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The ACTU's insecure work campaign – *Natalie Rodwell* and *Neil Napper*

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From ABCC to FWBC: Tides of change? – *Irina Kolodizner* and *Neil Napper*

In a three-part analysis, this article discusses the historical and technical aspects of the transition from the Australian Building and Construction Commission to Fair Work Building and Construction heralded by the *Building and Construction Industry Improvement Amendment (Transition to Fair Work) Act 2012* (Cth). It also considers recent case law providing a glimpse into the new regulator's style. 58

Assessing compensation in adverse action cases – *Ian Latham* and *David Taylor*

One of the key changes made by the *Fair Work Act 2009* (Cth) was the creation of a discrete area of "adverse action" claims. There has been little consideration as to the matters that should be considered by a court when making an award of compensation following a finding of adverse action. Courts are likely to apply similar considerations to that which is applied in awarding compensation under s 238 of Sch 2 to the *Competition and Consumer Act 2010* (Cth) (formerly s 87 of the *Trade Practices Act 1974* (Cth)). It is unlikely that they will be limited by factors such as contractual notice, or statutory limits applying to unfair dismissal. Rather, the court will likely look at the actual losses occasioned by the adverse action. 61

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