



KIRSTY FAICHEN

PARTNER

[Brisbane](#)
[Australia](#)

Kirsty advises clients on a wide range of industrial relations and general employment law issues.

 +61 7 3258 6492  +61 405 223 674

 Kirsty.Faichen@hsf.com

 [linkedin.com/in/kirstyfaichen](https://www.linkedin.com/in/kirstyfaichen)

BACKGROUND

Kirsty holds a Bachelor of Law (with honours) from Southampton Solent University, England, and a Graduate Diploma in Legal Practice with distinction from the College of Law, Guildford, England. She is admitted to practice as a solicitor in England and Wales and in the Supreme Court of Queensland, New South Wales and the High Court of Australia.

KEY SERVICES

[Employment, Pensions and Incentives](#)
[Employment](#)

KEY SECTORS

[Government and Public Sector](#)
[Mining](#)

EXPERIENCE

Kirsty specialises in employment and industrial relations law. She has more than 15 years of experience advising clients across Australia and UK jurisdictions. During this time she has advised extensively on a wide range of industrial relations and general employment law issues with a particular focus in the infrastructure, resources and government sectors.

Kirsty regularly works with our corporate, projects and disputes teams to assist clients successfully deliver major projects and transactions and strategically manage industrial relations litigation that may have implications for industry sectors more broadly.

She has advised major corporate and government clients on strategic workforce planning/structuring, enterprise bargaining, employment and industrial relations elements of commercial transactions and privatisations, the management of industrial dispute and implementation of continuous improvement and change processes, contractor management, stakeholder and union engagement and consultation processes, representing clients in the Fair Work Commission and managing Federal Court general protections, right of entry and industrial action litigation and disputes.

Kirsty is respected for providing her clients with a developed understanding of their requirements, expectations and drivers. This means her employment law advice is considerate of commercial imperatives, stakeholder interest and political pressure points.

Kirsty's recent experience includes advising:

- on protected and unprotected industrial action responses and strategy, including Federal Court adverse action proceedings
 - on major construction projects on a range of employment and industrial relations issues, including stakeholder and union engagement and consultation processes, and obligations under applicable industrial instruments
 - on drafting and implementing enterprise agreements
 - on comprehensive industrial relations strategy for expansion projects and site operations
 - on managed and, where appropriate, negotiated settlements of unfair dismissal or adverse action claims
 - on the mechanisms for transferring employees and employment liabilities, honouring commitments to employees which involved pre-sale restructuring, transfer of industrial instruments under the transfer of business provisions, contractual obligations and the making of new offers of employment
 - incorporating law, policy, commercial and industrial factors into advising clients on the employment and industrial elements of a PPP project delivery including employment aspects of the binding bids submitted by the proponents, responding to an injunction application by a relevant union and progression of the PPP project to financial close
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