

# Stephen Hardy

## Practice Group Coordinator - Labor, Employment, and Workplace Safety

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## OVERVIEW

Stephen Hardy is a partner and practice group coordinator in the firm's Labour, Employment, and Workplace Safety practice. He is an established practitioner who represents Australian and international clients on a variety of employment matters. These include human resources, industrial relations, executive, business protection and complex compliance related matters, the employment aspects of mergers and acquisitions, workplace restructuring and business transformation. This work is undertaken for clients across a wide range of industries including banking and financial services, insurance, retail, transport, waste management, manufacturing, information technology, leisure, media and entertainment, property, and professional services.

Stephen is well-known for his experience across the breadth of labour and employment related matters and also has a focused workplace health and safety practice leading high profile and sensitive safety investigations, responding to workplace crises, establishing and auditing safety systems, defending prosecutions and appearing at coronial inquests.

Working with his clients to structure effective workforces, Stephen supports clients on their enterprise bargaining and industrial disputes. When organisations experience significant change, Stephen is experienced at achieving the due diligence required to support mergers and acquisitions activities.

An experienced litigator, Stephen works closely with clients on their industrial, employment and executive related disputes. He ensures clients are advocated for in state and federal courts and industrial tribunals, and supporting clients with their workplace health and safety liabilities.

Known by clients for his pragmatic approach to solutions-led legal advice, Stephen advises clients on understanding core legal elements of their business objectives, providing a clear path to a commercial solution and regularly conducts training sessions for management, executives and boards of directors.

## PROFESSIONAL BACKGROUND

Prior to joining the Firm, Stephen was a Partner at a large global law firm based in Sydney.

## ACHIEVEMENTS

- Recognised by The *Legal 500 Asia Pacific* as a
  - Next Generation Partner for Labour and Employment in Australia, 2021-2026
  - Recommended Lawyer for Labour and Employment: Workplace Health and Safety (WHS), 2024-2025

Stephen Hardy has been incredibly helpful and responsive, and I rely on him extensively. He always adopts a pragmatic approach and offers practical tips that make it is easy to put his advice into action. He also works really well with non-legal clients in the business, by providing very clear, straightforward and easily-understood guidance." – *Asia Pacific Legal 500*, Labour and Employment, 2021

## PROFESSIONAL / CIVIC ACTIVITIES

- World Rugby, Tribunal Member (2018 – Current)
- Judicial Officer - Oceana Rugby (2018 - Current)
- Judicial Officer – SANZAAR (2017 – Current)
- Australian Rugby Union Judiciary Tribunal Member
- Previous Australian Rugby Union Contracted Part-time Referee (2008 – 2011)
- Previous New South Wales Rugby Union Referee (2003 – 2013)

## SPEAKING ENGAGEMENTS

- "GC Summit Sydney: Navigating an ever-changing employment landscape", Legal 500, Sydney, 19 March 2024
- "The future of work – anticipating changes in the workplace", HRD's Employment Law Masterclass, Sydney, 28 November 2023

## EDUCATION

- LL.B. (Honours), University of Sydney, 2008
- B.Com (Finance and Accounting), University of Sydney, 2005

## ADMISSIONS

- High Court of Australia
- Supreme Court of New South Wales

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 26 February 2026, Recent Developments in Bargaining
- 20 January 2025, New Year's Resolutions for Employment, Industrial Relations, and Work Health and Safety
- 5 December 2024, State of the Workplace
- 28 November 2023, Conducting Effective Workplace Investigations - Key Employment Law Considerations
- September 2022, Global Update: Navigating Key Labor and Employment Law Developments in the U.S., Middle East, and Australia
- February 2022, Managing Sick and Injured Employees
- October 2021, HR Perspective (Australia): Gender Equality - Your Legislative Requirements
- July 2021, HR Perspective (Australia): Fostering A Culture of HR and IR Compliance
- 30 June 2021, Workplace Wrap – June Update

