



**Bartlett Workplace:** Capability Document  
Legal Advice, Representation, IR and EA Services, Workplace  
Investigations and Management and Leadership Education  
Solutions and Resources



thinking differently

**bartlett**  
workplace

| LAWYERS | CONSULTANTS |



## Table of Contents

**Bartlett Workplace:** Your end-to-end partner for leading workplace services and advice ..... 2

**Bartlett Workplace Legal: (BWL)** Industrial Relations, Employment Law and Work, Health and Safety ..... 3

**Bartlett Workplace Enterprise Bargaining and Industrial Relations** expertise, services, and advice ..... 4

**Bartlett Workplace Investigations: (BWI):** ..... 6

**Workplace 360°** Compliance Review Tool ..... 7

**Bartlett Workplace Training (BWT):** ..... 9

## **Bartlett Workplace: Your end-to-end partner for leading workplace services and advice**

At Bartlett Workplace, we are “thinking differently” in the way we deliver our services and how we work with our clients.

Not only are we focused on developing strong and lasting relationships that add value to you and your teams we are thinking differently in the way we provide legal, IR and ER advice, conduct investigations and how we deliver the most effective and interactive workplace training and development programs for management and leadership groups, that will upskill them and make them the most effective managers and leaders to increase productivity and most importantly drive the right culture through an organisation.

### **Bartlett Workplace has been structured to enable it to provide, in the one place, the following specialist services:**

- IR and employment legal services;
- IR and HR advisory services including workplace investigations;
- Work, Health and Safety (WHS);
- Workplace management capability and leadership development coaching and training;
- Online compliance education modules and compliance audit tools; and
- Workplace 360° (review tool for policies, contracts, guidelines, enterprise agreements, workplace complaints and investigation processes).

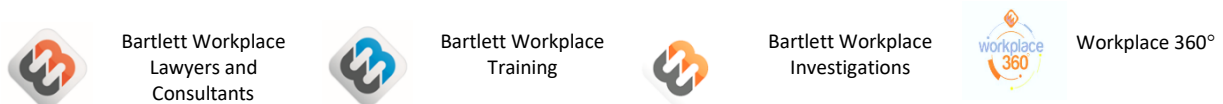
We pride ourselves on building relationships with our clients though understanding your business and its needs, being accessible, and being ready, willing, and able to assist with providing a broad range of workforce solutions. We act as a **sounding board** and we **challenge your thinking**. Why do we take this approach? Because we want to provide our clients with the best knowledge, support, and training to achieve sustainable cultural, operational, and/or commercial objectives and change.

Our dedicated team provide expert industry advice drawing on our firm’s local and global knowledge, tools, and resources. Our specialist legal team, have extensive experience in dealing with complex industrial relations matters, understand how different industry sectors operate and therefore the specific issues and challenges that our clients may face.

With offices in Melbourne and Perth, a network of HR/IR consultants Australia-wide, and comprehensive online services, we are ready to help you when, where and how you need it.

**Bartlett Workplace** provides advice, representation, and support to a number of global organisations, some of Australia’s leading employers, including government and private sector organisations.

### **Bartlett Workplace is structured to enable us to provide clients with the following core specialist services:**



### **Additional Services that support our core businesses**

360° Workplace Compliance Audit/ Review tool	Online workforce compliance education podcasts and webinars	Access to communications and adaptive technologies	ADR support including by an accredited mediator
Cultural change programs	EB ancillary support (voting and comms) through our partners	Bartlett Workplace online Education Hub	Training facilities and private mediation rooms

## **Bartlett Workplace Legal: (BWL) Industrial Relations, Employment Law and Workplace, Health and Safety**

Our legal team is resourced to provide the same depth of legal knowledge, experience and expertise found in the employment/IR practice groups of larger multi-practice area legal firms, but to do so on a more competitively and flexibly priced basis. We are responsive to the pressures and factors that we see working in the area, and on corporations and their decision-making in the area.

We provide high level legal advice and representation with respect to collective and individual employment issues including enterprise bargaining, enterprise agreements, industrial disputes, employment contracts including executive contracts, termination of employment, adverse action, workplace bullying, sexual harassment; Workplace Health and Safety incidents, workplace policies, workplace discipline; workplace training and education and compliance with workplace relations law generally.

