) and anti-discrimination law. Beth is also a member of the Centre for Comparative Constitutional Studies.

Dr Tess Hardy  BA, LLB (Hons), LLM (Melb), PhD (Melb)
Room 0703, ph: (03) 8344 2590, tess.hardy@unimelb.edu.au

Dr Tess Hardy graduated from the University of Melbourne with an honours degree in law and in arts in 2004. She also holds a Masters of Law degree from Melbourne Law School. As part of her Masters, Tess completed a minor thesis on the evolution of the regulatory agency responsible for enforcement of employment standards in Australia. She recently completed a PhD at Melbourne Law School on the enrolment of non-state actors by the Fair Work Ombudsman in enforcing minimum employment standards. From 2010 to 2013, Tess was employed as a Research Fellow at the Centre for Employment and Labour Relations Law. In this period, Tess was engaged in an ARC Linkage Project (with partner organisation, the Fair Work Ombudsman) which sought to examine the role and operation of the federal labour inspectorate in Australia. She was also previously the Associate Editor of the Australian Journal of Labour Law. Tess joined Melbourne Law School as a lecturer in 2014. Her teaching and research interests include employment law, contract, regulatory compliance and enforcement.

Mr Glenn Patmore  BA, LLB (Hons) (Monash), LLM (Queens)
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Mr Glenn Patmore has taught law at Monash University and currently is a Senior Lecturer at the Melbourne Law School. He is presently researching in the fields of democratic theory and practice, constitutional law, employment law, human rights and republicanism. His employment law research has focused on disability discrimination, joint consultative committees as well as employee happiness and labour law. His book, Choosing the Republic (UNSW Press), was published in 2009 and he continues to write on the topic of Australian republicanism and constitutional change. He is an editor of four books of collected essays, has written two books and published in a range of Australian and international journals.

Associate Professor Joo-Cheong Tham  LLB (Hons) (Melb), LLM (Melb), PhD (Melb)
Room 0710 ph: (03) 8344 7030, j.tham@unimelb.edu.au

Associate Professor Joo-Cheong Tham joined Melbourne Law School after teaching at the law schools of Victoria University and La Trobe University. His key research areas are the regulation of non-standard work and political finance law. He has also undertaken considerable research into counter-terrorism laws. He has published over 25 book chapters and refereed articles. His research has also been published in print and online media, and he has written more than 30 opinion pieces. Joo-Cheong has also given evidence to parliamentary inquiries into terrorism laws and political finance law. He graduated with a LLB (Hons) from the University of Melbourne in 1998 and completed an LLM in 2003 with the same university. He was granted a doctorate of laws by the University of Melbourne on the basis of his thesis that examined the legal precariousness of casual employment. In 2007–2008, he was a British Academy Visiting Fellow at the Law School, King’s College, University of London. He was also the Rydon Fellow for Australian Politics and History at the Menzies Centre for Australian Studies, King’s College, University of London in 2008.
PROFESSORIAL FELLOW

The Hon Professor Geoffrey Giudice AO BA, LLB (Melb)
Geoffrey.giudice@unimelb.edu.au

Professor Giudice studied Law and Arts at the University of Melbourne, graduating in 1970. He spent nine years working in industry, before beginning to practice as a solicitor in 1979. He was admitted to the Bar in Victoria in 1984. As a barrister, he specialised in industrial relations and employment law. He was appointed as a judge of the Federal Court of Australia on 17 September 1997. At the same time, he became the President of the Australian Industrial Relations Commission. In 2009, when the Commission was replaced by the newly-established Fair Work Australia, Professor Giudice was appointed its first president. He retired from this position in February 2012 and is an Honorary Professorial Fellow at the Centre for Employment and Labour Relations Law and a consultant to Ashurst Australia. During his tenure on the Commission, Professor Giudice presided on many major cases including, in particular, cases concerning minimum wages, working hours, redundancy entitlements, family provisions and award modernisation.

PRINCIPAL RESEARCH STAFF

Ms Maria Azzurra Tranfaglia
m.azzurra.tranfaglia@unimelb.edu.au

Azzurra is undertaking a PhD in comparative labour law at the Melbourne Law School, focussing on the regulation of agency work in Europe and in Australia. She is an employment lawyer admitted to practice in Italy and she has studied and worked both in Italy and in Australia in this field. In particular, Azzurra completed a law degree in 2008 at LUISS Guido Carli University of Rome, with a major in labour law and a final dissertation thesis in international and comparative labour law, analysing the protection of employees during transfer of undertaking in Europe and in Australia. She worked as an employment lawyer in Milan for more than 4 years, studied Human Resource Management in Australia and has previously worked as a research assistant both at the University of Melbourne and in private practice.

Ms Kathleen Love BSc, LLB (Hons) (Melb)
love.k@unimelb.edu.au

Kathleen graduated from the University of Melbourne with degrees in Science and Law (Hons). She is the Supreme Court Prize Winner of 2005, and was also awarded the Joan Rosanove QC Memorial Prize and the EJB Nunn Scholarship. Kathleen works with Beth Gaze and Anna Chapman on their ARC research project examining the intersections between the General Protections in the Fair Work Act 2009 (Cth) and anti-discrimination law. Prior to joining the Centre, Kathleen was a solicitor specialising in employment and industrial relations law.

