

Nico Burmeister



Nico Burmeister practises primarily in industrial relations and employment law. He is a member of the Victorian and Western Australian Bars.

QUALIFICATIONS

Master of Law and Management
Bachelor of Laws
Bachelor of Arts (Political Science)
Graduate Diploma Legal Practice

CORRESPONDENCE

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CHAMBERS

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COMMERCIAL LAW

Class Actions | Contractual Disputes | Sports Law

EMPLOYMENT & INDUSTRIAL

Appellate | Confidential Information | Discrimination | Employment Contracts | Industrial Disputes | Public Sector Appeals | Restraint of Trade | Statutory Employment Rights | Work Health & Safety

PUBLIC LAW

Commissions & Inquiries

After a decade as a solicitor, Nico was called to the Bar in 2013 and quickly developed a national practice.

He is consistently recognised in peer- and client-reviewed publications (most recently in [Chambers and Partners Asia Pacific Rankings – Employment: The Bar in Australia 2024](#), [The Legal 500 – Asia Pacific – Australia Bar – Commercial Disputes 2024](#), [Doyles Leading Employment Law Junior Counsel – Victoria, 2023](#) and [Best Lawyers in Australia \(Labour and Employment Law\) 2021-2024](#)).

Nico has extensive experience, both as junior counsel and unled.

Before being called to the Bar, Nico litigated – and practised employment law – at Allens (now Allens Linklaters), and Norton Rose Fulbright. In addition, he spent two years in-house at Chandler Macleod Group Limited (then an ASX-listed labour-hire and recruitment conglomerate) where he was General Counsel.

Nico's academic qualifications include a Master of Law and Management from the University of New South Wales and the Australian Graduate School of Management; and a Bachelor of Laws and a Bachelor of Arts (Political Science) from the University of Western Australia.

Nico is an executive committee member of the Industrial Bar Association and the Editor of the Victorian Bar News.

Finally, Nico is a long-suffering – but ultimately patient – member of the Fremantle Football Club.

Liability limited by a scheme approved under the Professional Standards Legislation

Recent Cases

A limited selection of current and recent cases is as follows:

Finance Sector Union v Commonwealth Bank of Australia – Junior counsel for the Commonwealth Bank of Australia in proceeding alleging non-compliance with several enterprise agreements in respect of several thousand employees. Led by Justin Bourke KC and Jenny Firkin KC, and with Eugenia Levine and Liam Meagher.

Motion v Qantas Airways Limited [2022] FCA 25 – Junior counsel for Qantas resisting injunctive and other relief regarding COVID-19 vaccination policy. Led by John Sheahan QC, and then Richard Dalton KC.

Piggott v Qantas Airways Limited [2022] FWC 1172 – Counsel for Qantas resisting unfair dismissal claim arising from dismissal for non-compliance COVID-19 vaccination policy (unled). Nico also appeared (unled) in the following similar proceedings: ***Burns v Qantas***, ***Bursill v Qantas***, ***Coleiro v Qantas***, ***Rose v Qantas***, ***Micjan v Qantas*** and ***Attard v Jetstar*** (see, for example, [2022] FWC 2267).

Murdock v Virgin Australia Airlines Pty Ltd & Ors [2022] FCA 1074 – Junior counsel for Jetstar and Qantas in proceeding relating to COVID-19 vaccination policy. Led by Richard Dalton KC.

Australian Building and Construction Commissioner v CFMMEU & Anor – Junior counsel for the ABCC alleging multiple contraventions at the Port of Fremantle. Led by Justin Bourke KC and with Natalie Campbell.

Australian Ceramics Engineering Pty Ltd v Clinton & Ors – Counsel for ACE in proceeding alleging contractual, equitable and statutory breaches by former employee and his new employer (unled).

Transport Workers Union v Qantas & Anor [2021] FCA 1602 – Junior counsel for Qantas resisting orders to reinstate over 1,800 outsourced former ground operations employees. Led by Richard Dalton QC and with Matthew Follett.

VICT v CFMMEU; VICT v Hilakari; Lunt v VICT – Junior counsel for Victoria International Container Terminal

Limited in ongoing proceedings relating to picketing and other industrial disputation at the Port of Melbourne. Led by Stuart Wood AM QC and with (variously) John Snaden, Robyn Sweet and Alex Manos, including:

1. High Court appeal (*VICT v Lunt* (2021) 271 CLR 132);
2. picketing injunction (*VICT v CFMMEU* (2018) 285 IR 28);
3. representative injunction (*VICT v Hilakari* [2017] VSC 762);
4. tort (*VICT v CFMMEU* [2018] VSC 181);
5. contempt of court (*VICT v CFMMEU* [2018] VSC 794); and
6. judicial review, general protections, and abuse of process (*Lunt v VICT (No 2)* (2019) 165 ALD 542 and *Lunt v VICT* [2020] FCAFC 40).

Israel Folau v Rugby Australia Ltd and Waratahs Rugby Pty Ltd – Junior counsel for Israel Folau in proceedings relating to the termination of his employment (led by Stuart Wood QC and with Eddy Gisonda).

Australian Workers' Union v Registered Organisations Commissioner (2019) 168 ALD 11 – Junior counsel for Senator Michaelia Cash's former Chief of Staff in trial regarding investigation into AWU donations and associated Australian Federal Police raids (led by Richard Dalton QC).

Memberships

Industrial Bar Association

Commercial Bar Association

WA Bar Association