

EMPLOYMENT LAW:

Managing risk and uncertainty

Welcome to Part 2 of the Talent Masterclass Series
presented by Scout Talent Group

The webinar will commence soon at 12 pm AEST.

EMPLOYMENT LAW:

Managing risk and uncertainty

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Wednesday 28 October | 12pm AEST



Susanne Mather

**Executive Director
Scout Talent Group**

P: 07 3330 2568

E: susanne@scouttalent.com.au



Jonathan Mamaril

**Director
NB Lawyers**

P: 07 3876 5111

E: jonathanm@nb-lawyers.com.au

HOUSEKEEPING



- 01 Your microphones are on mute so we can't hear you, however we'd love your participation
- 02 If you have any questions or comments, please type them into the GoToWebinar Action Pane
- 03 The webinar recording and slides will be emailed afterwards

TODAY'S AGENDA

01 Problems with termination of employment

02 The testing of the genuineness of redundancies

03 Difficulties in performance management especially with work from home situations



TERMINATION OF EMPLOYMENT

- Misconduct process
- General protections
- Future economic loss?

Tran v Macquarie University (No.2) [2019] FCCA 2049 summarised in

<https://www.lawyersforemployers.com.au/general-protections-complaint-huge-future-economic-loss-pay-out-due-to-covid-19>

REDUNDANCY



- Is it genuine?
- Has it covered a performance management or misconduct issue instead?
- Can a “bad” business decision be tested by an employee?

DIFFICULTIES IN PERFORMANCE MANAGEMENT (WORK FROM HOME)



- Underperformance
- Lack of or poor process
- Work from home difficulties (and risks)

Gibbons v C&M Plant Hire Pty Ltd T/A C&M Plant Hire & Anor [2020] FCCA 849 summarised in <https://www.lawyersforemployers.com.au/general-protections-applications-how-to-successfully-defend-a-claim-from-a-probationary-period-employee>

QUESTIONS



Susanne Mather

**Executive Director
Scout Talent Group**

P: 07 3330 2568

E: susanne@scouttalent.com.au



Jonathan Mamaril

**Director
NB Lawyers - Lawyers for Employers**

P: 07 3876 5111

E: jonathanm@nb-lawyers.com.au

THANK YOU

Part 3 of the Talent Masterclass Series will be held on:

Wednesday 25 November | 12pm AEST

DATA DRIVEN DECISION MAKING: and setting a recruitment tech roadmap



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**Executive Director
Scout Talent Group**

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