Ms Adriana Orifici BA, LLB (Hons), LLM (Melb)
adriana.orifici@unimelb.edu.au

Adriana joined the Centre in 2013. She completed articles in 2006 at Maddocks Lawyers in Melbourne and has practiced in employment and labour relations law since that time. She has extensive experience in acting for public and private sector organisations in employment-related matters including strategic workplace relations and human resource management issues, anti-discrimination claims, occupational health and safety matters and industrial disputes. Over 2013 and 2014 Adriana worked with Beth Gaze and Anna Chapman on their ARC research project examining the intersections between the General Protections in the Fair Work Act 2009 (Cth) and anti-discrimination law.
STUDENT FELLOW

In 2014 the CELRL Student Fellow was Ms Rachel Leibhaber. Rachel worked with Beth Gaze and Anna Chapman on their project examining the intersections between the General Protections in the Fair Work Act 2009 (Cth) and anti-discrimination law. Rachel was also the administrator of the Australian Labour Law Association. In 2014 Rachel completed her JD degree and in early 2015 took up a position as an industrial officer with the Textile, Clothing & Footwear Union of Australia.

RESEARCH ASSISTANTS

Members of the Centre were assisted by the following research staff: Jessica McCrum, Hannah Withers, Forest Yu.

COORDINATORS

Bridget Hannan

Bridget Hannan joined the Melbourne Law School in January 2013 as the Coordinator for the Centre and the Tax Group. Bridget moved to Australia from New Zealand in 2009. She graduated with a Commerce degree, majoring in Marketing and Economics, from Victoria University of Wellington in 2003. Prior to working at the University she has worked in finance and administration roles across a variety of industries, including Not for Profit, Sports, Government and Professional Services.

Tessa Dermody

Tessa joined the Centre as the Coordinator in January 2009. She comes from an education background and has several years experience working in various administration roles in New Zealand, United Kingdom and Australia. Tessa was also the Coordinator for the Tax Group. In 2013 Tessa completed a year long secondment as the Teaching and Academic Resources Manager in the Melbourne Law Masters program, and returned to the Centre in early 2014.
CENTRE ASSOCIATES

Academic Associates
Associate Professor Susan Ainsworth
Professor Chris Arup
Professor Michelle Brown
Mr Alan Clayton
Professor Christina Cregan
Professor Cindy Estlund
Professor Keith Ewing
Associate Professor Colin Fenwick
Professor William Ford
Professor Anthony Forsyth
Dr Andrew Frazer
Professor Mark Freedland
Professor Judy Fudge
Professor Peter Gahan
Professor Richard Johnstone
Professor Tim Lindsey
Professor Ronald McCallum
Ms Shelley Marshall
Professor Richard Mitchell
Associate Professor and Reader Jill Murray
Dr Richard Naughton
Professor Graeme Orr
Professor Rosemary Owens
Mr Anthony O’Donnell
Professor Marilyn Pittard
Professor Ian Ramsay
Professor Joellen Riley
Professor Andrew Stewart
Professor Katherine Stone
Professor Leah Vosko

Current affiliation
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Monash University
Independent consultant in workplace regulation
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New York University
King’s College, University of London
International Labour Organisation
University of Western Australia
RMIT University
University of Wollongong
University of Oxford
University of Kent
University of Melbourne
Queensland University of Technology
University of Melbourne
University of Sydney
Monash University
LaTrobe University
University of Queensland
University of Adelaide
LaTrobe University
Monash University
University of Melbourne
University of Sydney
University of Adelaide
UCLA School of Law
York University, Canada

Teaching Associates
Ms Carol Andrades
Professor Ron Brown
Professor Keith Ewing
Mr Joel Fetter
Professor Judy Fudge
Mr Paul O’Grady
Mr Peter Rozen
Professor Andrew Stewart

Current affiliation
Ryan Carlisle Thomas
University of Hawaii
King’s College, University of London
Victorian Bar
University of Kent
Victorian Bar
Victorian Bar
University of Adelaide
### THE ADVISORY BOARD

The Centre’s work takes place under the guidance and assistance of an Advisory Board. Members of the Board are distinguished representatives of major institutions, bodies and law firms with an involvement in the labour law field. The members in 2014 were:

