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Practical Law Australia Employment provides lawyers and HR/IR professionals with practical tools to guide and support you through the complexities of an employment matter. You'll act with confidence and save time knowing that our practice notes, checklists, precedents and template letters are constantly updated to reflect the latest developments in law and cover all the bases. I'm proud of my team of employment legal writers, all with recent specialist practice experience, and who are dedicated to delivering clear, concise legal knowledge to busy practitioners.



Linda Taylor, Head of Employment

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  - Transfer of assets in a transfer of business
  - Transferable instruments in a transfer of business (NEW)
  - Transferring work in a transfer of business
- Checklists
  - Flowchart for the determination of continuity of service in a transfer of business between non-associated entities

## Types of engagement

- Practice notes
  - Engagement of employees under fixed-term contracts
  - The general protections against sham contracting
  - Is the employee covered by a modern award or enterprise agreement?
  - Is the engagement an employee, independent contractor or labour hire arrangement?
  - National system employee and national system employer
- Standard documents
  - Template letter of advice to client regarding accessorial liability
- Checklists
  - Checklist of matters to consider when engaging an independent contractor to avoid contravening the sham contracting provisions
  - Is the engagement as an employee or independent contractor?

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- Quick guide to drafting secondment agreements
- Step by step guide to drafting an employment contract

### **COMING SOON TO EMPLOYMENT**

Practical Law is a dynamically evolving service. The following new Employment topics are scheduled for publication in 2018:

- Discipline: This new topic will include practice notes and standard documents to guide employers through a disciplinary process. It will include practice notes considering the key legal risks for employers when managing misconduct, and practical guidance on disciplining employees in a variety of contexts, including for activities engaged in out of hours, during industrial disputation, or by senior executives. The topic will also include guidance on investigating misconduct, the use of privileged investigation reports, together with a number of practical template documents including letters, policies and checklists.
- Liability of employers: This new topic includes practice notes that guide employers on liability for contraventions of the Fair Work Act 2009 (Cth), as both a body corporate and personally under accessorial liability provisions. It will also consider the liability of employers for the actions of employees under the common law and anti-discrimination and harassment legislation, as well as topic-specific issues such as liability for an employee's out of hours conduct. Standard documents in the topic will assist practitioners in providing advice to Boards and Executive teams on liability in the context of employment matters, and practical steps on reducing the risk of vicarious and accessorial liability.
- Minimum wages and conditions: This new topic includes practices notes that guide employers through the safety net of minimum conditions provided by the Fair Work Act 2009 (Cth). It will explain the general operation and application of Modern Awards, together with the ten minimum standards contained in the National Employment Standards (NES). It will also look at specific issues, such as common clauses in modern awards, determining coverage and classifications in modern awards, types of employment, overtime and shift work, and the application of offset provisions and independent flexibility arrangements.

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- Family and pregnancy: This new topic will guide employers through the management of employees with family and caring responsibilities, and those who are expecting the birth or adoption of a child, or who have recently given birth to or adopted a child. It will contain practice notes considering the obligations and entitlements for both employers and employees in respect of unpaid parental leave, and the right to return to work following a period of parental leave. It will also consider flexible working arrangements and the Federal government's paid parental leave scheme. Practical guidance will be provided around commonly raised issues in this area, such as the selection of employee's on parental leave for redundancy, and managing working from home arrangements. Practitioners will also be assisted by a suite of standard documents, including template letters, policies and checklists.

We welcome customer feedback on the development of Practical Law Australia. Should you have comments or suggestions, please contact me at <a href="mailto:linda.taylor@tr.com">linda.taylor@tr.com</a>.