

**Larissa Andelman**  
**Barrister**

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BARRISTERS

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Larissa was admitted as a solicitor in 2003 and was called to the NSW Bar in 2012 (Victorian Bar 2006-2008) and appears in matters across Australia. Larissa's major areas of practice are workplace and administrative law and also practices in defamation and commercial law.

Larissa is an experienced litigator, appearing led and unled in State and Federal tribunals and courts and appeals. She is experienced in various forms of non-court dispute resolution processes such as mediations and investigations.

Larissa holds a Masters of Laws from the University of New South Wales and a Masters of Commerce from the University of Wollongong.

***Areas of Practice***

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- Employment, industrial and discrimination
- Restraint of trade, director's duties, whistleblowing, privacy
- Trade practices
- Professional conduct and disciplinary
- Public/Administrative
- Coronial inquests
- Defamation
- Regulatory law
- Alternative Dispute Resolution
- Appellate

***Professional details***

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Admitted to practice:	2003
Barrister at NSW Bar:	2012 (Victorian Bar 2006 - 2008)
Qualifications:	LLM (UNSW), MCom (UOW), BCom (UOW), DL (LPAB), national accreditation as a mediator from 1990 to 2020 (not continuously)
Previous positions:	Senior Solicitor, Fair Work Ombudsman (2009 - 2012)

Solicitor, Community & Public Sector Union (2005 - 2006)  
Assistant Secretary, Telecommunications Division  
CPSU (2002 - 2004)  
National Industrial Officer, Science and Northern Territory Divisions including Aboriginal Land Councils and Aboriginal Legal Aid CPSU (1991 – 2001)

## Recent cases

- *CXZ v Children's Guardian* [2020] NSWCA 338. Led by Carol Webster SC. Appeared for the appellant on successful appeal. Working with children check clearance. *Children's Guardian v CXZ* [2019] NSWSC 1083
- *Stoltenberg v Bolton; Loder v Bolton* [2020] NSWCA 45 and [2018] NSWSC 1518. Led by Richard Potter SC for Loder. Defamation, appeals, secondary participant in publications, Facebook comment.
- *Hornyak v SIMS Intergrated Solutions Pty Ltd & Ors* [2020] FCA 1764. Appeared for the respondent. Fair Work proceeding.
- *Bluescope Steel (AIS) Pty Ltd v Australian Workers' Union* [2019] FCAFC 84; 368 ALR 643. Led by Ingmar Taylor SC. Appeared for the respondent. The case dealt with requirements to make superannuation contributions on ordinary time earnings. *Australian Workers Union v BlueScope Steel and Anor* (2018) 278 IR 170
- *Edgar v Norton Rose Fulbright Australia Services Pty Ltd & Ors (No 2)* [2020] FCCA; *Edgar v Norton Rose Fulbright Australia Services Pty Ltd & Ors* [2019] FCCA 1868 520. Appeared for the applicant. Fair Work proceedings, interlocutory decisions.
- *McAlister v Yara Australia Pty Ltd* [2019] FCCA 2013; *McAlister v Yara Australia Pty Ltd* [2017] FCCA 332. Appeared for the respondent. Fair Work proceedings, Interlocutory decisions.
- *Francois v Industrial Relations Secretary (Department of Corrective Services)* [2019] NSWIRComm 1058. Appeared for the applicant. Jurisdiction of NSWIRC, disciplinary appeal.
- *Minister for Immigration and Border Protection v SZVFW* (2018) 357 ALR 408. Led by Stern Kristina SC. Appeared for the respondent in a case dealing with legal unreasonableness, role of court on appeal as to final and discretionary decisions. *Minister for Immigration and Border Protection v SZVFW* [2017] FCAFC 33; (2016) 311 FLR 459
- *DAR v Children's Guardian* [2018] NSWSC 942. Appeared for the applicant.
- *Health Care Complaints Commission v Lord* [2019] NSWCATOD 182. Appeared for the respondent.
- *Health Care Commission v Moses* [2019] NSWCATOD 64; *Health Care Commission v Moses (No 2)* [2019] NSWCATOD 190. Appeared for Moses.
- *South32 v Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia v Illawarra Coal Holdings Pty Ltd* [2018] FWCFB 6562 . Appeared for the appellant. Industrial law, interpretation of enterprise agreement.

- *Griffiths v Hanselmann* [2018] FCCA 1374. Appeared for the applicant. Contraventions of *Fair Work Act* and *Long Service Leave Act*.
- *Juliet Buenaobra v Anwar Alesi* [2018] FWC 4311. Appeared for the applicant. Unfair dismissal.
- *McWhirter & Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia v Endeavour Energy* [2017] FWCFB 4493. Appeared for the applicant. Industrial law, interpretation of enterprise 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.
- *Prajapati v Narshima Trading & Anor* [2017] FCA 1563. Appeared for the applicant. Contract of employment, intentions.
- Administrative law, migration. Appeared for the respondent.
- *Dissanayake and State Transit Authority of NSW* [2016] NSWIRComm 1010. Unfair dismissal appeal.
- *Equal Remuneration Decision 2015* [2015] FWCFB 8200, led by Ingmar Taylor SC.
- *Monti v Fairfaix Media Publications Pty Ltd* [2015] FCCA 1633. Led by Clive Evatt. Copyright. Appeared for the applicant.
- *BKE v Children's Guardian* [2015] NSWSC 523. Appeared for BKE on a successful appeal.
- *Maiocchi v Royal Australian & New Zealand College of Psychiatrists and Ors* [2013] FCA 1046. Discrimination complaint.
- *Hill v Compass Ten* [2012] FCA 761; (2012) 205 FCR 94, *Hill v Compass Ten (No.2)* [2012] FCA 815, *Hill v Compass Ten (No.3)* [2012] FCA 993. Appeared for the respondent in proceedings which was an early consideration of the general protection provisions in the *Fair Work Act 2009*.

#### **Recent Publications**

*Employment Law: Law Handbook* 13th, 14th and 15th editions Redfern Publishing House 2017-2020

*Termination of employment and bullying pages on Practical Law: Thompson & Reuters* 2018

*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*, HR Magazine 2013

#### **Seminars, lecturing and interests**

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 program in 2015.

Larissa regularly presents lectures and seminars on workplace law and professional matters such as sexual harassment, bullying and flexible workplaces.