



David Hartnett

Special Counsel

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OVERVIEW

David Hartnett is a labour and employment lawyer. He has acted for major corporations and public sector agencies on occupational health and safety (OHS), and employment matters across a range of industries including government, transport, health, finance, retail, manufacturing and resources.

David focuses on employment practices liability litigation. His clients include some of Australia's largest insurers. David works with his clients to develop strategies to produce the best possible outcomes for his client.

ACHIEVEMENTS

- *Best Lawyers in Australia*, listed in Occupational Health and Safety Law (2014-current)

EDUCATION

- LL.B., Monash University, 1998
- M.A., University of Melbourne, 1995
- B.A., University of Melbourne, 1992

ADMISSIONS

- Federal Court of Australia
- Supreme Court of Victoria

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety

REPRESENTATIVE EXPERIENCE

- Acting on behalf of clients in employment related litigation in Fair Work Australia, the Federal Court of Australia, Supreme Court of Victoria, Victorian County Court and Victorian Magistrates' Court. These matters typically include claims arising from termination of employment, discrimination, sexual harassment claims and injunction applications, including confidential information and post employment restraints.
- Advising on termination of employment, including assisting employers in managing workplace performance, disciplinary procedures, termination of employment and defending claims arising from termination of employment.
- Preparing and negotiating employment agreements for executive and non-executive employees, including drafting contractual protections regarding confidential information and post employment non-competition and acting on behalf of employers in litigation involving confidential information and breach of post employment restraints.
- Restructuring and redundancy, including advising on workplace relations aspects of major commercial mergers and acquisitions including terms of sale and purchase agreements and conducting due diligence, including advising on the purchase of major public listed and large private corporations.
- Advising on and negotiating on behalf of clients in the introduction or re-negotiation of collective agreements and other industrial instruments in both unionised and non unionised workplaces.
- Advising on OHS matters, including advising employers on all aspects of compliance with occupational health and safety legislation and defending prosecutions brought against employers under occupational health and safety legislation across a range of industries.