

**BILAL RAUF**  
**STATE CHAMBERS**

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**ADMISSIONS**

Barrister: 2014  
Solicitor: 2001 (NSW) and 2007 (Qld)

**QUALIFICATIONS**

Bachelor of Arts (Philosophy), University of Sydney  
Bachelor of Laws (Honours), University of Sydney

**AREAS OF PRACTICE**

Industrial relations  
Employment law  
Discrimination law  
Restraint of Trade

Workplace safety prosecutions  
Coronial inquiries  
Administrative law  
Equity

**EXPERTISE AND EXPERIENCE**

Bilal was called to the bar in August 2014. He has a broad practice with a particular focus in employment and industrial relations law and workplace safety law.

Since being called to the bar, Bilal has appeared for many of Australia's largest corporations, employer associations and government entities. He has appeared in the Federal Court, Supreme Court of NSW, District Court, Local Court and State and Federal Tribunals, such as the Fair Work Commission.

Prior to coming to the Bar, Bilal was a Special Counsel at Ashurst (formerly Blake Dawson) and worked in its Sydney and Brisbane offices. During his 11 years with the firm, Bilal worked across a range of industries, including mining and resources, maritime, manufacturing and transport. He also regularly engaged in advocacy.

Given his experience over more than a decade, Bilal is able to approach and conduct his matters with a strategic focus and having regard to the legal and commercial interests and objectives of the client. He is also able to flexibly with solicitors and on direct access matters, including in relation to the preparation of pleadings and evidence and advice about investigations conducted by regulatory authorities.

Bilal's other experience includes:

- (a) Lawyer with PricewaterhouseCoopers Legal from 2001 to 2004;
- (b) Research Assistant to Emeritus Professor Ronald McCallum, AO, University of Sydney, from 2000 to 2001; and
- (c) Trade Practices Inquiry Officer, Australian Competition and Consumer Commission, from 2000 to 2001.

## SELECTED RECENT CASE EXAMPLES

*BGC Partners (Australia) Pty Limited v Hickey* [2016] NSWSC 90: **(Led by R Goot SC and S Prince)** Restraint of trade and interpretation of employment contract.

*Construction, Forestry, Mining and Energy Union v Port Kembla Coal Terminal Limited* [2016] FWC 3852: Dispute relating to interpretation of enterprise agreement and consultation obligation.

*Fred Rouady v Qantas Airways Limited* [2016] FWC 33: Termination of employment for a safety incident.

*Adcock v Blackmores Ltd and Ors* [2016] FCCA 265: **(Led by I Taylor SC)** Repudiation of contract; entitlement to redundancy under enterprise agreement.

(See also separate matter of *Adcock v Blackmores Ltd and Ors* [2015] FCCA 1958)

*BHP Coal Pty Ltd T/A BMA v Schmidt; Schmidt v BHP Coal Pty Ltd T/A BMA* [2016] FWCFCB 1540: Rehearing following successful appeal against decision concerning termination of employment for safety related incident.

*BHP Coal Pty Ltd T/A BMA v Schmidt; Schmidt v BHP Coal Pty Ltd T/A BMA* [2016] FWCFCB 72: Appeal against decision concerning termination of employment for safety related incident.

(First instance decision at *Schmidt v BHP Coal Pty Ltd* [2015] FWC 2724)

*Dr Daniel White, Executive Director of Catholic Schools and legal representative of the Catholic Education Office, Sydney v Gerald Mahony* [2015] FWCFCB 4952: **(Led by M Kimber SC)** Appeal against decision concerning termination of employment in reliance on *Child Protection (Working With Children) Act 2012*.

(See also separate matter of *Paul O'Connell v Catholic Education Office, Archdiocese of Sydney T/A Catholic Education Office, Sydney* [2016] FWCFCB 1752)

*Construction, Forestry, Mining and Energy Union v Port Kembla Coal Terminal Limited* [2015] FWCFCB 4075: **(Led by J Kirk SC)** Appeal against decision concerning workplace drug testing.

*Construction, Forestry, Mining and Energy Union v Port Kembla Coal Terminal Limited* [2015] FWC 2384: Dispute about requirement for urine sampling procedure for workplace drug testing.

*Vaughn Pettet and Ors v Mt Arthur Coal Pty Ltd* [2015] FWC 2851: **(Led by R Warren)** Termination of employment of a number of employees on the ground of genuine redundancy.

*Robert Smith v Mt Arthur Coal Pty Ltd* [2015] FWC 4194: Termination of employment for a safety incident.

*Construction, Forestry, Mining and Energy Union v Port Kembla Coal Terminal Limited* [2015] FWC 5903: (Unreported) Dispute relating to interpretation of enterprise agreement and leave provisions.

*Maria Panera v Qantas Airways Limited* [2015] FWC 4527: (Upheld on appeal) Termination of employment for misconduct.

*Pat Quin v Parkthorn Properties Pty Ltd* [2015] FWC 586: Jurisdictional objection to unfair dismissal application.

## **SEMINARS AND PRESENTATIONS**

Bilal regularly conducts workshops and presents at seminars. Recent examples include:

*"Advocacy in the Fair Work Commission"* held at the Fair Work Commission, Sydney, every year from May 2013 to June 2016

*"WHS Investigations and Prosecutions: Minimising Exposure and Managing Incidents"*, Legalwise Seminar, March 2016

*"Drug Testing in the Workplace"*, NSW Young Lawyers Annual Employment Law Seminar, March 2016

*"Drug Testing in the Workplace"*, Law Society Presentation, October 2015

*"Safety Investigations and Prosecutions in the Brave New World"*, March 2015