

Joel Fetter



Joel Fetter practises principally in employment and industrial law and administrative law

QUALIFICATIONS

Master of Laws (LSE)
Bachelor of Laws (Hons)
Bachelor of Arts

CORRESPONDENCE

P 03 9225 8558
F 03 9225 8668
E jfetter@vicbar.com.au

CHAMBERS

Castan Chambers
Level 11 Room 5
460 Lonsdale Street
Melbourne VIC 3000

COMMERCIAL LAW

Contractual Disputes

EMPLOYMENT & INDUSTRIAL

Appellate | Discrimination | Employment Contracts | Industrial Disputes | Public Sector
Appeals | Restraint of Trade | Statutory Employment Rights

TORT LAW

Common Law

PUBLIC LAW

Administrative Law | Civil & Human Rights | Extradition Law | Freedom of Information | Judicial
Review | Privacy

Joel won the Supreme Court prize at Melbourne Law School. Before coming to the Bar he worked as a solicitor at Minter Ellison, as associate to Black CJ of the Federal Court, as in-house counsel for the ACTU, and as an ILO consultant. He has a Masters degree from the London School of Economics.

Joel practises in employment/industrial law, administrative law and commercial law. He is listed as a "leading" employment/industrial law junior barrister in Doyle's Guide. He has experience running trials alone in the Federal Court, Supreme Court, Federal Circuit Court, Fair Work Commission and VCAT. He has appeared in appeals before the Full Federal Court, Victorian Court of Appeal and the FWC Full Bench.

In employment/industrial law , Joel has a wide range of experience, including in employment contract disputes, underpayment claims, bullying and discrimination claims, restraint of trade cases, Fair Work Act claims, General Protections ("adverse action") claims, industrial disputes and trade union matters.

In commercial law , Joel has particular experience in contractual disputes, partnership disputes, misleading & deceptive conduct claims, and nuisance claims.

In administrative law matters, Joel has experience in statutory construction cases, judicial review matters, human rights cases, extradition challenges, and challenges to Workcover premiums.

Liability limited by a scheme approved under Professional Standards Legislation

Recent Cases

DISCRIMINATION AND ADVERSE ACTION MATTERS

Collison v Brighton Road Enterprises (2015-, FCCA): alleged sexual harassment and unlawful dismissal. Appearing alone.

Savige v University of Melbourne (2014-15, FCA): alleged unlawful redundancy of an academic.

Slattery v Manningham City Council (2013, VCAT): disability discrimination case. 3 days. Appeared alone for Victorian human rights commission, intervening.

NTEU (Judith Bessant) v RMIT University (2013, FCA): unlawful dismissal of an academic. 12 day trial. Appeared alone.

Sagona v Piccoli Investments Pty Ltd (2013, FCCA): pregnancy discrimination case. 3 days. Appeared alone.

ENTITLEMENTS DISPUTES

Lardner Real Estate v Morton (2015-, CCV): alleged breach of contract. 8 days. Appearing alone.

Macfarlane v Bishop (2014, FCA): alleged underpayment of church organist.

Marmara v Toyota (2013-14, FCA & FCAFC): breach of enterprise agreement (trial & appeal). Led by Herman Borenstein SC.

FWO v Coles Supermarkets (2013-14, FCA): alleged underpayment of trolley collectors by Coles' subcontractors. Led by Greg Lyon QC and Steven Moore.

INDUSTRIAL RELATIONS DISPUTES

Paper Australia v AMWU (2013-15, FCA): alleged unlawful picket. Appeared alone to resist injunction. To be led at trial by Herman Borenstein QC (4 weeks).

MUA v Patrick Stevedores (2014, FWC, FCA): dispute over closure of Webb Dock. Appeared alone in FWC (6 days) and led by Craig Dowling in the Federal Court.

Fair Work Building Industry Inspectorate v CFMEU (2014, FCA and SCV): alleged unlawful picket at the Mirvac Tower 8 building site. 3 day trial. Led by Robert Reitano.

John Holland & Fair Work Building Industry Inspectorate v CFMEU (2013-14, FCA): alleged unlawful strike & picket at the new Perth Children's Hospital site. To be led by John Gurr.

Grocon/Fair Work Building Industry Inspectorate v CFMEU (2013-14, FCA & SCV): alleged unlawful blockade at the Myer Emporium and other building sites. Combined trials estimated at 6-8 weeks. Led by Rachel Doyle SC and John Gurr.

NUW v Toll Holdings (2012, FWC & FWCFB): application to stop industrial action at the Coles Somerton distribution centre (trial + appeal). Led by Herman Borenstein SC.

Hay Point Services Pty Ltd v CFMEU (2012, FWAFB): appeal against FWC decision. 1 day. Appeared alone. Heard in Brisbane.

CEPU v MI&E Holdings Pty Ltd (2012, FWAFB): appeal against FWC decision. 1 day. Appeared alone. Heard in Perth.

PUBLIC LAW AND GOVERNANCE MATTERS

General Mgr, FWC v Thomson (2012-14, FCA): alleged misuse of position by Craig Thomson (former HSU secretary). Led by Stephen Donaghue QC.

Snedden v Minister for Justice (2013-14, FCA & FCAFC): judicial review of extradition decision. 3 day trial + appeal. Led by Julian Burnside QC, Lisa de Ferrari & Richard Knowles.

Advice to a superannuation fund on the construction of fund rules. With Ron Merkel QC.

Advice to a government agency on privacy obligations.