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<tr>
<th>Name</th>
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<tr>
<td>Justice Anthony North</td>
<td>Federal Court of Australia</td>
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<tr>
<td>(Chair)</td>
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<td>Senior Deputy President</td>
<td>Fair Work Commission</td>
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<td>Jennifer Acton</td>
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<td>Mr Steven Amendola</td>
<td>Ashurst</td>
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<td>Ms Carol Andrades</td>
<td>Ryan Carlisle Thomas</td>
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<td>Mr Josh Bornstein</td>
<td>Maurice Blackburn</td>
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<td>Justice Alan Boulton</td>
<td>Fair Work Commission</td>
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<td>Mr Mark Diserio</td>
<td>Lander &amp; Rogers</td>
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<td>Professor Carolyn Evans</td>
<td>Melbourne Law School</td>
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<td>The Honourable Peter</td>
<td>Formerly of the Federal Court of Australia</td>
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<td>Ms Mary-Jane Ierodiaconou</td>
<td>Justitia</td>
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<td>Mr Ross Jackson</td>
<td>Maddocks</td>
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<td>Ms Natalie James</td>
<td>Fair Work Ombudsman</td>
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<td>Mr Murray Kellock</td>
<td>King Wood &amp; Mallesons</td>
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<td>Mr Ross Levin</td>
<td>Rigby Cooke Lawyers</td>
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<td>Mr Peter Lupson</td>
<td>K&amp;L Gates</td>
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<td>Mr Tim Lyons</td>
<td>ACTU</td>
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<td>Ms Frances O’Brien SC</td>
<td>Victorian Bar</td>
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<td>Mr Charles Power</td>
<td>Holding Redlich</td>
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<td>Ms Penny Savidis</td>
<td>Ryan Carlisle Thomas</td>
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<td>Mr James Simpson</td>
<td>Arnold Block Leibler</td>
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<td>Mr Michael Tamvakologos</td>
<td>Seyfarth Shaw</td>
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<td>Mr Michael Tehan</td>
<td>Minter Ellison</td>
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<tr>
<td>Mr John Tuck</td>
<td>Corrs Chambers Westgarth</td>
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<tr>
<td>Mr Anthony Wood</td>
<td>Herbert Smith Freehills</td>
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CENTRE SPONSORS

The support of sponsors is essential to the continued operation of the Centre, both in terms of the financial contributions that sponsors make to the resources of the Centre, and in terms of the involvement of sponsoring firms in providing advice and counsel for the Centre. One representative from each of the Centre’s sponsors sits on the Centre’s Advisory Board. The Centre’s sponsors in 2014 were:
VISITORS

The Centre regularly welcomes academic colleagues from interstate and overseas. In 2014 we hosted seven such visitors.

Dr Dominique Allen
Professor Ronald Brown
Professor Benjamin van Rooij
Professor Judy Fudge
Professor Andrew Stewart
Professor Sy Moskowitz
Professor Keith Ewing

Deakin University
University of Hawaii
University of California
University of Kent
University of Adelaide
Valparaiso University
King’s College, University of London

February to July
May
June
July
September
November
November to December
RESEARCH

The Centre is Australia’s first research centre devoted exclusively to developing an understanding of the role and function of legal regulation of the labour market. Centre members are engaged in research in diverse aspects of the broad field of employment and labour law and labour market regulation. Areas of particular interest and expertise include corporate governance and labour law, the enforcement of minimum employment standards, international labour rights and standards, temporary migrant worker rights, and discrimination and inequality in employment and the labour market.

During 2014 Centre members pursued a number of specific research projects. Short descriptions of the Australian Research Council (ARC) funded projects follow. Further information on all of the research projects can be found on our website http://www.law.unimelb.edu.au/celrl/research.

AUSTRALIAN RESEARCH COUNCIL (ARC) FUNDED RESEARCH PROJECTS

Phoenix Activity: Regulating Fraudulent Use of the Corporate Form
Centre Member: Helen Anderson
Associates: Ian Ramsey, Ann O’Connell, Michelle Welsh
Research Staff: Hannah Withers

Fraudulent phoenix activity is of great concern to Australian policymakers. It occurs where there is the deliberate liquidation of a company to avoid paying debts but the business continues through another company, and in corporate groups through the liquidation of undercapitalised subsidiaries and transfer of business to other companies in the group. This behaviour causes huge losses in taxation revenue and large financial losses for employees and unsecured creditors. To strengthen Australia’s economic fabric, this project aims to determine the optimal method of dealing with fraudulent phoenix activity through a thorough examination of all of its aspects in Australia and by a comparative analysis of international responses.

Reshaping Employment Discrimination Law: Towards Substantive Equality at Work?
Centre Members: Beth Gaze, Anna Chapman
Research Staff: Kathleen Love, Adriana Orifici

The 2009 reshaping of Australian industrial law through the Fair Work Act unexpectedly introduced a comprehensive prohibition on discrimination in employment. This novel prohibition operates alongside existing anti-discrimination laws. These have quite separate conceptual foundations, and their effectiveness in promoting equality at work has been limited. This project examines the effect of the 2009 provisions, and the interaction of the overall system of employment discrimination laws in both providing legal redress for discriminatory harms at work in Australia, and in contributing to systemic change towards equality in relations at work. The project is funded by an ARC Discovery Grant. A lengthy working paper on the history of the reverse onus provisions in industrial law was published in late 2014, and an article was published that year in the University of New South Wales Law Journal. Case law developments continued to be tracked, with an article prepared for publication (and subsequently published in the May 2015 issue of the Australian Journal of Labour Law). The empirical dimensions of the project attracted more focus in the latter part of 2014, when Adriana Orifici joined the project (in November).
New Initiatives in Enforcing Employment Standards: Assessing the Effectiveness of Federal Government Compliance Strategies