Our highly experienced team are the trusted advisors to a number of global organisations, and some of Australia’s largest employers, including government and labour regulators and have access to the latest in workplace and labour law insights and education and training.

We provide specialised legal advice and representation with respect to all areas of workplace relations, employment and work and health and safety law including:

Industrial Relations and Disputes, Union, and Labour Strategies	Transfer of Business and Onboarding on new teams
Industrial Action and Right of Entry	Diversity and Discrimination including Sexual Harassment and EEO
End to End Enterprise Agreement Offering: <ul style="list-style-type: none"> <li>▪ Enterprise Agreement Drafting and Interpretation</li> <li>▪ Training and Development of Bargaining teams</li> </ul>	Workplace Investigations, including serious WHS investigations, conducting advising and training workplace investigators, in-house teams, and decision makers
Employment Contracts, Executive Contracts and Remuneration	WHS advice, incident response, risk management and WHS regulation compliance
Review and Development of Policies, Procedures and Guidelines	Managing Ill and Injured employees
Performance and Conduct Management including termination of Employment	ADR support including mediation
Employment Disputes, Litigation including General Protections and Adverse Action	Education and training programs

Our lawyers and consultants have extensive experience providing advice and representation across a wide range of industry groups:

Public Sector Entities	Oil and Gas	Security	Communications
Local, State and Commonwealth Government	Energy and Resources	Marine	Sports and Entertainment
Education and Higher Education	Utilities and Retail	Consumer Retail	Media and Broadcasting
Health/Emergency Services	Rail	Hospitality	Advanced Manufacturing
Construction	Agribusiness	Professional Services	Technologies
Transport and Logistics	Aviation and Aeromedical	Banking and Finance	Start Ups

## Bartlett Workplace Enterprise Bargaining and Industrial Relations expertise, services, and advice

Our specialist IR team led by Glen Bartlett have extensive experience working successfully with clients on complex IR and major enterprise bargaining projects across all industries, understands how different industry sectors operate and therefore the specific issues and challenges that each industry sector may face, through this process.

We work with clients to develop strategies, or assist building on our client’s existing strategies, expertise, and action plans. We provide their teams with the right tools to enable them to adopt a more effective and efficient approach to best prepare bargaining teams for negotiation and implementation of strategy and to deal with curve balls that can arise through this process.

Our team of workplace lawyers and consultants led by Glen Bartlett are experts on:

✓	Planning and execution of enterprise bargaining strategies;
✓	Developing and advising on IR and Negotiation Communication Plans;
✓	Risk profiling of tactical approaches;
✓	Development of contingency plans;
✓	Media and PR communication action response plans;
✓	Latest voting technologies and digital protocols;
✓	Legislative compliance with respect to People Management Issues including enterprise bargaining and enterprise agreement content;
✓	Dealing with industrial action issues and disputes and dispute settlement processes;
✓	Development of comprehensive Industrial Action Response Plans and associated training;
✓	Bargaining-related Fair Work Commission and Court proceedings;
✓	Enterprise bargaining-related training; IR education and productivity;
✓	Industrial Advocacy; and
✓	Workplace relations and employment-related litigation.

We have tabled below a sample of who we have advised and worked with on their IR and enterprise bargaining projects:

Advising various employers in the **higher education sector** including acting for an Australian University in enterprise bargaining including clause drafting and strategising, advising on industrial action contingency plans, advising and representing the client in respect of a successful application under section 424 of the Fair Work Act to bring protected industrial action to an end on health, safety and welfare grounds (which included an appeal to the Full Bench of the Fair Work Commission), advising on pay deduction implications for staff taking industrial action and advising on the enterprise agreement approval process.

Acting for an employer in the **oil and gas industry** in bargaining for multiple enterprise agreements with four different unions appointed as bargaining representatives, including the making of application to the Fair Work Commission to stop the taking of unprotected industrial action. The bargaining strategy involved seeking to reduce the number of enterprise agreements covering its workforce and seeking major changes to the content of the existing enterprise agreements to maximise flexibility for the employer and increase productivity.

Acting for a single national employer in the **health sector** which was established by mirror legislation enacted in each State and Territory, utilising an application for the Fair Work Commission to deal with a bargaining dispute to successfully determine the legal status of the employer for the purposes of the Fair Work Act.

