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# Professional Development Day March 2021 – Speaker Bio’s

## Luis Izzo – Managing Director – Sydney Workplace

Luis Izzo oversees ABLA's Sydney Workplace Relations practice and has over a decade’s experience practicing as a specialist employment and industrial relations lawyer acting for a broad range of clients.

His advocacy experience in State and Federal Courts and Tribunals is extensive. In addition to achieving successful outcomes for clients as an advocate in numerous unfair dismissal and industrial dispute arbitrations.

Luis is the trusted advisor to a number of organisations when it comes to large scale industrial bargaining. In the public sector, he has been the principal advisor on department-wide enterprise agreement negotiations, covering tens of thousands of public sector employees.

In the private sector, he has advised on enterprise bargaining for the transport, education, aviation, manufacturing, pharmaceutical and food and beverage industries. This experience has also extended to obtaining orders preventing unlawful industrial action and successfully resisting good faith bargaining claims and scope order applications filed by union parties.

He has conducted numerous investigations for clients in relation to internal employment disputes and bullying and harassment matters and continues to be a lead litigator in the developing General Protections and bullying jurisdictions

In addition to working in private practice, Luis has been seconded to the Australian Federal Police and the Fair Work Ombudsman, working on a variety of employment related litigation and prosecutions and is a member of the Law Society of NSW’s Employment Law Committee.

## Tim McDonald – Partner - Moray and Agnew Lawyer

Tim leads the national workplace practice at Moray & Agnew Lawyers, practising in employment and industrial law, work health and safety, discrimination, bullying and harassment, management of injured workers and termination of employment

Over the last 20 years, Tim advised and represented employers, from a broad range of industries, such as hospitality, health, manufacturing, clerical, banking and finance, transport and logistics, real estate, building and construction, education and mining. These clients include some of Australia’s largest companies.

Tim McDonald was previously the Senior Adviser to Joe Hockey, when he was the Commonwealth Minister for Employment and Workplace Relations, following Tim’s role as Director - Employment Relations of the Employer's Federation, a peak council, and Tim acted in many landmark industrial cases and projects.

Also over the course of his career, Tim contributed his expertise and insights to numerous committees including the Executive Committee of the Industrial Relations Society, the Law Society's Specialist Accreditation Committee for Employment and Workplace Law, the Workplace Relations Policy Committee of the Australian Chamber of Commerce and Industry, the Legal Policy Committee of the Australian Institute of Company Directors, and as a Director of the Building and Construction Industry Long Service Leave Corporation.

## Ian Latham – Denman Chambers

Ian Latham specialises in industrial, employment, administrative law and inquiries.

Ian has appeared in a number of important industrial cases including the Tristar litigation, which was the first case about the Independent Contractors Act, the first case about the sham contractor provisions and a major case about accessorial liability under the Fair Work Act 2009.

Ian writes for the Lexis Fair Work Act and NSW Industrial Relations Act loose-leaf services. He also writes on industrial law and Australian Rules Football.

SELECTED PAPERS/PUBLICATIONS

* [*Annotated Fair Work Act and Related Legislation*, Lexis Nexis](https://store.lexisnexis.com.au/product?product=annotated-fair-work-act-and-related-legislation-2017-edition&meta_F_and=9780409347296&utm_source=criteo&utm_medium=cpc&utm_campaign=lowerfunnel)
* [*NSW Industrial Law*, Lexis Nexis](https://store.lexisnexis.com.au/product?product=industrial-law-nsw-ln-red-title&meta_F_and=0000783188)
* Workplace Law: Modern Employment and the 'Gig' economy on 21 November 2017 at the Primus Hotel Sydney
* ['Liability as an accessory to breaches of the Fair Work Act' in Employment Law Bulletin, Volume 23 of 217](http://lexisweb.lexisnexis.com.au/JournalOverview.aspx?id=201723ELBA00800094_00002)
* [Practice and procedure in defending FWO prosecutions: what role of the privilege against penalty?  
  Employment law bulletin Volume 23 of 2017](http://lexisweb.lexisnexis.com.au/JournalOverview.aspx?id=201723ELBA00400042_00002)

## Matthew Robinson – Partner and Solicitor – FCB Lawyers

Mathew specialises in:

* Providing strategic advice on various labour structures, along with recommendation on their strengths, weaknesses and implementation
* Negotiating and drafting employment contracts, policies, enterprise agreements and individual statutory agreements
* Managing and mitigating lawful/unlawful industrial action and picketing
* Managing termination of employment cases
* Defending breach of contract and wage/entitlement claims
* Advising on corporate restructures, redundancies, and transfer of business and industrial instruments
* Proactive and reactive defences to discrimination and harassment issues.