## NEWS & EVENTS

- 3 February - 19 February 2026, 2026 CPD Program–Australia
- 14 January 2026, K&L Gates Recognised in *The Legal 500 Asia Pacific* 2026
- 8 April 2025, K&L Gates Advises Fat Zebra on Acquisition of SecurePay From Australia Post
- 11 February - 20 February 2025, 2025 CPD Program–Australia
- 15 January 2025, The Legal 500 Recognises K&L Gates In 2025 Asia Pacific Edition
- 13 February - 21 February 2024, 2024 CPD Program–Australia
- 17 January 2024, The Legal 500 Recognises K&L Gates in 2024 Asia Pacific Edition
- 7 February - 16 February 2023, 2023 CPD Program–Australia
- 16 January 2023, The Legal 500 Recognizes K&L Gates in 2023 Asia Pacific Edition
- 13 January 2022, Legal 500 Recognizes K&L Gates in 2022 Asia Pacific Guide
- 23 November 2021, K&L Gates Assists Americold on Cold Store Acquisitions
- 02 June 2021, K&L Gates Adds Employment Partner in Sydney

## OTHER MEDIA MENTIONS

- Mentioned, JLL manager admitted harassment 'morally unacceptable', defence says, *Lawyerly*, 9 December 2025

- Mentioned, JLL execs feared what CEO would think, Kernaghan's $14m lawsuit claims, *The Australian*, 10 October 2025
- Quoted, Sexual harassment: Employers failing when it comes to anonymity, monitoring, *Human Resources Director*, 20 November 2024
- Quoted, Recent case shows how to avoid bullying claims when addressing performance, *Human Resources Director*, 16 October 2024
- Quoted, Psychosocial risk: ways to defuse potential legal challenges, *Human Resources Director*, 21 September 2024
- Mentioned, K&L Gates assists with launch of $190 million venture capital fund, *Australasian Lawyer*, 30 April 2024
- Quoted, The 'new age of worker': Adapting to a younger workforce, *Human Resources Director*, 10 October 2023

## AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Contract Workers
- Employment Investigations
- Global Employer Solutions
- Workplace Safety

## REPRESENTATIVE EXPERIENCE

### Employment Relations

- Advising clients on all aspects of employment and business protection related issues, including employment contracts, board and executive issues, employment entitlements, remuneration arrangements including equity incentive arrangements, termination of employment, proper performance management processes, discrimination, harassment, bullying and equal employment opportunity issues, workplace policies, procedures and systems, post-employment restraints, intellectual property and confidentiality issues.
- Advising clients on employment aspects of major corporate transactions, including mergers and acquisitions, initial public offerings and listing on the ASX, both locally and cross-border.
- Advising clients including managers, receivers and liquidators on transmission of business, restructuring of business operations, entering and/or exiting the Australian market, redundancy claims and entitlements (including entitlement audits and employee and union disputation).

- Conducting confidential and highly sensitive workplace investigations on a range of issues including workplace fraud, bullying, discrimination and harassment (including sexual harassment) and regulatory compliance issues for a range of clients.
- Leading the provision of employment/HR advice across the Asia Pacific region and globally for global institutional clients.
- Conducting employment/HR related training both within Australia and within the Asia Pacific region to institutional clients and at conferences arranged by third party organisations.

## Occupational Health and Safety (OHS), Work Health and Safety (WHS), Regulatory Investigations and Coronial Inquiries

- Advising clients on a wide range of OHS/WHS issues arising under state and territory OHS/WHS legislation.
- Developing and implementing OHS/WHS policies, procedures and systems to ensure compliance with OHS/WHS legislation and regulations.
- Advising a range of clients respond to sensitive regulatory investigations by OHS/WHS regulators, and Roads and Maritime Services Regulators (including in the manufacturing, construction, waste, mining, insurance and leisure industries).
- Advising a range of clients in the manufacturing, waste, leisure and mining industries in their response to significant workplace incidents (including fatalities in certain instances) and leading these companies' responses to those incidents including with respect to the companies' internal investigations, crisis management and recovery plans and regulatory investigations into these incidents.
- Advising a global manufacturer on a range of regulatory issues and disputes associated with the manufacture and supply of certain electrical equipment to solar farms across Australia.
- Advising various mining services providers in relation to OHS/WHS compliance matters across Australia.
- Advising a global mining accommodation provider in relation to its OHS/WHS system across New South Wales, Queensland and Western Australia (and auditing that system in conjunction with a third party consultant).
- Preparing detailed legal reports of OHS/WHS risks and potential liability under OHS/WHS legislation and regulations including practical recommendations for minimising risk.
- Conducting a number of major, in-depth OHS/WHS audits and compliance reviews for organisations across a wide range of industries including banking, finance, insurance, mining accommodation, manufacturing, flour and bioethanol production industries.
- Advising on obligations and potential liability of directors and other officers, including conducting training sessions to boards of directors for local and global institutional clients, and auditing compliance with due diligence obligations.

