

Michaela Moloney

Practice Group Coordinator - Labor, Employment, and Workplace Safety

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OVERVIEW

Michaela Moloney is a partner and practice group coordinator in the firm's Labour, Employment and Workplace Safety practice, providing advice and supporting employers in all aspects of employment, industrial, and discrimination law. She has significant experience supporting government organisations and providing advice in the health and sporting industries.

In sensitive and high risk matters, Michaela is known as being a trusted advisor to her clients' C-suite, board and senior management and supports organisations to manage both internal and external stakeholders. She conducts complex workplace investigations, including whistleblower complaints, particularly where allegations are levelled at members of senior management.

Michaela prides herself on working with clients to deliver proactive, straight talking practical solutions that align with an organisation's objectives and values. She works with clients to understand their requirements and seek an early resolution of workplace issues, whether they be individual grievances or collective disputes.

Where litigated claims cannot be avoided, Michaela has significant litigation experience and has successfully defended a number of large Australian employers in claims including unfair dismissal, discrimination, industrial disputes, general protections and breach of contract in the state and federal courts.

As a mediator, Michaela is able to facilitate mediations in all areas of employment and industrial law including bullying, discrimination and sexual harassment. She is also regularly invited to present training across the scope of her employment, safety, industrial relations and discrimination law background.

ACHIEVEMENTS

- Recognised by *Chambers Asia-Pacific* for Employment: Victoria in Australia, 2022-2026
- Recognised by *The Legal 500 Asia Pacific* as a Recommended Lawyer for Labour and Employment and Labour and Employment: Workplace Health and Safety (WHS) in Australia, 2020-2026
- Listed in *The Best Lawyers in Australia*™
  - Lawyer of the Year for Employee Benefits Law, 2022

- Employee Benefits Law, 2021-2023, 2025-2027
- Labour and Employment Law, 2018-2023, 2025-2027
- Occupational Health and Safety Law, 2020-2023, 2025-2027
- Sports Law, 2026-2027

- Recognised by *Australasian Lawyer* as a Leading Female Lawyer in Australia - Elite Woman, 2023
- Listed by *Lawyers Weekly* as a finalist in the Partner of the Year Awards for Employment in Australia, 2023
- Recognised by *International Employment Lawyer* as a Woman Leader in Australia, 2022
- Listed by *Australasian Lawyer* as an Elite Woman, 2021
- Recognised as a finalist in the Partner of the Year Awards for Workplace Relations / Employment in Australia by *Lawyers Weekly*, 2020-2021
- Listed by *Doyle's Guide* as an Employment Lawyer for Employer Representation in Australia, 2019

PROFESSIONAL / CIVIC ACTIVITIES

- Employment and Industrial Law Committee of the Workplace Relations Section of the Law Institute of Victoria member
- Australian Human Resources Institute member
- Board Member, Women's Information Referral Exchange

SPEAKING ENGAGEMENTS

- 22 May 2024, "*Sexual Harassment in Law Practices*", Risk on Air (Youtube.com)
- 20 March 2024, "Workplace Law Summit: How Not to Conduct Workplace Investigations", *Legalwise Seminars*
- 17 May 2023, “Law Week 2023: Paid Family and Domestic Violence Leave Introduced - A Step in the Right Direction but More Needs to be Done,” *Victorian Women Lawyers*

EDUCATION

- LL.B., Monash University, 1998 *(Honours)*
- B.A., Monash University, 1995 *(Honours)*

ADMISSIONS

- Federal Court of Australia

- High Court of Australia
- Supreme Court of Victoria

LANGUAGES

- Japanese

THOUGHT LEADERSHIP *POWERED BY HUB*

- 2 July 2026, Workplace Wrap—July 2026
- 18 June 2026, Victorian Work From Home Bill Introduced
- 26 February 2026, Recent Developments in Bargaining
- February 2026, Australian CPD Series 2026: What Critical Issues in Employment Law Should you be Across to Set Your Business up for 2026
- 2026, Global Employer Guide
- November 2025, HR Perspective: 2025 Year In Review and the Year Ahead
- 8 September 2025, Are Salaries Worth It?–When Getting Paid More Than the Award Is Still Not Enough
- 30 June 2025, Workplace Wrap—July 2025
- February 2025, Australian CPD Series 2025
- 5 December 2024, State of the Workplace
- November 2024, HR Perspective: Year in Review and the Year to Come – What to Expect in 2025 Now the "Loopholes" Are Closed
- 22 August 2024, Loopholes Laws Open for Business: Are You Ready for 26 August 2024?
- August 2024, HR Perspective: Closing the Loopholes - Are You Ready for 28 August?
- 1 July 2024, Workplace Wrap - July 2024
- May 2024, HR Perspective: Driving Employee Engagement in the New Normal
- March 2024, HR Perspective: Workplace Reform Rolls On...Again
- 22 February 2024, Workplace Reform Rolls on… Again
- 21 February 2024, Australian CPD Series 2024
- 21 February 2024, Australian CPD Series 2024: Respect@Work and Managing Psychosocial Safety Risk
- 21 February 2024, Australian CPD Series 2024

