

NOTICE OF FILING

Details of Filing

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File Number: VID1661/2018
File Title: LAWRENCE RIDGE v HAYS SPECIALIST RECRUITMENT
(AUSTRALIA) PTY LIMITED
Registry: VICTORIA REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Reply

No. VID 1661 of 2018

Federal Court of Australia
District Registry: Victoria
Division: Fair Work

Lawrence Ridge

Applicant

Hays Specialist Recruitment (Australia) Pty Ltd

Respondent

To the Respondent's Defence dated 28 October 2022, the Applicant says:

Casual status

1. As to paragraph 7(f)(i), the Applicant admits that he was a casual employee within the meaning of s.15A of the FW Act.
2. As to paragraphs 12 and 12A(b), the Applicant admits that all Group Members (save for those employed on a non-casual basis after 1 April 2019) were casual employees.

Contractual 'set off'

3. As to paragraph 54(d), insofar as it is alleged that clause 3.6 of the Agreement constituted an agreement that the Respondent need not pay the Annual Leave Entitlement, the agreement is void because it is contrary to s.45 of the FW Act, and is also void as contrary to public policy prohibiting the cashing out of annual leave (which policy is reflected in ss.92-94 of the FW Act).

Joinder of issue

4. Save for the express admissions in this Reply, the Applicant joins issue with the Respondent.

Filed on behalf of (name & role of party)	Lawrence Ridge, Applicant
Prepared by (name of person/lawyer)	Rory Markham
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Date: 18 November 2022

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a long, horizontal stroke that tapers to the right.

Signed by Rory Markham
Lawyer for the Applicant

This pleading was prepared by Rory Markham, lawyer

Certificate of lawyer

I Rory Markham certify to the Court that, in relation to the reply filed on behalf of the Applicant, the factual and legal material available to me at present provides a proper basis for:

- (a) each allegation in the pleading; and
- (b) each denial in the pleading; and
- (c) each non admission in the pleading.

Date: 18 November 2022



Signed by Rory Michael Markham
Lawyer for the Applicant