Acting for an employer in a significant cultural change program in the **coal industry** in Western Australia, which included advising on strategy, content of the Coal Miners Agreement and the Maintenance Agreement, responding to industrial action in particular by the AMWU including successfully obtaining Federal Court and Supreme Court injunctions and appearing in negotiations to break the deadlock after a 9-week strike by the AMWU.

Acting for an employer in the **ship building industry** to establish their first ever non-union collective agreement.

Acting for an employer in the **manufacturing sector** where the employees had appointed multiple bargaining representatives in a 'conflict of interest' situation and successfully using the application of Regulation 2.06 to defeat a protected action ballot application.

Acting for various **maritime industry** employers during industry-wide enterprise agreement negotiations including preparing, instructing and appearing in relation to applications for protected action ballot orders, unprotected industrial action, good faith bargaining orders and injunction proceedings in the Federal Court of Australia.

Acting for a **maritime towage industry** employer during negotiations with the maritime unions, including providing strategic input on the approach to negotiations and developing industrial contingency plans.

Acting for employers in the **building and construction** industry to establish non-union enterprise agreements and acting for the **building and construction regulator** in both Court and Fair Work Commission proceedings.

Acting for a large **international resources** company during negotiations involving protracted protected industrial action, including developing industrial contingency plans and representing the client in various applications in the Fair Work Commission and Federal Court of Australia.

Acting for a **state emergency service agency** in highly contentious enterprise bargaining to drive cultural change, including on applications to the Fair Work Commission for bargaining orders and in Federal Court proceedings regarding the validity, interpretation, and operation of enterprise agreement terms.

Acting for and appearing on behalf of **State emergency service agencies** in numerous enterprise agreement disputes in the Fair Work Commission including substantial arbitrations.

Acting for a **state public service employer** in bargaining including appearing in and successfully defending an application for a scope order and an application that a public servant bargaining representative be paid to attend bargaining meetings during non-rostered hours.

Acting for a **state emergency service agency** in obtaining a weekend Federal Court injunction in relation to industrial action that was potentially life threatening and acting for the employer in an application to the Commission to suspend or terminate the bargaining period.

Acting for an employer in the **government sector** including providing strategic advice with respect to managing multiple bargaining representatives and the communication strategy including dealing with the media.

Advising a **state public sector employer in the health sector** in bargaining including sitting at the bargaining table.

Advising a **territory public service employer** in respect of a pay-docking dispute associated with staff taking protected industrial action during bargaining. The union unsuccessfully sought to have the employer's wage deduction calculation (under section 472 of the Fair Work Act) significantly reduced by the Fair Work Commission

## **Bartlett Workplace Investigations (BWI):**

### **Why conducting Workplace Investigations well, helps your business and your people**

Dealing swiftly, proportionately and appropriately with workplace issues such as employee complaints and potential employee misconduct/serious misconduct, is crucial and can both save an organisation time, money and contribute to its reputation as a fair and reasonable employer, furthermore there is an increasing call in the modern workplace for investigations to be carried out in order to establish whether or not complaints or grievances are well founded or to reliably establish the facts about certain matters before important decisions are made. If workplace investigations are to serve their purpose, it is imperative that they are conducted efficiently and the reports emanating from them are coherent and sound; essentially that they and the investigatory procedure behind them can stand up to critical scrutiny including sometimes in a court or tribunal setting.

Our team have strong experience in dealing with difficult and culturally sensitive workplace investigations across Australia and have extensive experience providing workplace investigation services across a wide range of industry sectors.

### **Bartlett Workplace Investigations offers a full range of workplace investigation services and we are experts when it comes to:**

- Conducting workplace Investigations;
- Advising on workplace investigations and outcomes to ensure results are robust, accurate and legally defensible;
- Helping organisations set up or review their internal processes for legal compliance and best practice (including policies, procedures, and guidelines) related to employee complaints, grievances, conduct management and workplace investigations; and
- Upskilling investigators, managers, and decision-makers in workplace investigations capability.

### **Our Integrated Approach**

Our approach to workplace investigations is directed at achieving those objectives. We do this by integrating practical, mature experience in the actual conduct and techniques of workplace investigations, together with high level legal expertise concerning investigations to make sure our investigations and their results are robust, accurate and legally defensible when you need them to be. **We make a point of keeping you informed of issues arising and progress over the course of the investigation.**

### **Our Workplace Investigators**

We understand that every organisation has its own features and that a sound investigation must be informed by an appreciation of contextual factors. Accordingly, when we select an investigator to work with you, we look at both the matters to be investigated and the context in which the matters arise to make sure that the investigator nominated is well fitted to conducting the investigation required.