- 21 February 2024, Australian CPD Series 2024: Respect@Work and Managing Psychosocial Safety Risk
- 23 November 2023, HR Perspective: 2023 - Understanding a Year of Changes and What Comes Next
- 12 September 2023, More Than Just Loopholes: Significant Changes Proposed Under the Federal Government's Third Tranche of Labour Law Reforms
- 29 June 2023, Workplace Wrap - June 2023
- 1 June 2023, Fair Work Act Changes - Important Changes Approaching
- 31 March 2023, Federal Government Proposes More Fair Work Act Changes
- March 2023, HR Perspective (Australia): Workplace Investigations
- 8 March 2023, Gender Equality on the Agenda
- February 2023, Australian CPD Series 2023: Session 3 - What to do When the Inspector Calls
- 7 December 2022, Secure Jobs, Better Pay Bill is Now Law
- November 2022, International Hiring: Managing Policies, Procedures, and More
- November 2022, HR Perspective (Australia): 2022 Year in Review and the Year Ahead
- November 2022, International Hiring: Managing Policies, Procedures, and More
- November 2022, HR Perspective (Australia): 2022 Year in Review and the Year Ahead
- 4 November 2022, Secure Jobs, Better Pay Bill Introduced Into Parliament
- September 2022, HR Perspective (Australia): What You Need to Know Post 2022 Jobs and Skills Summit
- 26 August 2022, Major Changes to the Australian Employment Law Landscape are Imminent
- 19 - 20 July 2022, Global Sports Law Symposium
- July 2022, July 2022 Accolades
- 30 June 2022, Workplace Wrap - June 2022
- June 2022, HR Perspective (Australia): Whistleblower Complaints - What Your Organization Needs to do to be Protected
- February 2022, HR Perspective (Australia): COVID-19: Is There a Light at the End of the Tunnel for Employers?
- 11 February 2022, High Court Overturns Federal Court Decisions on Independent Contractors and Affirms Importance of Contractual Terms
- January 2022, January 2022 Accolades
- November 2021, HR Perspective (Australia): Key Trends and Topics for 2022

- October 2021, Business as Usual or Unusual – Return to Work Challenges and Strategies for Employers
- 8 October 2021, Mandatory Vaccination Directions for Victorian Workers
- 21 September 2021, Workplace Wrap – September Update
- August 2021, HR Perspective (Australia): Impacts of New State and Federal Legislation
- 3 August 2021, Respect@Work Response Introduced
- 30 June 2021, Workplace Wrap – June Update
- 11 December 2020, It's On The Road – The Workplace Omnibus Reform Bill 2020 Has Started Its Journey
- 1 September 2020, COVID-19: (Australia) Further Changes To JobKeeper: What Do Employers Need To Know Now?
- 14 August 2020, What's In A "Day"? – High Court Majority Overturns *Mondelez* Personal/Carer's Leave Decision
- 10 August 2020, COVID-19: (Australia) JobKeeper 2.0 – Expanded Eligibility
- 5 August 2020, COVID-19: (Australia) Pressing Issues Facing Employers
- 3 August 2020, COVID-19: Victorian Government Draws Upon the 'Big Stick' on COVID-19 Notification
- 29 July 2020, Beware – The Law May No Longer Tolerate So Called 'Independent Contractor' Arrangements
- 22 July 2020, COVID-19: (Australia) JobKeeper 2.0 – What Does This Now Mean?
- July 2020, July 2020 Accolades
- 30 June 2020, COVID-19 (Australia): Much Has Happened on the Employment Front During COVID-19
- 1 May 2020, COVID-19: (Australia) JobKeeper Legislation – How Does it Change Things? (Second Edition)
- 27 April 2020, COVID-19: (Australia) Employer Guide to the JobKeeper Scheme (Third Edition)
- 14 April 2020, COVID-19: (Australia) Employer Guide to JobKeeper Payments (Second Edition)
- 9 April 2020, COVID-19: (Australia) JobKeeper legislation – How Does it Change Things?
- 3 April 2020, COVID-19: (Australia) Guide to JobKeeper Payments
- 1 April 2020, COVID-19: (Australia) JobKeeper Payment Program – What Do I Need to Know?
- 25 March 2020, COVID-19: (Australia) Stand Down What Does it all Mean?
- 11 March 2020, It's Time-Sheet O'clock - Don't be Alarmed
- 17 February 2020, Recapping the Modern Award Review: What is Happening now?
- 1 February 2020, Fashion Law - February 2020 Edition

