



HERBERT
SMITH
FREEHILLS



MICHAEL COONAN

SENIOR ADVISER

[Brisbane](#)
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Mike specialises in industrial relations and major projects in the resources, infrastructure and construction sectors.

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BACKGROUND

Michael holds a Bachelor of Laws degree from the University of Queensland, a Graduate Certificate in Business Administration from the Queensland University of Technology, and a Certificate in Industrial Relations from the Brisbane Institute of Technology and Further Education.

Michael lectured at the Queensland University of Technology in Human Resource Management and Project Management Law.

KEY SERVICES

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

KEY SECTORS

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

EXPERIENCE

With more than 30 years' experience across industries as diverse as retail, finance, manufacturing, construction, mining and professional services, Michael advises Australian and international companies on all aspects of industrial relations and employment law.

Michael's work involves regularly acting for companies in litigation arising from industrial disputes, in employment law and disputes involving executive claims, corporate fraud and workplace health and safety prosecutions. He does a wide range of advisory work in all these areas as well as in matters of executive remuneration and benefits. Michael has a long involvement in the building and construction industry including in recent years with the reforms of that industry introduced by the Australian Government acting both for the regulatory body established as part of the reforms and for many employers in the industry seeking to effect reform in their workplaces.

Michael contributes to a number of publications, including the Littler Mendelson Guide to International Employment and Labor Law and the American Bar Association publication "International Labour & Employment Law". He regularly appears in respected international legal guides.

Michael's experience includes:

- representing Grocon in various proceedings since 2012 in Victoria, NSW and Queensland against CFMEU seeking injunctions, damages and contempt orders arising from picketing and interference at numerous Grocon building sites. Proceedings for contempt against the CFMEU resulted in all 30 charges of contempt alleged being established. Findings of criminal contempt were made against the CFMEU and penalties ordered of \$1.25m
- representing Clive Peeters P/L in the Supreme Court to recover funds misappropriated by a former manager. Mareva and Anton Pillar orders were obtained over the worldwide assets of the employee and orders made to provide details of over 60 bank and financial institution accounts. Recovery of \$16.5 million of \$19.5 million misappropriated 'one of the largest, if not the largest, thefts perpetrated by a person in a position of trust in the history of this State' Forrest J
- acting for BHP Billiton Mitsubishi Alliance (BMA) in relation to bargaining for a new enterprise agreement with the mining union and two other trade unions. The enterprise agreement applied to approximately 3,000 mineworkers employed at seven BMA coal mines in Central Queensland. Michael was part of the team representing the Company on enterprise bargaining, operational and legal contingency planning, strategy and tactics and compliance with legal process requirements, and in conducting litigation arising from the dispute in a series of Federal Court trials
- in 2011, Freehills represented the Australian Building and Construction Commission (ABCC) in three major Federal Court matters arising from unlawful industrial action carried out at a \$1.2 billion hospital construction site in 2008. Orders have been handed down in the Federal Court awarding totalling over \$450,000 in penalties against the main

construction union in Australia, the CFMEU, and various of its Victorian based officers

- Dennis Family – Claim for damages for breach of contract by a former Managing Director regarding termination of his employment for misconduct. Claim involved express and implied terms of employment and directors' duties