



## NT Fire Service Employee Reinstated

**Date: Tuesday June 23, 2015**

On 15 June 2015 Hall Payne Lawyers obtained a consent order at the Fair Work Commission for the reinstatement of Leading Firefighter Paul Rubie to his position with the Northern Territory Fire and Rescue Service. Mr Rubie had been terminated for posting a Facebook comment outside of work hours. The reinstatement followed a lengthy process involving Mr Rubie challenging his dismissal by making an unfair dismissal claim to the Fair Work Commission seeking reinstatement.

Joseph Kennedy, an Associate with our Sydney office, along with United Voice (Mr Rubie's union) represented Mr Rubie throughout his matter.

Hall Payne Lawyers contended that the termination was unfair on several bases. These included that there was no valid reason for the termination, that Mr Rubie had been subjected to differential treatment compared to other employees and that the termination was manifestly harsh. The matter was set down for a two day contested hearing in Darwin.

On the morning of the hearing prior to it commencing, the employer offered Mr Rubie reinstatement back to his previous position, with some conditions. This was agreed to by Mr Rubie and a consent order was made by the Commission without the matter needing to proceed to hearing or any evidence being heard.

You can read the relevant consent order [here](#).

**The outcome in this matter reinforces the importance of union membership for workers in the Northern Territory. United Voice and Hall Payne Lawyers both have significant experience in dealing with unfair dismissals, both in the Northern Territory and throughout Australia, and have a proven track record of obtaining positive outcomes for employees. It is absolutely vital that unions and employees act quickly in the event of an unfair dismissal.**

*Pictured front row (from the left) HPL Solicitor James Burke, HPL Associate Joseph Kennedy, United Voice Branch Secretary Erina Early and Paul Rubie, along with other United Voice members.*

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