Centre Members: Sean Cooney, John Howe
Research Staff: Tess Hardy

This project is assessing the operation and impact of the Fair Work Ombudsman, the federal agency enforcing working conditions relating to pay, reasonable working hours and leave. The research is grounded in the literature on regulatory effectiveness and includes comparison with comparable agencies domestically and internationally, as well as empirical studies of the actions of the FWO’s staff and of the response of the target employers. The project is supported by an ARC Linkage Grant awarded in 2009. In 2014 a number of conference papers were delivered, and a major research report was launched. The report is entitled ‘The Transformation of Enforcement of Minimum Employment Standards in Australia: A Review of the FWO's Activities from 2006–2012’.

OTHER EMPLOYMENT AND LABOUR LAW RESEARCH PROJECTS

- Employer Policies and Employment Law
- Regulating Direct Lobbying in New South Wales for Integrity and Fairness
- Fair Work Commission’s Influence in the Enterprise Bargaining Process
- Trade Union Enforcement of Minimum Enforcement Standards
- How Are Low Protection Workers Regulated? A Pilot Study in Australia and Indonesia

RESEARCH STUDENTS UNDER THE SUPERVISION OF CENTRE MEMBERS

The Centre for Employment and Labour Relations Law and its members are active in encouraging and supervising the work of students working towards a research higher degree in employment and labour relations law. Candidates are supervised by a Centre member and have the opportunity to participate in Centre projects and activities while completing their research.

Tess Hardy (PhD candidate – thesis passed in 2014)

New Initiatives in Enforcing Employment Standards

Supervisor: John Howe and Sean Cooney

In Australia, employer non-compliance with minimum employment standards has been found to be systemic and sustained. More recently, a host of factors, including greater exposure to global markets and rapid and extensive changes to the workplace relations system, have intensified the various drivers of non-compliance and revealed the limitations of traditional compliance and enforcement strategies. Drawing on the burgeoning literature concerned with the fragmentation and hybridization of regulation, and focusing on recent policy innovations of the federal labour inspectorate in Australia, this thesis critically examines the initiation and implementation of two recent collaborative compliance and enforcement campaigns in the horticulture and fast food sectors respectively. In doing so, the thesis illuminates the variations, possibilities and potential limitations of a more decentered and collaborative approach in relation to the enforcement of minimum employment standards in Australia. Further, findings in the thesis inform the wider debate about the ways in which enrolment of non-state actors may enhance regulatory governance more generally.
Do Hai Ha (PhD Candidate)

The Right to Strike in Vietnam: Toward a better regime

_Supervisors:_ Sean Cooney and Pip Nicholson

The Vietnamese economic reforms (Doi Moi) launched in late 1980s led to substantial changes in the Vietnamese labour regime, including the introduction of a new framework for industrial conflict resolution. Preliminary research shows that this legal framework was, by and large, developed through legal transplantation. This thesis seeks to evaluate the effect of Vietnam’s legal borrowings in the area of industrial conflicts. Legal transplants in Asia and especially in Vietnam are an underresearched area of study. This research will be one of the first studies that explores the absorption of transplanted legal processes and institutions in Vietnam. The thesis will assess the transplant’s impact and whether the transplant could have been better designed and enabled. As such, it aspires to provide new findings in this area and contribute to the ongoing reform of industrial conflict resolution.

Andrew Newman (PhD Candidate)

Bargaining for Equality: Can collective bargaining advance the policy goal of equal treatment between temporary migrant workers and local workers in the Australian and Canadian agricultural sectors?

_Supervisors:_ John Howe and Anna Chapman

Both Australia and Canada have in recent years experienced a growth in legally precarious non-standard forms of work, which are frequently characterized by low wages, lack of employment security and a low incidence of collective bargaining. The increased prevalence of precarious work is frequently attributed in the academic literature to gaps in the network of employment law protections and benefits, which continues to focus primarily upon the protection of the ‘standard’ full-time, ongoing, resident worker.

Accompanying the growth of precarious employment in both countries has been the proliferation of temporary migrant worker programs. In response to a perceived shortage of local workers willing to undertake seasonal harvesting work, both the Canadian and Australian governments have created temporary migrant worker schemes in the agricultural sector. In both countries, a key stated government policy objective of such schemes is to protect temporary migrant workers from exploitation through the application of migration and employment law tools. However, to what extent are such measures effective in protecting temporary migrant workers from precarious employment?

This thesis will critically examine the tension between protection and precarity with respect to temporary migrant workers admitted under the Canadian Seasonal Agricultural Worker Program and the Australian Seasonal Worker Program. It will expressly consider the ways in which migration laws constitute the labour market and impact upon the operation of employment law in both countries. In so doing, it will expand the traditional scope of employment law analysis and examine how the differing regulatory regimes of Canada and Australia achieve protection or entrench precarity among temporary migrant agricultural workers.
Maria Azzurra Tranfaglia (PhD Candidate)
Regulating agency work to balance employees’ needs and business’ interests.
A comparative study of different regulatory approaches in Italy and Australia.

