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Folau dismissal heading to FWC

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Rugby union player Israel Folau has lodged a general protections application with the FWC over his dismissal last month for posting on Instagram that "hell awaits" homosexuals, drunks and atheists.

Folau's \$4 million contract was officially terminated on May 20 after the devout Christian was deemed to have committed a high level breach of the organisation's code of conduct, which highlights an "inclusive environment" (see Related Article).

Represented by leading IR lawyer Stuart Wood QC and Macpherson Kelley solicitor George Haros, Folau will argue that Rugby Australia and the NSW Waratahs breached s772 of the Fair Work Act in taking adverse action on the basis of religion.

The section was recently invoked in Sydney University academic Tim Anderson's Federal Court challenge on the basis of political beliefs to his dismissal for superimposing a swastika on an Israeli flag in teaching materials and social media posts (see Related Article).


In a media statement today, Folau said "no Australian of any faith should be fired for practising their religion".

Filed within the 21-day deadline, Folau's application will be determined according to the Commission's protections around religious discrimination.

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