

The Labour History Society SA

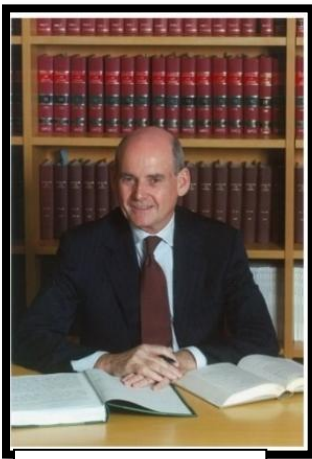
Invites you to hear

Peter McCusker

“The development of unfair dismissal law in South Australia”

Sunday 15th April at 2.00 p.m. at the Box Factory,

59 Regent Street South, Adelaide



Peter McCusker

South Australia was pivotal to the development of job protection laws in Australia. The greatest power formerly exercised by employers over employees was the power to sack, effectively at will. Workers generally acknowledged there might be circumstances that would bring the employment relationship to an end. But far too often it was done so the employer could suit whims, to break worker demands for improved conditions or to exploit the worker's vulnerability in the contest for profit. The idea of the unfair dismissal was a major industrial issue. It was estimated by the former President of the Australian Conciliation and Arbitration Commission, Sir John Moore, that the majority of strikes and industrial disputations in number during his industrial tenure, 1973 to 1985, were due to worker sympathetic reaction to unfair dismissal in the workplaces. South

Australia was the state that did something about this. It resulted in major resistance by employer groups, particularly by use of the Constitutional limits on the Conciliation and Arbitration power, by use of the Boilermakers Case and by use of Section 109. The latter was the focus of the **Gnatenko** Case. The address examines the history of this fight for justice and the dedication of workers in the pursuit of those rights.



Ted Gnatenko

Peter McCusker is the recently retired President of the South Australian Employment Tribunal, formerly the Industrial Court of South Australia. He was appointed to the bench of that Court in 1988. He was also a dual appointed Deputy President of the Commonwealth Conciliation and Arbitration Commission, later the Industrial Commission of Australia from 1991 to 2009. He practised with Elliott Johnston Q.C. from 1972 and was involved in many of the key cases prosecuted by the unions regarding unfair dismissal.

All welcome – free event - no bookings necessary – afternoon tea provided.

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