



Attorney-General

121 Exhibition Street
Melbourne Victoria 3000
GPO Box 4356QQ
Melbourne Victoria 3001
Telephone: (03) 9651 0552
Facsimile: (03) 9651 0556
DX 210077

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Mr Daming He
Upholding.peoples.rights@hotmail.com

Dear Mr He,

Employees' Rights under the Constitution

I thank you for correspondence and expressions of support for the rights of Australian workers.

You have expressed concern about your wife's employment situation. I am sorry to hear that she feels that she was unlawfully terminated. This must have had a devastating effect on your family.

I am informed that your wife took court action in relation to her situation, which included seeking special leave to appeal to the High Court. I am also informed that this special leave application was refused by the High Court. You have already been advised on my behalf that I am unable to intervene in your wife's legal proceedings because the High Court case is at an end.

Should you or your wife be involved in any further legal proceedings which raise questions of interpretation of the Australian Constitution, I will of course consider any further requests to intervene.

You have indicated that you are interested in employees' rights under the Australian Constitution. I suggest you write to the Federal Attorney-General with your views in relation to this issue, as this is within the Federal Government's responsibility.

I would however encourage you to join the Victorian Government in working to oppose the Commonwealth WorkChoices legislation which denies any unfair dismissal rights to employees in businesses with fewer than 100 employees.

Yours sincerely

ROB HULLS MP
Attorney-General