

Larissa Andelman was admitted as a solicitor in 2004 and began to practice as a barrister in 2006 (until 2008 in Victoria) and from 2012 in NSW. Larissa is an experienced litigation specialist who advises and acts in complex and difficult disputes.

PRACTICE AREAS

Employment Law

Industrial Law

Discrimination Law

Professional Conduct/Discipline

Administrative and Constitutional Law

Inquiries and Royal Commissions

Regulatory

Workplace Health & Safety

Trade Practices and Consumer Law

Defamation

BACKGROUND

Larissa appears in a range of matters in a variety of jurisdictions including the High Court of Australia (administrative law), Full Court of the Federal Court of Australia (administrative law), Federal Court (in cases involving industrial, employment and administrative law), the Federal Circuit Court (in cases involving discrimination law, administrative and consumer law), New South Wales Supreme Court (appeals from Tribunal, defamation, employment law, contract, commercial/equity disputes) and District Court, Local Court and Tribunals.

Larissa has been a junior to a number of leading Counsel specialising in workplace law: Kate Eastman SC, Ingmar Taylor SC, Robert Goot SC and Jeff Phillips SC.

She is a nationally accredited and experienced mediator and regularly appears in mediations and conciliations.

In 2012, Larissa was briefed to assist the former Federal Court judge, Michael Moore to administer Health Services Union pursuant to Orders made by Flick J of the Federal Court of Australia.

Prior to commencing at the NSW Bar, Larissa was a Senior Solicitor with the Office of the Fair Work Ombudsman from 2009 to 2012. During this time she was involved in complex litigation and appeared for the FWO in numerous contested matters. Larissa was involved in many of the large litigation proceedings invoking the general protection provisions in the *Fair Work Act 2009* and was a subject matter expert in accessorial liability provisions and penalty privilege.

From 2004 to 2006, Larissa was a solicitor with Community and Public Sector Union. During this time she was involved in union rule disputes, bargaining, right of entry and award variations. She regularly appeared as an advocate in the Fair Work Commission.

Larissa has also been a Sessional Lecturer in the Faculty of Law at the University of New South Wales, she has taught Civil Procedure and Alternative Dispute Resolution in the graduate programme.

Larissa is and has been actively involved in a number of organisations promoting human rights law and the participation of women in employment and in law more specifically.

From 2016, Larissa has been Vice President of NSW Women Lawyers Association.

She is also a volunteer at Kingsford CLC.

RECENT CASES

Industrial/Employment

- *Australian Workers Union v BlueScope Steel and Anor* [2018] FCA 80. Interpretation of industrial instruments and *Superannuation Administration Guarantee Act*

- *McWhirter & Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia v Endeavour Energy* [2017] FWCFB 4493. Interpretation of an Agreement.
- *Clancy, in the matter of an application for an inquiry in relation to an election for offices in the Australian Nursing and Midwifery Federation* [2017] FCA 460. Union election inquiry.
- *McAlister v Yara Australia Pty Ltd* [2017] FCCA 332. Breach of contract and adverse action claim.
- *Dissanayake and State Transit Authority of NSW* [2016] NSWIRComm 1010. Appeal unfair dismissal.
- *Griffiths v Hanselmann* [2018] FCCA 1374
- *Prajapati v Narshima Trading & Anor* [2017] FCA 1563. Intention to create legal relations.
- *Equal Remuneration Decision 2015* [2015] FWCFB 8200 Fair Work Commission Appearing for Independent Education Union of Australia led by Ingmar Taylor SC
- *Langer v Quinn* [2014] FWC 7460. Unfair Dismissal
- *Hill v Compass Ten* [2012] FCA 761 Federal Court. Strike out application, *Hill v Compass Ten (No.2)*[2012] FCA 815 Federal Court. Breach of contract and unlawful termination, *Hill v Compass Ten (No. 3)*[2012] FCA 993 Federal Court. Costs

Discrimination

- *Maiocchi v Royal Australian & New Zealand College of Psychiatrists and Ors* [2013] FCA 1046 Disability discrimination and victimization, strike out, leave to appeal.
- *McGuire v The Entrance Lake House & Anor* NCAT 1610171 [2016] Sexual harassment, victimization.
- *Duma v Mader International* (2007) VCAT 2288. Disability discrimination in employment.
- *Gounder v Allmand Jones & Ors* (2007) VCAT 1898. Discrimination in employment on ground of religious belief.

Commercial/Copyright/Trade Practices

- *Love Lockets v Locketinn* NSD 366 of 2015 Federal Court. Led by C Evatt. Injunction. Passing off and copyright claims. (Settled)
- *Berrell v Combined Pastoral Pty Limited* [2015] NSWSC 1334. Supreme Court. A contract for sale of land dispute.

- *A Hint of Byron Ltd v Ginger Nektar Drink Company Pty Ltd [2013] FCCA 1797* Federal Circuit Court. Misrepresentation, breach of contract, security for costs. (Settled)
- *Monti v Fairfax Media Publications Pty Ltd [2015] FCCA 1633* Federal Circuit Court. Led by C Evatt. Breach of Copyright Act.

Administrative/Appellate/Occupational

- *Minister for Immigration and Border Protection v SZVFW [2017] FCAFC 33; (2016) 311 FLR 459*
- *Health Care Complaints Tribunal v Sheldrick [2016] NSWCATOD 105* and *HCCC v Sheldrick (No 2) [2017] NSWCATOD 24*.
- *BRL v Children's Guardian [2016] NSWSC 2016/4948*
- *BKE v Children's Guardian [2015] NSWSC 253*
- *Ivers v ACT Teachers Quality Institute. [2015] ACAT*. Application for a Stay. Administrative Review.
- *SZQGC v Minister for Immigration and Citizenship [2012] FCA 598* Federal Court appeal.
- *SZTGS V Minister for Immigration and Border Protection [2014] FCA 908*. Federal Court appeal.

PUBLICATIONS

Claiming the "penalty privilege" in Fair Work Proceedings - Law Society of NSW Journal May 2015

Penalties for breaches of the Fair Work Act skyrocket Victorian Law Journal 2014

Bullying Provisions in the Fair Work Act in HR Magazine 2013

SEMINARS AND CONFERENCES

- Young Lawyers & Legal Wise 2018 Sexual Harassment in the workplace
- Sydney City Law Society Lawyers, 2017, 2016 The Good and the Ugly: Bullying Cases
- Australian Labour Law National Conference 2014 *Accessorial Liability Provisions in the Fair Work Act* together with Ingmar Taylor SC