Supervisors: John Howe and Sean Cooney

The thesis draws on the international debate around the causes and effects of agency work as a form of non-standard work. It assesses and evaluates the different regulatory approaches to agency work taken in Italy and Australia using a new analytical framework developed from previous studies of agency work regulation and employing regulatory theory. The analysis compares agency work regulation in the two countries, and evaluates the extent to which each system balances employers’ interest and employees’ needs. Finally, in the light of the comparative assessment, it concludes by offering suggestions as to how specific regulatory issues relating to agency work in each country can be addressed in order to set these systems on the path towards balancing employees’ needs and business’ interests.

In Australia there is a call for regulation to provide a stronger protection for labour-hire employees, while in Italy, on the contrary, there is a call for deregulation aimed at ensuring a higher level of flexibility for business and encouraging hiring. Considering this divergent trend, this research intends to generate regulatory proposals that can inform future policy making the area of agency work in both countries and possibly in other jurisdictions.

OTHER STUDENT RESEARCH SUPERVISION

Centre members also supervise a number of students undertaking research higher degrees in areas other than labour and employment law. These are:

Marco Bini (Completed 2014)
Public sector director’s duties
Supervisors: Beth Gaze, John Howe (with Ian Ramsay)

Michael Legg
Public and Private Enforcement of Securities Laws in Australia – An Examination of the Continuous Disclosure Regime
Supervisors: Helen Anderson (with Ian Ramsay)

Tony Mihalopoulos
Recognition Space for Minority Groups in Australia
Supervisors: Beth Gaze (with Lisa Sarmas)

Tayechalem Moges
The ‘Untouchables’? An African State Intervention with Child Brides
Supervisors: Beth Gaze (with Dianne Otto)
TEACHING AND LEARNING

Members of the Centre teach a number of programs in labour and employment law in the Law School. In addition, the Centre has a sizeable cohort of research students under the supervision of Centre members.

Information regarding the projects of these research students is contained in the earlier part of this annual report (under the heading ‘Research Students under the Supervision of Centre Members’). All labour and employment law students are encouraged to take part in various activities within the Centre, including the Labour Law Seminar Series.

SUBJECTS IN THE JD PROGRAM

The employment and labour relations law subjects offered in 2014 were:

- Employment Law (Anna Chapman)
- Equality and Discrimination Law (Beth Gaze)
- Legal Internship (Anna Chapman; John Howe; Joo-Cheong Tham)
- Legal Research (Helen Anderson)

THE MELBOURNE LAW MASTERS PROGRAM

The Melbourne Law School offers a range of different teaching programs as part of the Melbourne Law Masters Program. Anna Chapman and Beth Gaze were the Directors of Studies for the Employment and Labour Relations Law Graduate Program in 2014.

Coursework Programs:

- Graduate Diploma in Employment and Labour Relations Law
- Master of Employment and Labour Relations Law
- LLM by coursework

Research Programs:

- LLM by major thesis
- Doctorate of Juridical Science (SJD)
- PhD

The coursework subjects offered in 2014 were:

- Bargaining at Work (Professor Andrew Stewart)
- Employment Contract Law (Sean Cooney and Mr Paul O’Grady)
- Equality Law Internationally (Beth Gaze and Professor Judy Fudge)
- Human Rights at Work (Professor Keith Ewing)
- International Employment Law (Professor Ronald Brown)
- Labour Standards under the Fair Work Act (John Howe and Mr Joel Fetter)
- Principles of Employment Law (Anna Chapman)
- Workplace Health and Safety (Mr Peter Rozen)

Further information regarding the program can be obtained from the Melbourne Law Masters website at: http://www.law.unimelb.edu.au/masters.
KNOWLEDGE TRANSFER AND COMMUNITY ENGAGEMENT

During 2014 the Centre was engaged in a range of knowledge transfer activities, between the University and other higher education institutions, legal practitioners, industry groups, trade unions, community groups, international institutions such as the International Labour Organisation, Australian government bodies and parliament, and the public.

These exchanges took place through a variety of mechanisms including its two Seminar Series, and the involvement of Centre members in editorial roles with the Australian Journal of Labour Law, to name a few. In addition, in 2014 the Centre continued to co-host the Melbourne lectures held as part of the Fair Work Commission, Workplace Relations Education Series.

SPONSORS’ SEMINAR SERIES

The Centre conducts a series of seminars for members of the Centre’s sponsoring firms and organisations. The seminar series is co-ordinated by The Hon Professor Geoffrey Giudice AO. Four seminars were held in 2014:

• **Mr Mark Irving** and **Mr Nick Harrington**, Victorian Bar: ‘The end of mutual trust and confidence in Australian employment contracts’

• **Beth Gaze**, with commentary from **Ms Carol Andrades**, Ryan Carlisle Thomas and **Mr Ross Jackson**, Maddocks: ‘Richardson v Oracle [2014] FCAFC 82: What does it mean for damages in discrimination cases?’

