

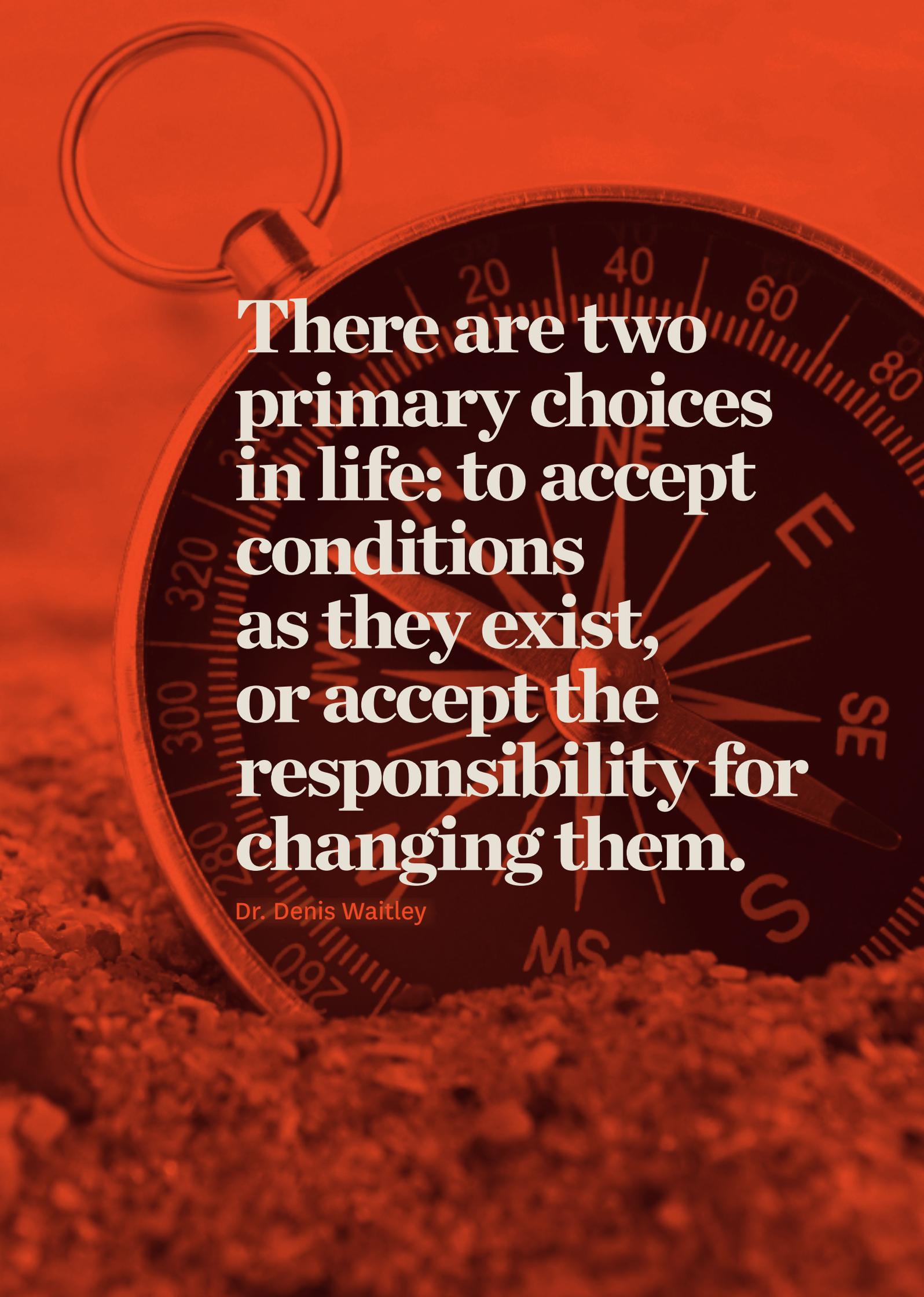
Our
Services

**Sladen eliminates
Legal risk**



**Employment,
Industrial
Relations and
Occupational
Health and Safety**





**There are two
primary choices
in life: to accept
conditions
as they exist,
or accept the
responsibility for
changing them.**

Dr. Denis Waitley

Employment, Industrial Relations and Occupational Health & Safety

The frequently changing and complex nature of the law in the field of employment, industrial relations and occupational health & safety has meant that businesses increasingly need the assistance of expert legal advice and representation.

At Sladen Legal our team of experienced employment and safety lawyers will assist you to navigate the complexities of these areas of the law. We work with our clients to ensure they understand their rights and obligations, and provide strategic assistance to minimise and manage the risk of disputes and exposure of risks to employee safety as well as OH&S prosecutions.

We can help you with:

- preparing and rolling out employment agreements and HR policies
- assisting with independent contractor arrangements including providing advice and appropriate contracts
- advising on all employment and safety aspects involved in buying and selling businesses
- award interpretation
- all aspects of enterprise agreement making from formulating strategies to drafting agreements, assisting with negotiations and providing representation in the Fair Work Commission
- all matters regarding compliance with employment laws, including superannuation and managing ill and injured workers
- assistance in managing workcover claims and disputes with your workcover insurer
- developing appropriate performance management systems and providing assistance with the process
- developing anti-discrimination, harassment and bullying policies, training staff regarding same and defending claims that are brought
- all aspects of termination of employment
- representation in all employment related litigation including unfair dismissal and general protections claims as well as contractual claims
- advising on and defending claims of sham contracting
- assisting with workforce restructuring and any resulting redundancies
- Fair Work Ombudsman investigations and prosecutions
- restraints of trade, including preparing appropriate documentation and the enforcement of rights
- occupational health & safety including developing appropriate policies and procedures, providing training from board level to shop front staff and representation and advice with respect to prosecuting authorities
- industrial disputes and union issues
- creating employee incentive schemes.

