

- Relationship-Driven
- Transparent Pricing
- Experienced Lawyers



Roxanne Hart is a Senior Consulting Lawyer at Progressive Legal.

She provides support for **Workplace**, **Commercial** and **Corporate** matters.

Roxy has been recognised for her legal skills and client outcomes by Lawyer's Weekly as a finalist in both the Australian Law Awards and Women in Law Awards.

Her career experience includes working at a mid-tier Queensland commercial law firm for several years before branching out to work with multiple award-winning law firms across Australia on a consultancy basis.

Workplace Expertise:

- ✓ Redundancy, and stand down advice;
- ✓ Termination advice and strategy;
- ✓ Performance management advice;
- ✓ Employee share option plans & schemes;
- ✓ Employment contracts, executive contracts;
- ✓ Individual flexibility agreements;
- ✓ Labour hire agreements & advisory;
- ✓ Independent Contractor Agreements;
- ✓ Award compliance and advice on set offs;
- ✓ Enterprise bargaining;
- ✓ Commission structures;
- ✓ Policies and procedures; and
- ✓ Settlement deeds

Employment & Workplace Law

Recent Matters

Below is just a snapshot of Roxanne's recent Workplace Law Experience.

Do let us know if you wish to be provided her Commercial and Corporate summaries as well.

Some of the notable matters Roxanne has advised on recently include:

✓ **Termination Strategy and Implementation**

Advising a prominent NSW sporting organisation on the termination of an underperforming executive director (who also held shares which were bought back as part of the settlement).

Advising on the termination strategies for disruptive managerial and executive-level employees and co-founders, including advice on how to deal with the associated vested and unvested shares in respect of both listed and private entities.

Advising a VFL club on the termination of an underperforming coach.

Advising a national commercial lighting business on the termination of an underperforming and disruptive executive director and shareholder.

✓ **Stand-downs and reductions**

Advising an ASX listed professional services business on stand-downs, salary reduction and the redundancy of staff across the business during COVID-19.

✓ **Employee share schemes**

Preparation of a unique employee share scheme (non-concessional) for the executive employees of a Victoria wide commercial construction business.

✓ **Restructuring & redundancy advice**

Advising an ASX listed software company on the process of restructuring their organisation and making a substantial number of their engineering team redundant.

Roxanne also acted throughout the redundancy and prepared all relevant notifications and documents and calculated entitlements and provided the company with support and guidance every step of the way.

No unfair dismissal claims were made against the employer and the restructure was considered a success.

Advising a regional medical practice on the process to make a number of their nursing and administrative staff redundant, as well as change the position descriptions, hours and remuneration of the remaining staff to restructure the practice to become profitable.

Most staff had been in the business for 10+ years under a previous owner and the new owner had inherited the legacy issues. Several nurses had a union involved.

Roxy advised on the entire redundancy process, including the initial notification, first meeting, second meeting and termination per the Award. Successfully balanced risk management against the client's desired outcomes and the business was ultimately restructured successfully.

✓ **Organisational Restructure**

Advising an Australian based boutique clothing retailer (with both an online presence and 10 boutiques across Australia) on distribution agreements, supply terms, commercial contracts more generally, and employment law (including Award compliance).

In June and July 2018, Roxanne advised the retailer on their organisational restructure from an employment law perspective (including redundancies).

✓ **Enterprise Agreements**

Acting for one of Victoria's largest steel foundry businesses in drafting and negotiating two enterprise agreements, including assessing whether the agreements meet the better off overall test as against the relevant Award and advising on recommended changes.

Roxy acted for the business from the start of the process through to applying for approval in the Fair Work Commission and working with the business to have it approved.

✓ **Labour Hire Agreements**

Preparation of labour hire agreements for clients in various industries, including:

- Hirers in the mining industry, hiring out workers to complete specific jobs;
- Hirers in the insurance and health industry, hiring out specialist doctors and psychologists to leading health insurers; and
- Hirers in the trade industry, hiring out painters, carpenters, chippies and other tradies to commercial and residential developers.

✓ **Employment Contracts**

Preparation of a suite of employment contracts for an international private company based in the UK entering the Australian market.

This involved preparing an executive-level contract for their Australian Managing Director which included terms in respect of linking KPIs to remuneration, share incentives, and restraints and non-solicitation obligations.

✓ **Employee Share Schemes**

Advising numerous businesses including both professional services firms and software technology businesses on the different options around giving employee's shares, advising on compliance with the Employee Share Scheme ("ESS") tax incentive laws, and preparing ESS's and Employee Share Option Plans ("ESOPs"), Vesting Deeds and Shareholders Agreements.

✓ **Independent Contractor Agreements and Advice, Credit Applications**

Acting for various renewables businesses across Australia in preparing credit applications and independent contractor agreements, particularly in relation to the installation of solar panels and the provision of wind farm services.