### **Advisory Services for Workplace Investigations and related Policies and Procedures**

Apart from conducting or overseeing the conduct of workplace investigations, Bartlett Workplace also provides legal and human resources advice on:

- How to deal with the results of an investigation conducted by other investigators;
- Helping organisations set up or review their internal processes for legal compliance and best practice (including policies, procedures, and guidelines) related to employee complaints, grievances, conduct management and workplace investigations; and
- Issues relating to organisational culture and change.

Our experience has taught us that many organisations make critical errors before they even begin a workplace investigation by not having appropriate, practical investigation guidelines to be

consistently followed in workplace investigations. Bartlett Workplace has extensive experience in formulating best practice, practical processes and procedures that are adapted to the organisation concerned.

Because of the combination of practical workplace investigation expertise and legal expertise, Bartlett Workplace Investigations (BWI) is especially well placed to evaluate investigation reports, to advise on the taking on the next steps by reference to them and on the legal issues associated with them such as their disclosure to others, legal privilege and the like.

Additionally, if a workplace investigation report discloses cultural issues in the organisation, Bartlett Workplace can conduct a thorough cultural review, identify the issues, and advise on practical steps to address them.

## Having well trained people is the first step towards conducting a successful Workplace Investigation

**Our Workplace Investigation Education & Training Solutions** provides your people with the tools and practical training they need to better manage employee behaviour and to investigate and make decisions with respect to matters involving serious misconduct.

**Our customised education programs and workshops** are the best way for you to ensure you have in place a best practice model for workplace investigations in place. We can work with you to design training tailored specifically to your needs to fill skills gaps and make sure each workplace investigation you conduct is consistent, addresses the issues that matter to you, follows a legally robust process and achieves your strategic goals.

Bartlett Workplace also provides **public workshops and webinars** for workplace investigators and human resources managers, a workshop tailored for decision makers and a best practice workshop focusing on best practice disciplinary processes and procedures including workplace investigations.

### Our 3 main Education and Training Programs cover the following:

1. Workplace Investigation Training for Workplace Investigators;
2. Workplace Investigation Training for Decision Makers; and
3. Workplace Investigation and Disciplinary Processes Best Practice Workshop.

---

## Workplace 360° Compliance Review Tool

At Bartlett Workplace, we have over 30 years' combined experience advising employers on their legal obligations and industry best practice.

### That experience has shown us two key things:

1. Every element of a human resources' workplace compliance system needs to work together to be truly efficient and compliant; and
2. A human resources and workplace compliance system is only ever as strong as the skills of the people implementing it.

People issues and achieving alignment across the business is critical to your success in achieving your aims and in successfully managing any risks/issues. It is important to understand that developing and embedding the right culture and the right structure and support for the People Managers is not an easy process and requires determination and resilience from the leaders for a number of years. Many of the elements Workplace 360 looks at, are fundamental to putting the right foundations in place and setting up a business to go from 'strength to strength' which will future proof the business for decades to come.

Our **Workplace 360° review** ensures every element in your human resources and workplace compliance system works together and that your people have the knowledge and skills needed to effectively implement it.

As part of this package we do a 360 degree overview of policies, contracts, guidelines, enterprise agreements, employee and contract agreements, workplace complaints and investigation processes



along with an assessment of management capability and training needs and work collaboratively with you to develop a comprehensive system to ensure your business has 'best practice' foundation documents, systems and management capability to maximise productivity and minimise costs.

We will then structure a comprehensive training programme to ensure your people have the knowledge and skills needed to effectively implement and use the system to drive productivity, ensure compliance and avoid costly and distracting disputes. This can include face-to-face training, online education, or a blended solution as appropriate to your needs.

Teams are provided with and taught how to properly deploy implementation documents including guidebooks.

