

Preface

This new edition sees the second change of title in the book's 26-year history – and the end of an era, with Breen Creighton stepping down as an author. As each of the new authors who have replaced him will attest, however, his influence both on the text and its subject remains a strong one. We are delighted that the formal inclusion of his name in the title of the work preserves his status as an original co-author. We wish to thank Breen sincerely for his contribution to the book, for his friendship, and for the valuable support and mentoring he has provided over the years to his academic and professional colleagues.

Compared to the turbulent period that preceded the publication of the fifth edition, the past six years have seen relative stability in Australian labour regulation. But there have still been many legislative changes to analyse, while the courts and tribunals have continued to work through important issues such as the nature of 'employment', the regulation of enterprise bargaining, trust and confidence (or perhaps good faith) in the employment relationship, proof in adverse action claims, and much more besides. The modern award system is in the process of being reviewed, while 2015 saw the publication of two major reports, by the Productivity Commission on (almost) the entire workplace relations framework and the Heydon Royal Commission into Trade Union Governance and Corruption.

As this book goes to press, the closely fought 2016 federal election has seen the return of the Turnbull Government, albeit with reduced numbers in both houses of parliament. While industrial relations reform – notionally the trigger for the early poll, called to resolve Senate deadlocks over two Coalition Bills – may not have featured as strongly as might have been expected in the campaign, it is still set to be a battleground in the future. To that end, the book sets out the various policy proposals from the major parties, as well as outlining in some detail the assessments given by the Productivity Commission, the Royal Commission and other bodies, including the 2012 Fair Work Review. As always too, and as a voluminous bibliography reveals, there is extensive reference to the academic literature that continues to proliferate in this and related fields.

Structurally, a number of chapters have been created as larger ones from the previous edition have been broken up. There are also new sections on important topics such as forced labour, work experience and workplace bullying. But the largest change is the addition of a new Chapter 2, which explores a range of theoretical perspectives on the regulation of labour. The account is principally the work of Richard Johnstone, who has also taken the lead in updating Chapters 18 and 19, as well as working on Chapters 1 and 21. Shae McCrystal has been primarily responsible for Chapters 4, 26 and 27, and part of Chapter 24. Mark Irving has taken on Chapters 11, 17 and 22, plus parts of Chapters 9, 15, 20, 21 and 23. Anthony Forsyth has added Chapters 7, 24 and 28 to his responsibility, continued from the previous edition, for Chapters 14 and 25. The remaining chapters or part-chapters are the work of Andrew Stewart, who has also acted as a general editor for the whole book. Despite their different contributions, the authors accept joint and several responsibility for the entire content.

There are many people we would like to acknowledge and thank for their assistance with this edition. They include (in alphabetical order) Alan Clayton, Amelia Gow, Michael Guihot, Tess Hardy, Eve Lillas, Kate Manton, Shauna Roeger, Susan Stewart, Beth Streten and Lucy Wang. Gratitude is also due to everyone at The Federation Press who helped with the book, but especially our editor Beth Browne and publisher Jason Monaghan, who have stepped so ably into the very large shoes left by Kathy Fitzhenry and the late Chris Holt. It has, as ever, been a pleasure to deal with such a flexible, efficient and supportive team.

Andrew Stewart, Anthony Forsyth, Mark Irving, Richard Johnstone and Shae McCrystal

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