

## Personal

NAME: Matthew John Follett

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## Key areas of practice and skills

- Worked in industrial relations and general employment practice for in excess of 5 years in Freehills' Melbourne Employee Relations Group.
  - Appointed to the position of Senior Associate in July 2007.
  - Extensive specialist experience in all aspects of industrial relations and general employment, along with general experience in discrimination, equal opportunity, occupational health & safety and privacy.
  - Specialised in all aspects of industrial disputation and litigation work, along with employment litigation work. Also have extensive experience in employment regulation and industrial strategy work, including major construction/maintenance/engineering Project work.
  - Extensive experience and expertise in all aspects of practice and procedure in most relevant jurisdictions, including the Australian Industrial Relations Commission (**AIRC**), the Industrial Division of the Magistrates' Court of Victoria, the Supreme Court of Victoria and the Federal Court of Australia (including at Full Court level).
  - Extensive experience in managing all aspects of industrial and employment litigation, including at interim, interlocutory and final hearing levels.
  - Extensive direct experience with many members of the Victorian Industrial & Employment Bar, including the following:
    - Chris Jessup QC (as he then was);
    - Frank Parry SC;
    - Stuart Wood;
    - Patrick Wheelahan; and
    - Richard Dalton.
- Intermittent work with Michael McDonald SC, Will Houghton QC and John West QC.
- Have a broad and extensive level of advocacy experience being the advocate for many different clients in many different types of AIRC proceedings, as well as a three day trial in the Magistrates' Court of Victoria.
  - Have an intimate knowledge and awareness of AIRC practice and procedure having been an Associate to a Presidential Member in Sydney for 10 months.
  - Some of the significant matters I have been involved in and clients I have advised include:
    - **MFESB** – involved in many AIRC matters (including several Full Benches), a Federal Court injunction to final hearing and successful defence in the Full Court of the Federal Court on appeal (including working with Frank Parry SC and Patrick Wheelahan);

- **Grocon** – worked on all aspects of industrial action litigation throughout 2004 in relation to Grocon’s major CBD construction Projects (including working with Chris Jessup QC and Stuart Wood);
- **Holden** – involved in Federal Court coercion and contempt proceedings with Chris Jessup QC and Stuart Wood;
- **Victoria Police** – intimate involvement with most significant Victoria Police matters over the last 5 years, including many AIRC disputes and current underpayments disputes on appeal to the Full Court of the Federal Court and also extensive related claims by way of Representative Proceedings in the Federal Court (including significant work with Frank Parry SC and Richard Dalton);
- **Toyota** – directly responsible for the preparation and running of several pieces of industrial litigation, including several pickets and Federal Court injunctions and obtaining interlocutory injunctions against over 300 individual respondents;
- **Siemens** – managed all industrial disputation and litigation for Siemens for 24 months in relation to the construction of a power station in Laverton, including many AIRC disputes and Supreme Court and Federal Court injunctions and prosecutions (including working with Chris Jessup QC, Stuart Wood and Richard Dalton);
- **Telstra** – provided a range of industrial litigation support to Telstra over several years, including the successful development and implementation of an industrial/employment strategy for the roll-out of GPS monitoring in Telstra vehicles, the management of an extensive “exceptional matters order” proceedings in the AIRC, the successful argument against the addition of extra ANZAC Day holiday entitlements in awards (before a Full Bench of the AIRC) and recent participation in one of the leading s.170LW cases in the field before a Full Bench of the AIRC (along with John West QC and Stuart Wood);
- **Bakers Delight** – played the central role in advising Bakers Delight on an employee collective agreement roll-out strategy among hundreds of franchisees, including AIRC Full Bench hearings and the first significant “public interest” case on the no-disadvantage test under the pre-reform WR Act;
- **Building industry** – have significant experience and expertise in all elements of the building and construction industry industrial relations area, including regular advice and litigation work under the *Building and Construction Industry Improvement Act 2005* (Cth) and the National Code of Practice; and
- **General** – have had extensive other experience for blue chip commercial clients in s.127/496 applications in the AIRC, s.170LW disputes, unfair dismissal applications, Supreme and Federal Court injunctions, various industrial underpayment Court claims, Freedom of Association defence work, general employment breach of contract claims and restraint of trade/confidentiality injunctive work.

## Relevant employment history

- 1 July 2007 – 20 February 2008 – Senior Associate at Freehills Melbourne (Employee Relations).
- January 2004 - 30 June 2007 – Solicitor at Freehills Melbourne (Employee Relations).
- 2003 – Associate to Senior Deputy President Cartwright at the Australian Industrial Relations Commission (Sydney).

- 2002 - Articled Clerk at Freehills Melbourne (rotations in Employee Relations, Taxation and Corporate M&A) – admitted to practice as a Barrister, Solicitor and Officer of the Supreme Court of Victoria in March 2003.
- 2000-2001 - Tutor at Deakin University for BCOM students (Business Law, Company Law and Tax Law).

## **Education**

POST GRADUATE: Victorian Bar Readers' Course (3 March – 22 May 2008)

TERTIARY: Deakin University  
Bachelor of Commerce (Economics Major) (1997-2000)  
Bachelor of Laws (Honours) (1997-2001)

SECONDARY: Grovedale Secondary College (1991-1996)  
Graduated DUX of the College  
TER Score of 95.15