



Paul Hardman

Partner

Brisbane
+61.7.3233.1248

paul.hardman@klgates.com

OVERVIEW

Paul Hardman is a partner in the firm's Labour, Employment, and Workplace Safety practice. He provides a wide range of advice and services to clients regarding employment, safety, investigations and disputes relevant to the workplace.

He is an experienced advocate and has appeared extensively in both State and Federal courts and tribunals in employment, safety and other contentious matters. He has experience across a broad range of industries including construction, water, manufacturing, agricultural, petroleum, gas and mining.

Paul has significant experience in the conduct of the defence of regulatory investigations and prosecutions, under State and Federal Employment, Workplace, Safety, Corporation, and Environmental legislation.

PROFESSIONAL BACKGROUND

Prior to joining the firm, Paul was a partner at a national law firm. He has also worked as a senior lawyer within Commonwealth Government agencies including the Office of the Commonwealth Director of Public Prosecutions and the Department of Immigration and Border Protection.

ACHIEVEMENTS

- Listed in The *Best Lawyers in Australia*™
 - Labour and Employment Law, 2016-2024
 - Occupational Health and Safety, 2016-2024
- Listed by *Doyle's Guide* as a recommended
 - Leading Employer Lawyer (Employer Representation) in Queensland, 2023
 - Leading Workplace Health & Safety Lawyer in Queensland, 2023
 - Leading Workplace Health & Safety Lawyer in Queensland, 2019-2024

- Leading Employment Lawyer (Employer Representation) in Queensland, 2017, 2021
- Leading Employment & Industrial Relations Lawyer (Employer Representation) in Brisbane, 2016

PROFESSIONAL / CIVIC ACTIVITIES

- Paul was the chairman of the Professional Standards & Consumer Complaints Tribunal of the Real Estate Institute of Queensland (2017-2019)
- Industrial Relations Society of Queensland member
- Australian Human Resources Institute member
- Australian Institute of Health & Safety member

SPEAKING ENGAGEMENTS

Paul is an experienced trainer and regularly presents seminars and training on a broad range of employment related issues including workplace investigations and work health and safety obligations for company directors and executives.

- Speaker, "Managing Psychosocial Hazards in the Workplace: From Concept Confusion to Clarity & Impact," Australia CHRO (Chief Human Resources Officer) Executive Summit, Sydney, 8 June 2023
- Speaker, "When work is the hazard - implementing a robust, integrated system to manage psychosocial risk," Australian Institute of Health and Safety National Conference, Brisbane, 31 May 2023

EDUCATION

- LL.B., University of Tasmania, 1989
- B.A., University of Tasmania, 1989

ADMISSIONS

- High Court of Australia
- Supreme Court of New South Wales
- Supreme Court of Northern Territory
- Supreme Court of Queensland
- Supreme Court of Tasmania

THOUGHT LEADERSHIP *POWERED BY HUB*

- October 2021, COVID-19 Safety in the Workplace (Australia)
- 4 August 2021, Proposed Migration Changes
- 30 June 2021, Workplace Wrap – June Update
- 23 September 2020, COVID-19 (Australia): Migration Update – September 2020 Changes
- 1 September 2020, COVID-19: (Australia) Further Changes To JobKeeper: What Do Employers Need To Know Now?
- 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
- 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?
- 7 April 2020, COVID-19: (Australia) COVID-19 Migration FAQs
- 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?
- 24 March 2020, COVID-19: (Australia) Travel Bans and Other Migration FAQs
- 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?
- 27 February 2019, Officers Gaoled for Workplace Safety Breaches
- 19 October 2018, Violence in Schools Leads to AUD10 million WHS Undertaking
- 26 September 2018, Casual Conversion Clause Kicks in From 1 October 2018
- 12 April 2018, Changes to Australia's Skilled Migration Visa Framework
- 20 February 2018, Industrial Manslaughter – National Update

- 13 October 2017, Industrial Manslaughter – Up to 20 Years Imprisonment and Maximum AUD10 Million Fine for Corporate Offenders
- 5 July 2017, The Reform Continues – an Update on the 1 July 2017 Visa Changes
- 15 May 2017, Getting a Clearer Picture – More Details Released on the 457 Visa Changes
- 19 April 2017, Australian Government to Replace 457 Visa by March 2018 but Change Already Afoot
- 3 March 2017, Things Aren't Always As They Seem

OTHER PUBLICATIONS

- "Legal advice hotline launches for AISH members", *OHS Professional*, September 2023
- "Testing the Limits," *Safeguard Magazine*, July/August 2023

NEWS & EVENTS

- 4 December 2015, K&L Gates Continues to Strengthen Brisbane Office with Hire of Partner Trio

MEDIA MENTIONS

- What are the most challenging psychosocial hazards for OHS?, *Australian Institute of Health & Safety*, 22 March 2023

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Employment Disputes and Investigations
- Employment Issues in Business Transactions
- Human Resource Advice and Compliance
- Immigration
- Internal Investigations
- Maritime
- Wage and Hour
- White Collar Defense and Investigations
- Workplace Safety

EMERGING ISSUES

- Environmental Social Governance (ESG)

REPRESENTATIVE EXPERIENCE

- Advising a global agricultural fund on its obligations under Australian Work Health & Safety legislation and risk mitigation strategies.
- Acting for an international transport and logistics entity in respect of a prosecution under the *Environmental Protection Act 1994* arising out of contamination issues.
- Acting for a large national employer to enforce employee restraints.
- Advising on transfer of business and business acquisition due diligence for international purchasers.
- Conduct of the defence of one of Queensland's largest workplace health and safety prosecutions on behalf of a major Queensland Government-Owned Corporation involving catastrophic failure of infrastructure.
- Advising and acting for employers in respect of complaints of unlawful termination and unlawful discriminations, including in respect of issues concerning allegations of disability discrimination.
- Acting for the Commonwealth Workplace Health & Safety Regulator in the prosecution of contraventions of Commonwealth Work Health & Safety legislation on a major Queensland infrastructure project.
- Acting for an international energy entity in respect of a major oil spill and the defence of a prosecution under the *Environmental Protection Act 1994*.
- Acting for a major Queensland Government Owned Corporation in the Queensland Floods Commission of Inquiry.
- Advising on right of entry disputes under the *Fair Work Act 2009*.
- Providing advice to directors and officers regarding personal liability under workplace health and safety legislation.
- Defence of unfair dismissal, general protections and bullying applications.
- Advising on employee performance management, terminations and workplace coaching and training.
- Acting for a global mining entity to conduct workplace investigations in respect of multiple allegations of discriminatory conduct.