- 6 December 2019, Victoria Legislates Workplace Manslaughter
- 18 November 2019, ASIC Whistleblower Policy Requirements More Onerous but 1 January Deadline Remains
- 23 August 2019, ASIC Releases Draft Whistleblower Policy Guide
- 4 July 2019, It's July: Employment Related Rate Increases Effective Now
- 15 March 2019, Whistle While you Work
- 17 October 2018, Mega Rallies: a Mega Drive. Coming to a City Near you!
- 26 September 2018, Casual Conversion Clause Kicks in From 1 October 2018
- 2 July 2018, It's July: Employment Related Rate Increases Effective Now
- 6 February 2018, We've Got You Covered: Award Coverage Wider Than Expected
- 24 May 2017, Can I Get That in Writing?
- 17 August 2016, Take It or Leave It
- 30 June 2016, Up We Go Again – Financial Threshold Increases Effective 1 July 2016
- 4 December 2015, What is 'Ordinary and Customary Turnover' When it Comes to Employees?

OTHER PUBLICATIONS

- "Santa's Naughty List," *Ragtrader*, 20 December 2018
- "Penalty Goal," *Ragtrader*, May 2017

NEWS & EVENTS

- 16 April 2026, More Than 80 K&L Gates Lawyers Across Asia-Pacific Recognised in 2027 Best Lawyers, Ones to Watch Editions
- 3 February - 19 February 2026, 2026 CPD Program–Australia
- 11 December 2025, *Chambers Asia-Pacific* 2026 Guide Recognises K&L Gates
- 13 February - 21 February 2024, 2024 CPD Program–Australia
- 14 December 2023, Chambers Asia-Pacific 2024 Guide Recognises K&L Gates
- 7 February - 16 February 2023, 2023 CPD Program–Australia
- 16 December 2021, Chambers Asia-Pacific 2022 Guide Recognises K&L Gates
- 23 November 2021, K&L Gates Assists Americold on Cold Store Acquisitions

- 4 February 2020, K&L Gates Advises Touchstone Group's Management Team on Merger with Microgen

OTHER MEDIA MENTIONS

- Quoted, "Legal employers need to keep an eye on non-compete developments", *Lawyers Weekly*, 8 May 2024
- Quoted, "Right to Disconnect Bill could create 'significant management issues for law firms', *Lawyers Weekly*, 13 February 2024
- Quoted, "Rugg v Ryan would have been a 'game changer'" *Lawyers Weekly*, 18 May 2023
- Quoted, "Should lawyers take a pay cut for permanent WFH?" *Lawyers Weekly*, 5 May 2022

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Global Employer Solutions

INDUSTRIES

- Consumer Goods and Services
- Healthcare
- Life Sciences
- Sports

REPRESENTATIVE EXPERIENCE

- Managing broad ranging payroll compliance projects in a variety of industries including advising on industrial agreement coverage and interpretation, stakeholder communication, regulatory reporting and response and developing practical, tailored remediation processes.
- Managing large scale investigations into employee conduct and bullying on behalf of a number of health organisations, including providing advice in respect of a concurrent investigation by WorkSafe.
- Supporting the internal investigation by a sporting organisation of a high-profile incident involving player misconduct and providing advice on the subsequent disciplinary process.
- Providing advice to a large construction company on industrial relations issues associated with a significant road project including advice on industrial strategy, right of entry, enterprise agreement interpretation and responding to protected industrial action to minimise its effect on operations.

- Successfully defending a number of general protections, unfair dismissal and discrimination claims brought against Victoria public hospitals by both employees and patients.
- Advising a number of sporting organisations on the development of policy that guides applications by transgender and gender diverse sports people to participate in professional sporting competitions.
- Successfully defending a number of Australian universities and secondary schools in unfair dismissal, general protections, breach of contract and discrimination claims brought by both employees and students.
- Acting for a federal government agency in enterprise bargaining including providing advice on compliance with the APS Bargaining Policy, good faith bargaining orders, assessing the proposed agreement against the BOOT and to ensure compliance with the Fair Work Act requirements and developing individual flexibility agreements under the new Agreement.
- Advising on the management of workplace relations issues in a major outsourcing transaction by one of Australia's leading energy suppliers.
- Providing advice and assistance on the management of long term injured employees for a number of large employers in the manufacturing and health industries.
- Delivering training to a state government department on conducting effective workplace investigations, particularly dealing with out of hours conduct and employee conduct that amounts to a criminal offence.
- Advising a national importation business on the enforceability of post-employment restraints in its employment agreements and successfully obtaining an injunction in the Federal Court of Australia to prevent an employee continuing to operate a business in competition.
- Providing advice to a state government department on the interpretation of enterprise agreement provisions and transfer of business issues arising from the transfer of services from the department to private sector providers.
- Advising a large manufacturing employer on the management of unlawful industrial action, including seeking injunctive relief to prevent industrial action.