Workplace 360 Review will look at:

### 1. Human Resources Policies/Procedures/Compliance Systems including Management Guidelines and Templates Review

- **Conduct a Review** all existing policies/procedure frameworks/management guidelines and advise you on any issues/areas for improvement identified and recommend remedial action.
- **Development** of policies/procedures/management guidelines in the context of promoting a 'One Agency' approach and the drive to continuously improve revenue and productivity. The correct 'best practice' structure is also a critical risk management issue.
- **Complaints/Grievances** Review of all your standard documents used for lodging complaints/grievances along with any procedures/guidelines followed in resolving grievances/complaints. and advising you on any issues/areas for improvement and recommended action.
- **Conduct a Review** of your **Workplace Investigations** process and capability.
- **Review of your Compliance Systems Guidelines and Templates** including, managing employee performance and conduct (behaviour); and managing ill and injured employees.
- **Review and Development of Compliance Systems for employees** engaging in and education systems for employees on: Workplace Bullying; Sexual Harassment; Privacy; Workplace Health and Safety; EEO; and Internet and Social Media.
- **Conduct a review** of your organisations Culture, Values and Behaviour framework and the way these are managed within the organisation.
- **Conduct a review** of your organisation's **Productivity drivers** and barriers and advise you on any issues/areas for improvement identified and recommend remedial action.
- Develop and provide comprehensive **education/training** and tool kits to support your managers and leaders to successfully implement new frameworks and to provide your managers and people leaders the best skills, knowledge, and confidence to manage their teams effectively and equitably.

### 2. Legal Compliance –/Best Practice in Respect of Employees and Review of Employment Contracts and Legislation on Modern Awards Compliance

- Conduct a review of award application and award/legal compliance issues (if any), and advise you of any issues and recommended, if necessary, remedial action.
- Draft of new template employment contracts per classification of employee and discuss with you options for different style of agreements including for different level of employees
- Provide general advice on practical implementation of variations to employment contracts, including identifying likely areas of contention such as variations to post-employment restraints.

### 3. Best Practice in respect of Engagement of Independent Contractors and Review of Independent Contractor Agreements

- Conduct a review of existing engagement and management practices including existing independent contractor agreements, and advise you of any issues and recommend, if necessary, remedial action.
- Prepare, recommended variations to independent contractor agreements and/or suggested new template independent contractor agreement(s) (depending on the extent of any compliance issues identified through the Workplace 360° review.
- Provide general advice on practical implementation of variations to independent contractor agreements.

## Bartlett Workplace Training (BWT)



### Sharing our knowledge so your people can succeed

*"Having trained over 5000 decision makers and managers from both public and private sectors, what is apparent to me, is that organisations often put their best people into management positions, making them responsible for their organisations' most valuable asset (its people), but fail to provide them with the adequate practical training and a "tool kit" to enable them to successfully manage people and deal with workplace issues in a way that will maximise performance and desired behaviours, let alone minimise risks of disputes and claims.*

*Our team at Bartlett Workplace is committed to working with you to provide your people with the best skills and knowledge to help them drive performance, deliver better value and increase productivity".*

**Glen Bartlett, Director and Principal Trainer**

Bartlett Workplace Training (BWT) provides an extensive range of public and customised workplace management and leadership education solutions that include F2F, online, webinar based and e-module programs, workshops and masterclasses, resources, and online tools.

All our programs, workshops and masterclasses are tailored for the public and private sectors, across all industry segments and are focused on improving the knowledge, confidence and capability of HR professionals, decision makers, managers, front-line supervisors, workplace investigators, enterprise bargaining teams and in-house counsel.

### Public training workshops, masterclass, and webinar series

Our public workplace training programs cover topics that are key areas for HR professionals, managers, front-line leaders, in-house legal counsel, and workplace investigators. **We deliver training all year round, and across Australia, covering both metro and regional areas.**

### Customised training programs and bespoke education solutions

All our training can be customised to suit your organisation's needs. We deliver training in several ways to best suit your teams' education and development requirements. This includes face to face (**F2F**), online, using video conferencing platforms such as ZOOM or design a blended education solution for you.

We have designed and delivered customised training for over 60 of Australia's largest employers across every industry sector, including international companies who have operations and workforces in Australia and HR professionals who based overseas but are tasked with managing staff in Australia who need to gain a strong understanding of the Australian Employment and IR Legal landscape.

We work with you to review your processes and procedures and redesign the way your key people work, to enable them to get quicker resolution of disputes, become more effective decision makers and managers, and keep them informed of the latest regulatory changes. All our F2F training programs can be developed into online versions or a mix of F2F and online programs that will deliver the same high-quality education and outcomes for your teams.

