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## CURRICULUM VITAE

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### Adam Guy

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### Employment History

#### University of New South Wales

October 2019 – Present

#### Casual Academic – School of Law

I am engaged by the University of New South Wales as a casual academic to teach the Practical Legal Training subjects 'Advocacy' (offered as part of the Skills in Practice on-site unit) and PLTX1240 – Employment and Industrial Law.

In addition to teaching and assessing students in these subjects, I also developed and wrote the course materials for PLTX1240 – Employment and Industrial Law.

#### Western Sydney University

July 2018 – Present

#### Casual Academic – School of Law

I am a casual academic engaged by Western Sydney University to teach the second semester subject 200811 – Alternative Dispute Resolution.

My obligations in this role include teaching seminars, marking practical assessments, and marking final exams.

#### HB Higgins Chambers

April 2018 – Present

#### Barrister

H B Higgins Chambers is an established set of chambers that specialises in industrial and employment, work health and safety, administrative, commercial and criminal law.

My primary areas of practice are employment and industrial law, work health and safety law, alternate dispute resolution, administrative law, contract law, family provisioning, inquests and inquiries, and criminal law.

#### Notable Cases

- **Chatwin v Bodyline Spa and Sauna Pty Ltd (No 2) [2020] NSWCATAD 198** (for the respondent, joinder of parties, removal of a party) (unled)
- **Health Services Union v Healthscope Operations Pty Ltd [2020] FCCA 1045** (for the applicant, contraventions of an enterprise agreement) (unled)

- **Trades College Australia Pty Ltd and Australian Skills Quality Authority [2020] AATA 812** (for the applicant, appeal of a decision to cancel the registration of a registered training organisation) (led by Darien Nagle)
- **Australian Rail Tram and Bus Industry Union v Sydney Trains [2020] FWC 1457** (for the applicant, dispute arising under an enterprise agreement) (unled)
- **Australian Rail, Tram and Bus Industry Union-New South Wales Branch v Australian Rail Track Corporation Ltd T/A Australian Rail Track Corporation Ltd [2020] FWC 759** (application for a scope order) (unled)
- **ALDI Foods Pty Limited as General Partner of ALDI Stores (a Ltd Partnership) v Transport Workers' Union of Australia [2020] FCA 269** (for the respondent, consumer protection – misleading and deceptive conduct) (led by Mark Gibian SC)
- **Broadspectrum (Australia) Pty Ltd v United Voice & Ors [2019] HCATrans 57** (for the respondent, application for special leave to appeal to the High Court of Australia) (led by Mark Gibian SC)
- **Australian Rail, Tram and Bus Industry Union, NSW Branch v Metro Trains Sydney Pty Ltd [2019] FCA 546** (for the applicant, general protections dismissal application) (led by Mark Gibian SC)
- **SafeWork NSW v KD & JT Westbrook Pty Ltd [2018] NSWDC 255** (for the defendant company, defence of a SafeWork prosecution following a workplace death) (led by Darien Nagle)

**Association of Professional Engineers,  
Scientists and Managers, Australia (APESMA)**

August 2016 – April 2018

**Legal Officer**

As the sole solicitor for APESMA's Collieries Staff Division, I provided individual advice to, and advocacy for members in relation to industrial and employment issues that arose in the black coal mining industry. I also provided internal advice to APESMA Officials, and the Director of the Collieries Staff Division on a wide variety of issues including industrial strategy, work health and safety, and governance matters.

My role included directly representing Members in contract reviews, individual grievance, statutory investigations, and disciplinary matters. Furthermore, I appeared before industrial tribunals and courts on behalf of APESMA and represent the membership in parliamentary enquiries and creditors meetings.

Notable Cases

- **APESMA v Mt Arthur Coal Pty Ltd [2018] FWC 2008** (for the applicant, scope order application) (instructing solicitor)
- **Black Coal Mining Industry Award 2010 [2018] FWCFB 5996** (for the union, variation to the award) (instructing solicitor)
- **Tomlinson v BHP Coal Pty Ltd t/as BHP Billiton [2017] FWC 2627** (for the applicant, unfair dismissal) (instructing Solicitor)

## **Legal Officer**

As part of a small team of lawyers and Industrial Officers I provided advice to, and advocacy for the members and elected officials of the Transport Workers' Union of New South Wales.

My role included representation, both as an applicant and as a respondent in a range of contested and uncontested matters in the Chief Industrial Magistrates Court, the Fair Work Commission, the Federal Court, the Federal Circuit Court, the NSW Civil and Administrative Tribunal, and the NSW Industrial Relations Commission.

In addition to advice and advocacy on behalf of members and officials, I also worked with the broader legal team to develop and improve internal processes and compliance as required by the Union.

### Notable Cases

- ***Gatzounas v Toll Transport Pty Ltd (No2)* [2017] NSWIRComm 1006** (for the applicant, unfair dismissal of a contract carrier) (as solicitor advocate)
- ***Transport Workers Union of Australia v SITA Australia Pty Ltd t/as SUEZ Environment and Waste Recovery* [2016] FWC 2586 & *SUEZ Recycling Recovery Pty Ltd v Transport Workers' Union of Australia* [2016] FWC 3007** (for the respondent, defence of stop industrial action orders) (as solicitor advocate)
- ***Cement Australia Pty Ltd v Transport Workers Union of Australia* [2016] FCCA 76** (for the respondent, defence of unlawful industrial action prosecution) (instructing solicitor)
- ***Joseph Johnpulle v Toll Holdings Ltd* [2015] FWC 3830 & [2016] FWC 1507** (for the applicant, unfair dismissal) (as solicitor advocate)
- ***Transport Workers Union of Australia v Atkins* [2014] FCCA 1553** (for the applicant, general protections dismissal application) (as solicitor advocate)

## **Australian and International Pilots' Association**

July 2008 – August 2011

### **Industrial Advisor**

While at university, and in my first year of practice, I worked as an Industrial Officer within a small team to advocate for and on behalf of Members in the airline industry.

My role included directly representing Members in grievance and disciplinary matters, working with the Membership Coordinator to implement industrial strategies, legal research and case preparation, and appearing before industrial courts and tribunals in disputes.

### **Pro-Bono Practice**

In addition to my paid practice, I also have relationships with the following community legal organisations for which I provide pro-bono advice and advocacy.

- **Marrickville Legal Centre**
- **South West Sydney Legal Centre**
- **Kingsford Legal Centre**

## Education and Training

**University of New South Wales** 2016 – 2017  
Master of Dispute Resolution with Excellence (MDR)

### Awards

Semester One 2017 Dean's List – LAWS8122 – Critical Victimology

Semester One 2016 Dean's List – LAWS8314 – Dispute Resolution: Principles, Processes and Practices

**College of Law** November 2014  
Practice Management Course – Corporate and Government Lawyers

**University of Wollongong** 2010  
Graduate Diploma of Legal Practice (GDLP)

**University of Wollongong** 2007 – 2010  
Bachelor of Laws (LLB)

## Accreditations

**New South Wales Bar Association** May 2018 – Present  
Barristers' Practising Certificate

**Law Society of New South Wales** 2010 – 2018  
Unrestricted/Unsupervised Solicitor Member

**High Court of Australia** November 2013  
Admission as a Solicitor of the High Court of Australia

**Supreme Court of New South Wales** August 2010  
Admission as a Solicitor of the Supreme Court of New South Wales