• **Mr Josh Bornstein**, Maurice Blackburn, **Ms Mary Jane Ierodiaconou**, Justitia and **Mr Dominic Fleeton**, Ashurst: ‘Workplace investigations.’

• **Commissioner Kate Jenkins**, Commissioner of the Victorian Equal Opportunity and Human Rights Commission with commentary from **Ms Mary-Jane Ierodiaconou**, Justitia: ‘What role does the Equal Opportunity and Human Rights Commission play in ensuring equal opportunity in workplaces?’
LABOUR LAW SEMINAR SERIES

These free public seminars are intended to be of interest to a wide audience including academics, members of the legal profession, and those engaged in the day to day business of industrial relations and/or human resource management. Among other things, the Labour Law Seminar Series provides an opportunity for Centre members, visitors and associates, together with invited speakers, to present preliminary results of their research into the operations of labour and employment law. Beth Gaze and Glenn Patmore co-ordinated the Labour Law Seminar Series during 2014.

Eleven seminars were held during the course of the year:


- **Professor Adrienne Stone** and **Joo-Cheong Tham**, Melbourne Law School: ‘Unions NSW and its Implications for Campaign Finance Regulation’, 29 April


- **Professor Benjamin van Rooij**, John S and Marilyn Long Chair Professor for US-China Business and Law, University of California: ‘Regulatory Pluralism and Empowerment: Lessons from China about New Environment Regulators’, 13 June

- **Professor Charles Woolfson**, Linkoping University, Sweden: ‘Fiscal Health, Neoliberal Austerity and Safety Failure: A Tale of Baltic Sorrow’, 2 July

- **Professor Judy Fudge**, University of Kent: ‘Feminist Reflections on the Scope of Labour Law’, 23 July

- **Associate Professor Jill Murray**, La Trobe University: ‘The Employer as Fiduciary?’, 3 September

- **Professor Keith Ewing**, King’s College, University of London, and **Professor Anthony Forsyth**, RMIT University: ‘Statutory Regulation of Collective Bargaining Across Four Jurisdictions’, 25 November
FAIR WORK COMMISSION, WORKPLACE RELATIONS EDUCATION SERIES (CO-HOSTED LECTURES)

In 2014 the Centre was pleased to co-host the Melbourne lectures in the Commission’s Workplace Relations Education Series. The Series comprises a number of free public lectures, presented by leading researchers in the field of workplace relations in both Australia and other countries. The Melbourne lectures in the series were held at the Melbourne Law School.

- **Dr Richard Naughton**, Monash University: ‘Enduring Values or Radical Change: The Shaping of Labour Law Legislation’, 14 May
- **Professor Andrew Stewart**, University of Adelaide and **Dr Meg Smith**, University of Western Sydney: ‘Pay Equity – Where Next?’, 19 September
OTHER EVENTS

In addition to the regular seminar series, from time to time the Centre hosts conferences, roundtables and other events for members of the Australian and international labour law community. These events bring together scholars, practitioners of labour law, industrial relations and human resource management, and members of the public to focus on current issues in Australian, international and comparative labour law.

Book Launch
On Wednesday 5 March the Centre was delighted to host the launch of Helen Anderson’s new book ‘The Protection of Employee Entitlements in Insolvency: An Australian Perspective’. This book is published by Melbourne University Press and was launched by the Honourable Peter Gray AM, formerly of the Federal Court of Australia.

Research Report Launch
On Friday 25 July the Centre hosted the launch of report entitled ‘The Transformation of Enforcement of Minimum Employment Standards in Australia: A Review of the FWO’s Activities from 2006–2012’. The authors of the report are John Howe, Tess Hardy and Sean Cooney. The report was officially launched by the Fair Work Ombudsman, Ms Natalie James.

Workshop on Rights to Protect Migrant Workers
On Tuesday 5 August the Centre was pleased to host a workshop on the rights of migrant workers. This workshop was sponsored by Victoria Legal Aid, Job Watch community legal centre, the Federation of Community Legal Centres and the Centre. It was organised in response to the prevalence of migrant work and growing concern that labour and employment laws have not been fully observed in relation to such work.
EDITORIAL ROLES

Australian Journal of Labour Law

The Australian Journal of Labour Law is the leading Australian scholarly publication in its field, publishing three issues per year, with each annual volume in the vicinity of 300–350 pages. It is a peer reviewed journal, and was ranked ‘A’ in the 2010 ERA journal ranking process. The Centre is the Journal’s administrative home.

During 2014 members and associates of the Centre continued to fill a number of the roles in the editorial group. Anna Chapman continued as a co-editor of the Journal, along with Centre associates Professor Richard Johnstone and Professor Andrew Stewart. In 2014 Joo-Cheong Tham was the Reports Section co-editor, along with Ms Emily Long. The work of the editorial team was ably supported in 2014 by a team of student editorial assistants drawn from the student body of the Melbourne Law School. Centre associates who also worked on the journal during 2014 include Dr Andrew Frazer (Legislative Developments) and Associate Professor Jill Murray (Book Reviews).