We are here to help

Our experienced team prides itself on providing practical advice to assist our clients in the most commercial way possible. As well as offering the usual full service, we also offer a “general employment advice” facility which essentially operates like a help line allowing clients to phone or email the team and obtain high level advice in real time as it is needed.

Employment Contracts, Enterprise Agreements and Policies

In brief

We develop tailored and appropriate HR policies for our clients that are effective in assisting managers and HR professionals in the business deal with issues that inevitably arise.

Ensuring the base line employment documentation in place is both legally compliant and suitable for the workforce is critically important.

Employment Contracts

We assist with:

- reviewing and advising on existing contracts
- amending, drafting and tailoring employment contracts for clients
- preparing template agreements for use with various employees in an organisation
- advising on and preparing appropriate and enforceable contractual terms regarding post employment obligations including restraints, confidentiality and IP protection.

Enterprise Agreements

We advise and represent our clients in all aspects of enterprise agreement making, including:

- providing legal and commercial advice on suitable agreement terms
- drafting agreements
- preparing proposed amendments to existing agreements
- negotiating with employees, unions and other bargaining representatives
- advising on all matters to do with agreement making including industrial disputation
- facilitating an agreement's progress through the Fair Work Commission
- assisting with the transition to a new agreement.

Workplace Policies

We develop tailored and appropriate HR policies for our clients that are effective in assisting managers and HR professionals in the business deal with issues that inevitably arise.

As well as preparing the "compliance" policies regarding discrimination, harassment & bullying, drug and alcohol and OH&S we also work with our clients to develop other suitable HR policies as required.

We also assist with:

- developing and rolling out effective training for staff on policies
- advising on appropriate measures in the event of breaches of policy
- representing clients in relation to discrimination, harassment and bullying allegations or proceedings, including conciliation processes and litigation, as required.

Restructuring, Interpretation and Investigations

OH&S Compliance

In the lifecycle of a business, from time to time it is necessary to restructure all or a part of the workforce. Our team provides guidance on legal obligations as well as broader HR, OHS and commercial considerations.

We can assist with all aspects of restructuring a workforce, including:

- mapping out a legally compliant and commercially suitable process
- drafting required letters and notices
- advising on consultation obligations
- providing ongoing advice and assistance as necessary
- defending any disputes that are made as well as unfair dismissal, discrimination and general protections claims.

Award Interpretation

It is not always a straightforward exercise for employers to ensure they are fully compliant with all applicable Awards. Our team frequently assists clients with identifying applicable Awards, assisting with classifying employees and advising on the correct interpretation of Award terms.

Fair Work Ombudsman Investigations

When employers make mistakes in this area, the Fair Work Ombudsman (FWO) can become involved. We have much experience in assisting clients with navigating a FWO audit or investigation, and ensuring they are or become legally compliant whilst managing and minimising the risk of a FWO prosecution.

Safety in the workplace is a very serious obligation imposed on employers as well as directors and many senior managers within an organisation.

We assist our clients to understand and comply with their obligations including via the development of appropriate policies and training programs from the board level to the shop floor.

Where incidents occur we provide the urgent legal assistance required, and assist in incident investigations (including providing access to non-legal expertise) and dealing with regulatory authorities.

Termination Restraints

In brief

We are skilled at drafting enforceable provisions and enforcing post employment obligations against both former employees and, in some cases, their new employers.

Performance Management

Dealing with underperforming staff has become increasingly fraught with legal risk in recent years.

Obtaining professional assistance at the outset significantly reduces the risk of workers' compensation claims, bullying complaints and losing any resulting disputes.

At Sladen Legal we assist our clients to ensure that their processes are sound, fair and legally compliant by providing practical advice, in real time, on issues such as performance management, misconduct investigations, and termination processes.

We can assist you with:

- advising on legal obligations, options and strategies as the matter unfolds
- drafting or settling letters
- scripting discussions for use with employees in performance management interviews
- assisting with independent investigations where required.

As well as assisting with the process our team also provides advice regarding entitlements on termination and representation if any claim is made.

Restraints and Confidential Information

Courts are increasingly willing to enforce appropriately crafted post employment restraints and obligations on employees to protect confidential information.

We are skilled at drafting enforceable provisions and enforcing post employment obligations against both former employees and, in some cases, their new employers.

We provide our clients with practical guidance on their options where restraints are being breached including rigorous advice on the costs and benefits of proceeding to litigation to enforce their rights.



**If everyone is
moving forward
together, then
success takes
care of itself.**

Henry Ford

Sladen eliminates Legal risk

At Sladen Legal, we offer a fresh approach – an approach that embodies the passion, dedication and entrepreneurial spirit that we share with you, our client.

For a more detailed overview of our expertise in employment, industrial relations and occupational health and safety, or any of our fifteen key service areas, please contact us on 03 9620 9399.

Our Service Areas

Commercial contracts

Commercial disputes

Tax disputes

Mergers and acquisitions

Business structuring

Asset protection

Property and development

Intellectual property

Superannuation

Taxation

Business succession

Personal succession

Family business

Trust law

Employment, IR and OHS

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