

## L.1 Award Misrepresentation

108. By the September 2014 Information Pack, Chandler Macleod Group represented to the Applicant and the Potential Ready Workforce Employees that they would each be a casual employee and would not be entitled to any of the entitlements available under the Award to full-time and part-time employees (Award Entitlements) if they became employed by Ready Workforce to work at the Mine (Award Representation).

### Particulars

The Applicant relies upon the terms of the September 2014 Information Pack, including the statement: "If you apply and are accepted to commence work as a casual employee with Chandler Macleod, you will be offered a flat casual rate of either \$38 p/hour for working as part of the 8 hour crib roster, or \$40 p/hour as part of the 12.10 hour shift roster."

The Award Representation is partly express and partly implied. To the extent that it is express, the Applicant refers to the terms of the September 2014 Information Pack. To the extent that it is implied, it is to be implied from the express terms of the September 2014 Information Pack.

109. The Award Entitlements were each a workplace right within the meaning of s 341 of the FWA.