



## HIGH COURT OF AUSTRALIA

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#### Details of Filing

File Number: B73/2020  
File Title: WorkPac Pty Ltd v. Rossato & Ors  
Registry: Brisbane  
Document filed: Form 27B - Appellant's chronology  
Filing party: Appellant  
Date filed: 21 Jan 2021

#### Important Information

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IN THE HIGH COURT OF AUSTRALIA

BRISBANE REGISTRY

BETWEEN:

**WorkPac Pty Ltd**

**ACN 111 076 012**

Appellant

and

**Robert Rossato**

First Respondent

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**Minister for Jobs and Industrial Relations**

Second Respondent

**Construction, Forestry, Maritime, Mining and Energy Union**

Third Respondent

**Matthew Petersen**

Fourth Respondent

**APPELLANT'S CHRONOLOGY**

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**Part I:** This chronology is in a form suitable for publication on the Internet.

**Part II:**

<b>Date</b>	<b>Event</b>	<b>Reference to Core Appeal Book</b>
23 December 2013	Mr Rossato acknowledged that he had read, understood and agreed to the content of the 'Casual or Maximum Term Employee – Terms & Conditions of Employment' ( <b>General Conditions</b> ).	Page 104 [293]
17 July 2014	Mr Rossato was provided with a contract of employment by WorkPac entitled 'Notice of offer of Casual Employment – Flat Rate' ( <b>the First NOCE</b> ).	Pages 104 [294] and 289 ([1] of Order)
28 July 2014	Mr Rossato accepted the offer set out in the First NOCE, and commenced his first shift of work at Glencore's Collinsville Mine under and in accordance with the First NOCE.	Pages 96 [267], 104 [294] and 289 ([1] of Order)
29 May 2015	Mr Rossato was provided with a contract of employment by WorkPac entitled 'Notice of offer of Casual Employment – Flat Rate' ( <b>the Second NOCE</b> ).	Pages 104 [297], 175 [596] and 289 ([1] of Order)
1 June 2015	Mr Rossato accepted the offer set out in the Second NOCE, and commenced his first shift of work at Glencore's Newlands Mine under and in accordance with the Second NOCE.	Pages 104 – 105 [297]
19 February 2016	Mr Rossato was provided with a contract of employment by WorkPac entitled 'Notice of offer of Casual Employment' ( <b>the Third NOCE</b> ).	Pages 105 [298] and 289 ([1] of Order)

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Date	Event	Reference to Core Appeal Book
2 March 2016	Mr Rossato accepted the offer set out in the Third NOCE, and commenced his first shift of work at Glencore's Newlands Mine under and in accordance with the Third NOCE.	Page 69 [170]
27 September 2016	Mr Rossato was provided with a contract of employment by WorkPac entitled 'Notice of offer of Casual Employment – Flat Rate' ( <b>the Fourth NOCE</b> ).	Pages 209 [745] and 289 ([1] of Order)
27 September 2016	Mr Rossato accepted the offer set out in the Fourth NOCE, and commenced his first shift of work at Glencore's Collinsville Mine under and in accordance with the Fourth NOCE.	Page 105 [299]
11 November 2016	Mr Rossato was provided with a contract of employment by WorkPac entitled 'Notice of offer of Casual Employment – Flat Rate' ( <b>the Fifth NOCE</b> ).	Pages 105 [301] and 289 ([1] of Order)
14 November 2016	Mr Rossato accepted the offer set out in the Fifth NOCE, and commenced his first shift of work at Glencore's Collinsville Mine under and in accordance with the Fifth NOCE.	Pages 31- 32 [21]
21 December 2016	Mr Rossato was provided with a contract of employment by WorkPac entitled 'Notice of offer of Casual Employment – Flat Rate' ( <b>the Sixth NOCE</b> ).	Pages 105 [301], 209 [746] and 289 ([1] of Order)

Date	Event	Reference to Core Appeal Book
11 January 2017	Mr Rossato accepted the offer set out in the Sixth NOCE, and commenced his first shift of work at Glencore's Collinsville Mine under and in accordance with the Sixth NOCE.	Page 77 [203]
9 April 2018	Mr Rossato's employment with WorkPac was terminated by way of retirement.	Pages 96 [267], 104 [294], 107 [310], 222-223 [811(g)] and 289 ([1] of Order)
16 August 2018	The Full Court of the Federal Court of Australia delivered judgment in <i>WorkPac Pty Ltd v Skene</i> [2018] FCAFC 131.	
2 October 2018	Mr Rossato made a demand to WorkPac for payment of certain amounts that he claimed were owing to him following, and relying on, the decision of the Full Court in <i>Skene</i> .	Pages 256-257 [944]
3 October 2018	WorkPac rejected Mr Rossato's demand of 2 October 2018.	Page 97 [271]
4 October 2018	WorkPac commenced proceedings in the Federal Court of Australia ( <b>Federal Court Proceedings</b> ).	

Date	Event	Reference to Core Appeal Book
21 December 2018	Allsop CJ ordered and directed, amongst other things, that the Federal Court Proceedings be expedited and that the original jurisdiction of the Federal Court be exercised by a Full Court pursuant to s 20(1A) of the <i>Federal Court of Australia Act 1976</i> (Cth).	Pages 4 to 13
7 May 2019 & 8 May 2019	Federal Court Proceedings heard by a Full Court, comprising Bromberg, White, and Wheelahan JJ.	Page 22
20 May 2020	Full Court of the Federal Court delivered judgment.	Pages 14 to 288
29 May 2020	Full Court of the Federal Court made declarations and orders.	Pages 289 to 290
26 November 2020	Special leave to appeal granted.	Pages 296 to 297
10 December 2020	Notice of Appeal filed.	Pages 298 to 301
17 December 2020	Notices of Contention filed by the First and Third Respondents.	Pages 302 to 307

Dated: 21 January 2021



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