



Quiz

Jermiin v Commonwealth Scientific and Industrial Research Organisation [2021] FCA 1043 – Enterprise Agreements and Redundancy Processes

1. One of the allegations Dr Jermiin ran in the Federal Circuit Court was that:
 - a. CSIRO has refused to pay his salary on time
 - b. CSIRO had breached his employment contract
 - c. CSIRO had completely altered the terms of the contract
 - d. CSIRO had fabricated an employment contract

2. Clause 5 of the enterprise agreement set out:
 - a. Dr Jermiin's salary and bonus figures
 - b. Dr Jermiin's rights with regard to workplace abuse
 - c. A process for termination of employment
 - d. A process for negotiating contractual terms

3. CSIRO argued that:
 - a. The clause was directed to dealing with a situation where there was a large number of similar or same type of roles
 - b. The clause was directed to dealing with a situation that required an officer with a certain type or skill level
 - c. The evidence of the process that the line manager went through demonstrated that he had undertaken the required process
 - d. All of the above

4. Dr Jermiin argued that:
 - a. One had to look only at his university credentials when making a decision regarding termination of employment
 - b. One had to focus solely on his skills and not whether he was able to raise funds for the research he was undertaking
 - c. One had to look at all the circumstances of Dr Jermiin's employment, including his relationship with other workers
 - d. One must look at his skills in relation to any topic CSIRO deems necessary for work qualification

5. The Federal Court held that:
 - a. CSIRO was not entitled to restructure its operations in a manner that would be detrimental to Dr Jermiin
 - b. CSIRO was not entitled to restructure its operations in a manner that required fundraising to be part of the role of an employee of Dr Jermiin's skills
 - c. CSIRO was entitled to restructure its operations in a manner that required fundraising to be a part of the role for an employee of Dr Jermiin's skills
 - d. CSIRO was entitled to restructure its operations in a manner that required fundraising to be the sole focus of Dr Jermiin's role

Answers:

1. b 2. c 3. d 4. b 5. c