



HERBERT
SMITH
FREEHILLS



BRAD POPPLE

SENIOR ASSOCIATE

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Brad advises clients on employment and industrial relations matters, both in a litigious and general advisory context.

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BACKGROUND

Brad holds a Bachelor of Laws and Bachelor of Economics (Hons) from Deakin University and a Bachelor of Business Marketing from Monash University. Brad is admitted to practice as a barrister and solicitor in the High Court of Australia and Supreme Court of Victoria, and is a member of the Law Institute of Victoria and the Industrial Relations Society of Victoria.

KEY SERVICES

[Employment](#)
[Employment Litigation](#)

KEY SECTORS

[Mining](#)
[Infrastructure](#)

EXPERIENCE

Brad has a particular interest in assisting clients faced with complex industrial and bargaining disputation, with an emphasis on finding and implementing practical solutions in these circumstances.

Previously, Brad has been employed as an industrial officer with a trade union, giving him a unique insight into the pressure points and drivers coming into play on the employee side of the bargaining table.

Brad has experience in a range of industry sectors including aviation, oil and gas, mining, electricity generation and distribution, manufacturing, construction, automotive, stevedoring and public sector employment.

Brad is a keen advocate and has extensive experience in assisting clients with:

- award and enterprise agreement related matters and claims, including disputes and private conciliations / arbitrations;
- formulating and implementing strategies related enterprise agreement bargaining, and assisting with the preparation of employee / bargaining representative communications;
- obtaining orders from the Fair Work Commission to stop employees taking unprotected industrial action;
- responding to picketing and unlawful blockades, including with associated litigation in the State and Federal courts;
- a broad range of disputes including claims relating to unfair dismissal, adverse action, and alleged breaches of common law contracts of employment;
- issues around management and termination of employees, disciplinary procedures, and the management of ill and injured employees; and
- defending prosecutions brought by the Fair Work Ombudsman.

Brad's recent experience includes:

- acting in relation to a prosecution brought in the Federal Court by the Fair Work Ombudsman alleging a breach of the National Employment Standards
- assisting a client navigate a complex dispute with the AMWU over the extent to which it was entitled to represent the industrial interests of workers at our client's manufacturing facility. This included developing a comprehensive legal strategy to deal with the issue

and providing extensive advice regarding the AWMU's rights, and various strategic considerations concerning the approach to the matter

- advising our client in advance of the expiry of their enterprise agreement and in the face of an unlawful picket at site which impacted operations. All substantive claims were defeated by our client and wage increase expectations were significantly reset resulting in a massive cost saving to our client
- advising a client in three separate discrimination claims lodged in the Victorian Civil and Administrative Tribunal (VCAT). Three employees each alleged discrimination against them on the basis of their physical disabilities. Each claim was settled to the satisfaction of our client
- advising our energy client in relation to numerous employment actions, and conducting workplace investigations into employee misconduct; workplace training on sexual harassment and bullying across all sites; advice on employment contracts and termination of employees; and complex advice on award-derived long service leave provisions