Centre Working Paper Series

The Centre publishes two Working Paper Series; a General Series, and a Student Working Paper series for excellent papers written by students at the Law School. The General occasional Series provides an opportunity for the publication of suitable work of Centre members, associates and others in the field of employment and labour relations law. Typically these manuscripts are not suitable for submission to a peer reviewed journal, as they may contain preliminary analysis or findings, or be relatively short in length. Beth Gaze edited the Centre Working Paper Series during 2014. One Working Paper was published during the year:


ASSOCIATIONS

The Australian Labour Law Association

The Centre is the administrative home of the Australian Labour Law Association (ALLA).

ALLA’s seventh biennial National Conference was held in Sydney on Friday 14 and Saturday 15 November 2014. The theme of the conference was ‘Under the Microscope: The Next Phase of Australian Labour Law?’. The conference offered members a unique opportunity to reflect on the development of Australian labour law to date, and critically discuss upcoming developments as well as new research in labour law. The program commenced with a keynote speech by The Honourable Peter Gray AM, formerly of the Federal Court of Australia.

ALLA’s AGM was held on 15 November 2014, directly following the National Conference. At that meeting Anna Chapman and Tess Hardy were elected as members of the National Committee.

ALLA puts on a diverse and vibrant array of state seminars, generally free to ALLA members. Topics addressed at the Victorian Chapter forums in 2014 included: mutual trust and confidence (Commonwealth Bank v Barker), post-employment restraints of trade, and the new anti-bullying laws.

For further information about ALLA please visit http://www.law.unimelb.edu.au/alla.
Regulating for Decent Work Network

The Centre continued its involvement in the RDW Network in 2014. The Network is a collaboration between the International Labour Organisation, the CELRL, the Fairness at Work Research Group at the University of Manchester, the University of Amsterdam Institute for Advanced Labour Studies (AIAS) and the University of Duisburg-Essen Institut Arbeit Qualifikation (IAQ).

The objective of the RDW Network is to foster research and exchange of ideas concerning the role of labour and employment law protections in fostering economic development. The Network also aims to advance research and policy directions tailored towards making labour market regulation more effective.

For further information about RDW please visit [http://rdw.law.unimelb.edu.au/](http://rdw.law.unimelb.edu.au/)

Labour Law Research Network

The Centre is a founding member of a new international association of labour law scholars, the Labour Law Research Network, which was formed in 2011.

The Network is based on cooperation between over 30 labour law research centres from all over the world. The goal of the LLRN is to advance research in labour law, and specifically to facilitate the dissemination of research work and encourage open discussion of scholarship and ideas in this field. All individual labour law scholars are welcome to join, whether affiliated with a research centre or not. John Howe is a member of the inaugural Steering Committee of the Network, which consists of six labour law scholars, each from a different region of the world. He was also a member of the Organising Committee for the inaugural LLRN Conference, held at the Faculty of Law, Pompeu Fabra University (UPF), Barcelona, Spain, in June 2013.

The Administrator for the LLRN is Maria Azzurra Tranfaglia, and the LLRN’s web address is: [http://www.labourlawresearch.net/](http://www.labourlawresearch.net/)

Media Engagement

During 2014 Centre members and associates contributed widely as commentators on labour and employment law issues, in the print and electronic media. Contributions included radio interviews, and publications in both print and online media.

**John Howe**

- Quoted in D Donaldson, ‘Job Cuts Return Command and Control’, *The Mandarin*, 5 November

**Beth Gaze**


**Joo-Cheong Tham**

- ‘Open Slather on Party Donations Isn’t Working’, *The Age*, 8 May (also published in *Sydney Morning Herald*, 8 May)
- ‘Don’t Ban Political Donors’, *Australian Financial Review*, 7 May
OTHER ENGAGEMENT

Helen Anderson
- Submissions to ASIC (with Michelle Welsh, Ian Ramsay and Ann O’Connell): Response to Consultation Paper – ASIC’S Insolvency Notices Website, 27 March; Response to ASIC Report 391 – Deregulatory Initiatives, 16 May
- Member, Insolvency and Reconstruction Committee, Business Law Section, Law Council of Australia
- Academic Member, Australian Reconstruction Insolvency and Turnaround Association (ARITA)
- Honorary General Treasurer, Australasian Law Teachers Association
- Executive Member, Corporate Law Teachers Association

Anna Chapman
- Editor, Australian Journal of Labour Law
- Member, National Committee, Australian Labour Law Association
- Chair, Australian Labour Law Association Scholarship Committee, established to award scholarships to assist research higher degree students to attend the ALLA national conference
- Judge, Kwong Lee Dow Young Scholars Case Competition, University of Melbourne
- Co-Organiser, Biennial Labour Law Teaching Workshop
- Panel member, ‘Human Resources: Law Update’, Melbourne