- Conducting OHS/WHS investigations on behalf of clients (including following significant workplace incidents and fatalities).
- Advising on statutory notices and other enforcement action taken by regulatory authorities including SafeWork New South Wales, WorkSafe Victoria, WorkSafe Western Australia, Workplace Health and Safety Queensland, Energy Safe Victoria, Electrical Safety Office and the Department of Natural Resources (formerly the Department of Natural Resources, Mines and Energy).
- Leading the provision of regional and global WHS advice (including in response to the COVID-19 pandemic) for clients in the information technology, retail, manufacturing, insurance, pharmaceutical industries.
- Conducting OHS/WHS training to workers and officers across a number of states and territories in Australia.
- Conducting regional OHS/WHS training sessions in collaboration with colleagues across the Asia Pacific region.
- Advising on various workers' compensation matters in New South Wales, Queensland and Victoria.

## Industrial Relations

- Advising a wide range of clients across various industries (including manufacturing, waste, leisure, construction and mining) on industrial relations strategy, disputes and trade union issues.
- Negotiating and drafting industrial instruments (enterprise agreements) across a wide range of industries on strategic industrial relations matters, the agreement making process (including in relation to good faith bargaining) and responding to disputes (including majority support determinations and protected ballot applications and protected industrial action) for these clients.

## Litigation and Coronial Inquests

- Seeking urgent equitable relief for major clients in relation to breaches of restraints of trade, fiduciary and confidentiality obligations in the Supreme Court of New South Wales.
- Defending restraint of trade, breach of fiduciary and confidentiality obligation proceedings in the Supreme Court of New South Wales and Federal Court of Australia.
- Conducting proceedings in the Supreme Court of NSW and Federal Court of Australia in relation to a major shareholder and executive disputes.
- Advising and representing a global waste company in relation to OHS/WHS compliance issues, regulator investigations and subsequent legal proceedings, including a coronial inquest, prosecutions and other enforcement action.
- Advising Ardent Leisure in its response to multiple fatalities at its Dreamworld Theme Park and leading the company's response to the tragic incident including with respect to an internal investigation, the regulatory investigation, coronial inquest and regulatory prosecution.
- Appearing on behalf of a range of clients in unfair dismissal proceedings before the Fair Work Commission.

- Appearing for various clients in relation to sham contracting, misclassification, adverse action, discrimination, underpayment claims and proceedings in the Federal Circuit Court.
- Appearing as advocate during a coronial inquiry in NSW.
- Defending various OHS/WHS prosecutions brought by regulatory authorities in New South Wales, Queensland and Victoria.
- Defending unfair dismissal claims, unfair contract claims, breach of contract claims before State and Federal Courts and tribunals.
- Representing clients in various tribunals on industrial relations disputes (including in the Fair Work Commission, the Federal Circuit Court, the Federal Court and the New South Wales Industrial Relations Commission).
- Defending proceedings in relation to allegations of breach of post-employment restrictions, misleading and deceptive conduct and breaches of Australia Consumer Law (formerly Trade Practices legislation).
- Conducting appeal proceedings in the Queensland Industrial Relations Commission and the Queensland Industrial Court in relation to a workers' compensation claim.
- Appearing in discrimination proceedings in State and Federal tribunals.
- Appearing in owner driver disputes in the New South Wales Industrial Relations Commission.