



HERBERT
SMITH
FREEHILLS



EMMA VAUTIN

SENIOR ASSOCIATE

[Melbourne](#)
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Emma advises clients on all areas of employment and industrial relations, with a particular focus on litigation and bargaining.

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BACKGROUND

Emma holds a Bachelor of Laws (Honours) and Bachelor of Arts from the Australian National University. Emma was admitted to practice in 2013. Emma is currently studying for a Masters of Laws from the University of Melbourne.

KEY SERVICES

Industrial Relations
Employment Litigation

KEY SECTORS

Energy
Mining

EXPERIENCE

Emma has a particular interest in enterprise bargaining strategy and partnering with clients to resolve complex employment matters. Emma thrives on understanding her clients' businesses and has depth of experience in a range of industries, including oil and gas, higher education, mining, aviation, government, transport and retail.

Emma works closely with clients at all stages of bargaining including as a bargaining team member. She believes that excellent planning is the key to achieving organisational objectives in bargaining and minimising disruption caused by any industrial action. Emma also regularly advises on disputes arising under industrial instruments with a specific focus on major change processes and restructuring.

Emma is also an experienced litigator and regularly acts for government and commercial clients in the Fair Work Commission, the Federal Court and Victorian courts, as well as appellate jurisdictions including the Full Federal Court and High Court. Emma has acted for clients on a wide range of employment claims, including general protections and unfair dismissals, common law breach of contract, termination of enterprise agreements, workplace determinations, bullying, rights of entry, anti-discrimination and industrial torts.

Emma was recently named as the best lawyer under 30 nationally in the Workplace Relations category at the 2019 'Lawyers Weekly 30 under 30' Awards.

Emma's recent experience includes:

- acting in relation an urgent interlocutory application in the Federal Court where a senior employee was seeking an interim injunction to prevent disciplinary action being taken
- advising on bargaining strategy for a major airline, including participation in negotiations
- acting for a client in relation to a successful appeal to the High Court on the interpretation of section 413(5) of the Fair Work Act 2009 (Cth)
- acting in relation to a substantial claim for damages on behalf of a multinational resources company for losses caused by unprotected industrial action
- advising a major mining company on its industrial relations strategy for major shutdown activities