## Kellie Edwards – Denman Chambers

* A large proportion of Kellie’s practice is in the various employment and discrimination jurisdictions. Kellie also accepts briefs in administrative, trade practices, common law, and restraint of trade cases. She is a qualified arbitrator and mediator and has appeared in coronial inquiries.
* Prior to becoming a barrister, Kellie dabbled with the idea of becoming an architect and gained an Honours degree in Communications, however, she commenced Law and found her calling.
* As a solicitor, Kellie was an Associate at Dibbs Barker Gosling (now Dibbs Barker), and specialised in employment and discrimination law. From 1997 to 2003, Kellie was a member of the NSW Administrative Decisions Tribunal, sitting in the Equal Opportunity Division.

## Dan Dwyer – Consultant and Lawyer

Dan Dwyer is a long serving member of the IRS Executive Committee and in the past has spoken on on a range of topics at twilights and our Practitioners’ Professional Development Day – most notably his paper on “Zero sum contracts” which attracted a lot of interest from regulators and IR researchers.

Dan has a wealth of experience within the union movement, both within Australia and the ILO in the roles of :

* Director of Telecommunications – Asia Pacific Regional Office – for the Union Network International based in Geneva and Singapore
* National Secretary – Communications Division -Communication Workers’ Union
* National President – CEPU

His qualifications included LLB -UTS, TAFE Qualifications in Electronics and Communications and is a past graduate of the Harvard University Trade Union Program, and his lecturers and co-attendees included JK Galbraith, John Dunlop and Thomas Kochan (Author of “The Transformation of Amercian IR) and a number of other Harvard and Cornell University based IR writers and researches

Currently Dan works as a consultant on IR and legal matters, and appears regularly before industrial tribunals and is active in a number of trade union and social improvement projects.

## Commissioner Ms Janine Webster – NSW Industrial Relations Commission

Commissioner Webster was appointed to the NSW Industrial Relations Commission in December 2018 following years of practical experience in the legal field of workplace relations.

Commissioner Webster holds both a B-Commerce and LLB –University of Wollongong - with majors in Law, Economics and Industrial Relations.

In the following years following graduation the Commissioner held the roles of:

* Graduate Lawyer with Australian Business Lawyers
* Associate - Fair Work Commission (Vice President)
* Chief Counsel for the Fair Work Ombudsman at a time of the expansion of the FWO litigation and enforcement strategies.

In addition to the above experience, Commissioner Webster has presented at past IRS conferences and at our Practitioner Professional Development Days.

## Penny Thew – Career overview

Penny was called to the Bar in 2005 and regularly advises and appears in federal and most state courts and tribunals for corporate, government and individual clients primarily in employment, discrimination and commercial matters.

While Penny’s particular expertise includes all matters arising under the Fair Work Act 2009 (Cth) and the Industrial Relations Act 1996 (NSW), as well as claims involving discrimination law, contractual disputes and restraints of trade, she also appears regularly in litigation involving succession law, disposition of assets and possession.

Penny is in addition appointed a part time Tribunal Member to the Consumer and Commercial Division of the New South Wales Civil and Administrative Tribunal (reappointed for a five year term in 2019).

Before being called to the Bar, Penny practised as a solicitor in the areas of employment, industrial and discrimination law between 2000 and 2005, acting for corporate and government clients, as well as employer associations, and undertook an internship with the International Labour Office in Geneva, Switzerland.

Penny is an editorial committee member of Bar News, the journal of the Bar Association, and was a member of the Bar Association’s Diversity and Equality Committee from 2013 to 2019, in which role she drafted the Bar Association’s Model Best Practice Guidelines for use by the private Bar, and drafted amendments to the predecessor to Rule 123 of the Legal Profession Uniform Conduct (Barristers) Rules 2015 (prohibiting sexual harassment, discrimination and bullying).

Penny regularly advises and presents on workplace compliance and discrimination issues, particularly for legal practitioners and including for the New South Wales Bar Association, the Law Society of New South Wales, College of Law, the ODPP, NSW Parliamentary Counsel, law firms, private organisations and industry bodies.

Penny holds the degrees of Bachelor of Laws and Bachelor of Arts from the University of New South Wales, a Masters of Labour Law and Relations from the University of Sydney and in 2008 completed the Advanced Advocacy Course at the University of Oxford (Keble College) as a representative of the New South Wales Bar Association.

While completing her degrees, Penny worked as a policy advisor for the Human Rights and Equal Opportunity Commission (now the Australian Human Rights Commission), during which time she was a contributor to the Report of the National Pregnancy and Work Inquiry 1999 and was a representative of the former HREOC at the NSW Pay Equity Inquiry in 1998 on a pro bono basis.

### Articles

* [General Protections Claims Under the Fair Work Act 2009 (Cth): Common Issues and Recent Authority](https://www.greenway.com.au/articles/general-protections-claims-under-the-fair-work-act-2009-cth-common-issues-and-recent-authority)
* [General protections claims under Part 3-1 of the Fair Work Act 2009 (Cth): common issues and recent authority](https://www.greenway.com.au/articles/general-protections-claims-under-part-3-1-of-the-fair-work-act-2009-cth-common-issues-and-recent-aut)