







Disclaimer

This webinar is intended for guidance purposes only on the considerations to which a business should have regard in managing their workplace issues.

This guidance is not a substitute for legal advice which is tailored to the specific circumstances of your business.



Omnibus Bill

Casuals

- 1. New definition
- 2. Conversion
- 3. Set off



Quiz study one

Diane worked as a receptionist for a Medical Practice called Home Medicine.

Home Medicine provided support for vulnerable members of its local community for free.

It was a small part of their practice but the doctors were committed to two sessions a week (Monday between 9-12am and Friday between 6-9pm).

Diane was deeply committed to this work and always did both shifts. It was not easy work.

The patients were often very troubled, affected by alcohol and drugs and there was frequent episodes of violence.



Diane had been trained in de-escalation techniques and was very caring. Sadly she had been the victim of family violence as a child and any form of physical threat induced acute anxiety

The owner of Home Medicine, Dr Ruth Helper, had been Diane's doctor for over 30 years and knew her problems.

Dr Ruth had regularly had to call police and the paramedics following episodes of violence at the clinic.

On 27 July 2020, a young man, affected by ICE attended the clinic, threatened then struck Diane.

Diane was unable to come back to work and continued to suffer flashbacks of the attack and other violence she had suffered.

For the first time in her life she experienced panic attacks.



Quiz study two

Dr Gavin Drone worked at Home Medicine.

He undertook a program for young men and women who abused ICE. He helped them manage their addiction and manage the violence issues.

Dr Drone played for the local suburban football team – The Dyson Tigers. The Tigers won their grand final on the last Saturday of September.

He went out with other players drinking. When he got home his wife was furious.



Witnesses heard her shout, "So Doctor Gav, out drinking and making a fool of yourself with a young women when your pregnant wife is at home." She slammed the door in his face.

She was referring to Facebook photo of him kissing a girl, with his work t-shirt on(which had the logo of the Clinic) and post saying 'Our Pissed Doc from Home Medicine giving mouth to mouth resuscitation to a patient'.

In his alcohol fueled rage he kicked the door down and slapped his wife hard across the face before players wrestled him away. He was arrested and later bailed on condition he not return home.

The Facebook post was on Jenna Whyles Facebook page with high privacy setting. She was an employee of Home Medicine.

Ms Whyles has objected to the post being used in any investigation and has since taken it down. Home Medicine has a copy of it.



Quiz study three

Dave worked for Signs-R-Us, a traffic management company. He was a supervisor.

He was known to be difficult, drank heavily on Friday drinks and said very inappropriate things to everyone but particularly younger women who worked for the business. He had been counselled several times but never warned.

The End of Year function was at the Terminus Hotel downstairs. Dave arrived late.

The HR Manager, Jess Owens, approached him and said, 'Dave you look like you have been drinking, take it easy tonight'. He said sure.



Alcohol was being served pretty freely and Dave took advantage.

He was pretty loud and rude as the night went on. A number of girls complained he had said some rough things. But so had some other men including Dave's boss.

The party finished at 11pm and several employees, including Dave's boss and Jess Owen went to the upstairs bar.

The boss bought them drinks, including Dave.

After about half an hour Jess said to Dave, 'Mate you better go home, you're really going too far'.

He slapped Jess on the bottom, tried to kiss her on the mouth and hugged her. Nobody intervened. Jess, pushed him away, burst into tears and immediately left.





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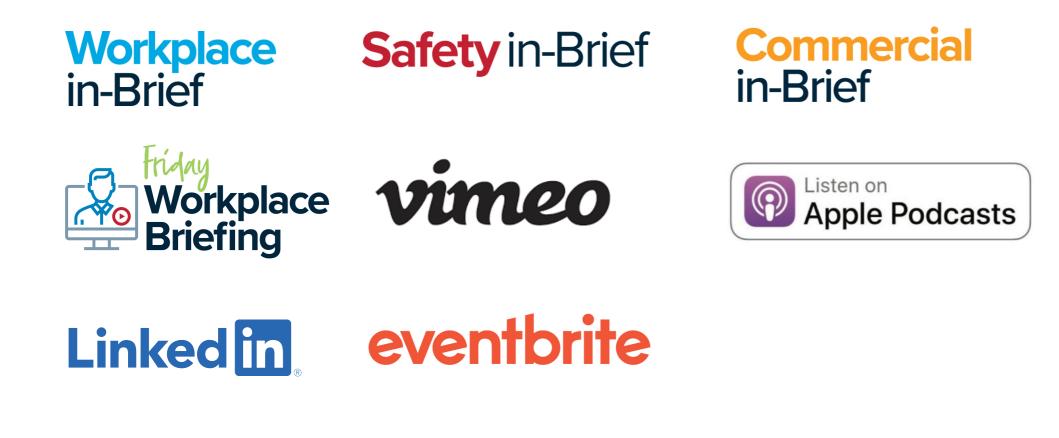


We'll be back on Friday 5 February 2021

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In the meantime, you can stay up-to-date online





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