

Court dismisses appeal on duress claims

16 March 2012

The Federal Court has upheld an earlier finding that a national aviation services company did not breach the duress provisions of workplace laws when offering workplace agreements to two employees.

In 2007, the Fair Work Ombudsman commenced litigation in the Federal Magistrates Court alleging that National Jet Systems breached workplace laws by applying duress to two pilots it employed in an effort to pressure them into signing workplace agreements.

Federal Magistrate Toni Lucev dismissed the allegation in 2010, finding that the conduct of National Jet Systems did not amount to unlawful duress.

The Fair Work Ombudsman appealed against Federal Magistrate Lucev's finding, but the Federal Court has today dismissed the appeal.

The penalty Federal Magistrate Lucev imposed on National Jet Systems last year for breaching workplace laws by underpaying 33 pilots is not affected by today's Federal Court ruling.

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Page reference No: 3869

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