



HERBERT
SMITH
FREEHILLS



RACHEL ZAGAMI

SENIOR ASSOCIATE

[Melbourne](#)
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Rachel advises clients on general employment and occupational health and safety matters.

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BACKGROUND

Rachel holds a Bachelor of Laws and a Bachelor of International Relations.

KEY SERVICES

[Workplace Health and Safety](#)

KEY SECTORS

[Infrastructure](#)
[Roads](#)

EXPERIENCE

Rachel's technical expertise means she is regularly called upon to provide advice to clients in relation to all areas of safety and employment law including:

- advising on occupational, health and safety matters
- assisting with incident response including facilitating dealings with investigating inspectors and responding to document requests

- assisting clients with WHS-related litigation including administrative reviews and prosecutions
- advising clients on pro-active WHS compliance in relation to their operations
- providing advice on employment rights and conditions under enterprise agreements, modern awards, contracts of employment, the Fair Work Act and other legislation
- advising on general employment matters
- due diligences

Workplace health and safety advice and incident response

Rachel has specialised knowledge and experience advising clients on safety and rail safety matters for large infrastructure projects, including advising on OHS provisions for contracts, compliance strategies, and incident response. Rachel is known for giving practical, direct advice on contractor management strategies for clients embarking on major projects or infrastructure builds.

Rachel is the lead safety and industrial relations contact for a number of clients, assisting and advising in relation to

- emergency and incident response
- incident investigations
- industrial relations and Right of Entry advice
- legal privilege issues
- regulatory investigations, including responding to statutory notices and assisting with regulatory interviews with inspectors

Safety litigation

Rachel has considerable experience and success conducting WHS-related litigation, including preparing applications for administrative review of statutory notices and defending prosecutions brought by safety regulators (including WorkSafe and Transport Safety Victoria).

Employment

Rachel also advises on employment, industrial relations and safety cross over issues, in particular with regard to drug and alcohol testing, management of mental health issues and union right of entry.

Advising on a prosecution brought by Transport Safety Victoria. The Informant's authority to bring the prosecution was challenged on the basis that the legislation relied upon was not correct. This issue arose in the context of a range of complex legislative amendments in relation to rail safety. This challenge was upheld and the charges were ultimately struck out against our client.