

Josh Martin

Solicitor 2017

Barrister 2024

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Josh Martin specialises in employment and industrial relations. He also has an active practice in commercial law and building and construction matters.

Before to coming to the Bar, Josh was an Associate at the Fair Work Commission, a solicitor at a large private law firm, and the Senior Legal Officer at the Australian Manufacturing Workers' Union. At the AMWU, he was responsible for the strategic implementation of the union's legal objectives and appeared in the Local Court, Fair Work Commission, Federal Circuit Court, and Federal Court of Australia.

Josh is acutely aware of the stress clients endure throughout litigation and takes proactive steps to alleviate this through his collaborative and empathetic approach to running matters. Josh also utilises his meticulous attention to detail and pragmatism in advancing his clients' best interests in respect of both dispute resolution and contested litigation.

Outside the law, Josh enjoys being active outdoors, listening to and recording music,

as well as playing and watching a variety of sports, including AFL, basketball, cricket and rugby league.

QUALIFICATIONS

Bachelor of Commerce, Macquarie University (2016)

Bachelor of Laws, Macquarie University (2016)

SPECIALISATIONS

Employment and Industrial Law

Commercial Law

Building and Construction

RECOGNITION

Josh has been ranked in the Best Lawyers Australia, Ones to Watch 2026 for Labour and Employment Law.

SELECTED CASES

Awards, Work Value and Workplace Determinations

Fire + Rescue NSW Firefighting Staff Awards 2024 – Wage and allowance claims for NSW firefighters; application of wage fixation principles (matter ongoing).

Canberra Health Services (ACT Government) Workplace determination – Representing ASMOF in wage claim for medical practitioners in the ACT (matter ongoing).

Enterprise Agreements

AMWU v Sublime Infrastructure Pty Ltd & CEPU [2024] FWCFB 432 – Approval of enterprise agreement quashed on appeal due to the absence of genuine agreement.

Industrial Action

Australian Federal Police v Police Federation of Australia [2024] FWC 2286 (led by L. Saunders) – Successfully defended s.418 application seeking orders to stop industrial action.

Industrial Disputes

RTBU v Keolis Downer Northern Beaches Pty Ltd [2025] FWC 187 – Obtained orders to produce documents regarding alleged overpayments.

As A SOLICITOR

AMWU v Cargill Australia Limited [2024] FedCFamC2G 168 – Backpayment claim regarding classification under an enterprise agreement.

Unilever Australia Trading Ltd T/A Streets Ice Cream Minto v AMWU [2024] FWCFB 248 – Resisted appeal regarding union's successful application regarding entitlement to heavy vehicle driving allowance under incorporated award.

AMWU v Opal Packaging Australia Pty Ltd [2022] FWCFB 231 – Dispute regarding whether enterprise agreement preserved an entitlement to bank hours towards time off work. The union's construction that such an entitlement was preserved by the clause was upheld on appeal.

Unfair Dismissal

Opal Packaging Australia Pty Ltd v Pece Calovski [2025] FWCFB 16 – Resisted appeal of successful unfair dismissal application involving reinstatement.

As A SOLICITOR

Alvin Kumar v Opal Packaging Australia Pty Ltd [2023] FWC 2090 – Reinstatement orders for dismissal involving alleged non-compliance with lock out tag out procedure.