K&L GATES

John Monroe

Special Counsel

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OVERVIEW

John Monroe is a special counsel in the firm's Labour, Employment, and Workplace Safety practice. He acts in employment, industrial, and discrimination matters for a broad cross-section of employers, with particular experience in the healthcare, sporting, fitness, education, research, government, and manufacturing sectors.

With a passion for industrial disputes, John regularly works with employers to manage industrial matters such enterprise bargaining, industrial action, collective entitlements claims, implementing workplace change and enterprise agreement disputes.

John also represents clients in a wide range of litigation, including the defense of general protections, unfair dismissal, unpaid entitlements, discrimination and anti-bullying claims, and in responding to investigations by regulators such as the Fair Work Ombudsman.

He is able to provide practical and timely advice regarding performance management, ill and injured workers and non-competition. John is also skilled at dealing with complex questions of award coverage, having acted for several representative organisations in the four yearly review of modern award.

ACHIEVEMENTS

- Listed in the *Best Lawyers in Australia: Ones to Watch*™ for Labour and Employment Law, 2023-2024

PROFESSIONAL / CIVIC ACTIVITIES

- Volunteer, WEstJustice, Western Community Legal Service

EDUCATION

- B.A., Monash University, 2014
- LL.B., Monash University, 2014 *(Honours)*

ADMISSIONS

- Supreme Court of Victoria

THOUGHT LEADERSHIP *POWERED BY HUB*

- 22 February 2024, Workplace Reform Rolls on… Again
- 23 November 2023, HR Perspective: 2023 - Understanding a Year of Changes and What Comes Next
- November 2022, HR Perspective (Australia): 2022 Year in Review and the Year Ahead
- February 2022, Workplace Behaviour Training
- 8 October 2021, Mandatory Vaccination Directions for Victorian Workers
- June 2021, HR Perspective (Australia): What's on the HR Radar?
- February 2021, HR Perspective (Australia): What's on the Radar for 2021?
- 11 December 2020, It's On The Road – The Workplace Omnibus Reform Bill 2020 Has Started Its Journey
- November 2020, HR Perspective (Australia) | 2020 in Review: The Year That Was, Wasn't, and Felt Like It Was Never Ending
- September 2020, Is The Law Keeping Up With Workplace Arrangements?
- July 2020, Getting Back to the Workplace After COVID-19
- April 2020, COVID-19: HR Perspective - Supporting You to Respond to COVID-19
- 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 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
- 17 September 2015, Fairer but not Clearer – Confusion Ahead for Paid Parental Leave
- 13 May 2015, Federal Budget 2015: What it Means for Employers

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety

INDUSTRIES

- Consumer Products
- Sports

REPRESENTATIVE EXPERIENCE

- The successful defence and settlement of multiple union enterprise agreement disputes and underpayment claims brought against a glass manufacturer during the course of enterprise bargaining.
- Acted for an employer association in the education industry in the interpretation of the complex long service leave entitlements arising from a number of a pre-modern awards
- Acted for a major national sporting organisation in the disciplinary proceedings against 3 players under their code of conduct, which were widely publicised in Australia and internationally, including advice on the disciplinary process, drafting charges, and resolving a dispute with one of the players.
- Acted for a large not for profit organisation in responding to a Fair Work Ombudsman investigation into their payment of employees under the SCHADS Award, including assisting them to understand a complex web of current and legacy industrial instruments across a number of States and Territories
- Representing a fitness industry franchisor and its 13 franchisees in the concurrent response to an ongoing Fair Work Ombudsman investigation, defence and settlement of substantial union claims of enterprise agreement breaches and the negotiation of a single enterprise agreement covering all franchisees.
- Providing advice to a federal agency on the prospects of litigation against a registered employee organisation dealing with allegations of corruption and misappropriation of funds.
- Advised a global paint manufacturer in contentious enterprise bargaining for one of its Australian sites, including responding to employee industrial action implementing a lockout of employees, and negotiating terms which allowed it greater freedom in rostering
- Successfully defending a Victorian tertiary institution in a long-running dispute regarding the redundancy of a high level executive, including in internal appeal procedures and Fair Work Commission proceedings.
- Assisted a major national sporting organisation in the development of its gender diversity policy and balancing the discrimination and fair competition aspects of its approach to participation in community and elite sport
- Successfully acted for a not for profit organisation and its executive in the resolution of a serious sexual harassment claim against the executive
- Successfully defending a Victorian emergency services provider in artbitration regarding claims of procedural unfairness in disciplinary and performance investigations
- Successfully defending a major Victorian hospital in a protracted general protections trial of claims of adverse action and bullying following highly publicised complaints against the hospital's management.

- Assisting a Victorian utilities agency in negotiations for a new enterprise agreement, including their response to a protected action ballot order and the successful conciliation of multiple disputes regarding the terms of the agreement before the Fair Work Commission.