Beth Gaze
- Member, Discrimination Service Providers Group (Vic)
- Co-Organiser, Biennial Labour Law Teaching Workshop
- Member, Editorial Board, International Journal of Discrimination and the Law
- Section Editor, Work and Employment, Australian Journal of Administrative Law
- ‘Drinking “daughtier water” won’t be enough to deliver pay equity’, The Conversation, 9 October
- ‘Gender equality reporting is not ‘red tape’, The Conversation, 12 February
- Submission to the VEOHRC review of its Intervention Functions under the Equal Opportunity Act and the Charter, 24 December
- Submission to the Inquiry into the Business Services Wage Assessment Tool (BSWAT), Senate Standing Committee on Community Affairs, Inquiry into the Business Services Wage Assessment Tool Payment Scheme Bill 2014 and Business Services Wage Assessment Tool Payment Scheme (Consequential Amendments) Bill 2014, 23 July

John Howe
- Invited Presentation to the Royal Commission into Trade Union Governance and Corruption Academic Dialogue, Sydney, 28 July

John Howe and Tess Hardy
- Consultation to the International Labour Organisation: Literature Review for Comparative Study on National Strategies to Promote and Assess Workplace Compliance and Literature Review for Research Project on the Interaction between Labour Inspection and Compliance Initiatives

Joo-Cheong Tham
- Submission to the Expert Panel on Political Donations established by the New South Government
CONFERENCE AND SEMINAR PAPERS

During 2014, members of the Centre delivered papers to a range of Australian and international conferences and workshops, and delivered seminars to industry, government bodies and community groups.

February
- **Helen Anderson**, ‘Directors’ Liability for Fraudulent Phoenix Activity – a Comparison of the Australian and UK Approaches’, Corporate Law Teachers Association Conference, University of Adelaide
- **Beth Gaze**, ‘Equity, Equality, Human Rights: Formulating Positive Claims by the Disadvantaged’ Inaugural Conference of the Social Equity Institute, University of Melbourne

April
- **Joo-Cheong Tham**, ‘Unions NSW and its Implications for Campaign Finance Regulation’, Melbourne Law School, organised by the Electoral Regulation Research Network (Vic), Centre for Comparative Constitutional Studies and the CELRL

May
- **Joo-Cheong Tham**, ‘Panel on Unions NSW Political Finance Case’, Federal Court of Australia, Sydney, organised by the Australian Association of Constitutional Law (NSW) and the Electoral Regulation Research Network (NSW)

July
- **Helen Anderson**, ‘Phoenix Activity and the Liability of the Advisor’, Australasian Law Teachers Association, Bond University

August
- **Helen Anderson** (with Carl Moller), ‘Fraudulent Phoenix Activity and Advisors’, Law Council of Australia, Insolvency Law Workshop, Gold Coast

October
November


- **Anna Chapman**, Panel member, ‘Gender, Diversity and Inclusion’, RMIT University, Melbourne.


December

- **John Howe**, Panel member, ‘Collaborating on the Questions of the Future’, Workplace Research Centre Closing Symposium, Legacies and Future Directions for IR Research, University of Sydney
PUBLICATIONS

BOOKS, EDITED BOOKS

- **Helen Anderson**, *The Protection of Employee Entitlements in Insolvency: An Australian Perspective*, Melbourne University Press

CHAPTERS IN EDITED COLLECTIONS

- **John Howe**, ‘Regulatory Facilitation of Voice’ in Alan Bogg and Tonia Novitz (eds), *Voices at Work: Continuity and Change in the Common Law World* (Oxford University Press) 381–399
- Paul Gollan, **Glenn Patmore** and Ying Xu, ‘Regulation of Employee Voice’ in Adrian Wilkinson, Tony Dundon, Jimmy Donaghey and Richard Freeman (eds), *Handbook on Employee Voice* (Edward Elgar) 363–380
- **Glenn Patmore**, ‘A Non-executive Australian Head of State, Now and into the Future: Towards Constitutional Change’, in Damien Kingsbury (ed), *One of Us*, (Hardie Grant Books)

JOURNAL ARTICLES – REFEREED


JOURNAL ARTICLES – UNREFEREED


RESEARCH REPORTS

• Helen Anderson (with Ann O’Connell, Ian Ramsay, Michelle Welsh and Hannah Withers), ‘Defining and Profiling Phoenix Activity’, Research Report, December
• Joo-Cheong Tham (with Yee-Fui Ng), ‘Regulating Direct Lobbying in New South Wales for Integrity and Fairness’, Report for New South Electoral Commission
### SUMMARY OF CENTRE GENERAL ACCOUNT 2014

#### INCOME 2014

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**BALANCE** $76,204.00
## Grants and Commissions Received in 2014

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<td>Joo-Cheong Tham (with Iain Campbell and Judy Fudge)</td>
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<td>Precariousness in Law and Labour Markets: The Case of Temporary Migrant Workers</td>
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<td>Sean Cooney, Joo-Cheong Tham and John Howe (with Martina Boese, Peter Gahan, Petra Mahy and Richard Mitchell)</td>
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<td>Melbourne Interdisciplinary Seed Funding</td>
<td>How are Low Protection Workers Regulated? A Pilot Study in Australia and Indonesia</td>
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