### Customised training offer advantages to your teams such as

- Privacy - you can workshop and solve real problems in a confidential environment
- One - on - one attention working closely with our skilled facilitators;
- Receive personalised video and recorded copies of role plays and analysis;
- We use real life case studies that are relevant to your organisation and industry; and
- Comprehensive useful take away reference material and tools which will be tailored for and branded specific to your organisation.

All our public and customised workshops are practical and interactive using the latest in technology, are very comprehensive and very effective. All participants are provided with take away resources, field manuals and tools to use in their day to day roles.

- All our education programs and workshops are conducted in a very practical and interactive manner and include a number of roleplays and practical activities with real-life case studies and we would of course include case studies pertaining to your organisation and industry specific;

thinking differently

- As part of the face to face (F2F) and online customised training we would supply a collection of very valuable practical materials for participants, to both enhance the learning experience and provide them with take-away practical resource materials (which will be tailored and branded specifically for your organisation); and
- You and/or your teams will be provided with the resources and tools to deal with difficult situations practically and with reference to the latest legal framework including gaining a strong understanding of important legal phases such as **'without prejudice'**, **'legal professional privilege'** and **'discovery'** of documents in a legal process.

We have listed a sample of our programs which can be customised and delivered F2F, online, using various platforms or through a blended education solution.



**The Essential HR 'Toolkit' for HR Professionals, Managers/Leaders/Front-Line Supervisors, and In-house Legal Teams**

Course
1. Managing People Fundamentals (One of our most popular courses for Managers/Leaders and Front-Line Supervisors)
2. HR and Employment Law Fundamentals for HR professionals, In House Counsels and Managers
3. Managing Employee Performance and Conduct
4. Managing Ill and Injured Employees
5. Change Management Restructuring and Employment Law Fundamentals
6. Outsourcing Employees/Contractors issues including provision of Best Practice Guidelines
7. Setting up a new business in Australia, Workplace Laws and Labour Fundamentals
8. Driving Culture and Setting the Right Behaviours
9. Alternative Conflict Resolution for Managers
10. "Feedback is a gift" - how to conduct difficult discussions and give and receive constructive feedback
11. Tips and Tricks in Managing Behaviour from Minor to Serious Misconduct
12. Working with Union Delegates and Union Organisers (Taking a collaborative approach)



**Workplace Investigations Training Solutions for your Managers and Decision Makers**

Course
1. Workplace Investigations Officer Training focusing on Serious Misconduct Investigations
2. Workplace Investigations Training for Decision Makers
3. Workshop focussing on 'Best Practice' for workplace investigations and disciplinary processes and procedures



**Enterprise Bargaining and IR Education**

Course
1. Enterprise Bargaining and Negotiation for bargaining teams
2. Protected and unprotected bargaining-related industrial action and how to deal with it
3. Handling disputes under enterprise agreements that go to the Fair Work Commission
4. Interpretation of Enterprise Agreements
5. Advocacy in Industrial Relations Tribunals



**Bespoke 'Hot Topics' Masterclasses and Case Management Study Workshops and Coaching**

We work closely with clients to help them and their teams realise their potential leadership capability by providing individual and/or small team coaching through bespoke leadership and education programs to suit their professional development, covering all HR, ER and IR topics and issues. We will design a program for you over a month, 2-month period or for as long as you like to suite your time frame and schedule. We find that HR professionals and Senior Managers who are tasked with managing teams find these sessions extremely beneficial. We become your personal advisor.

	Course
1.	Workshopping case studies relevant to your organisation – including group analysis, review of decisions, Q&A and what went wrong and what is best practice
2.	Workplace relationships – dealing with the fallout of a soured office romance
3.	Regulating employee conduct in their private time
4.	Dealing with mental health issues at work
5.	Wellbeing of employees – managing anxiety in the workplace



**Driving Workplace Culture and the Role of Leadership**

	Course
1.	What is workplace culture and what is the role of the leadership in driving it?
2.	Driving the right culture and behaviour across the organisation
3.	Developing a "One team," approach and trademark for leadership groups



**Delivering training in an interactive and innovative manner no matter where your people are located**

**E- Learning Compliance Modules**

We also provide risk management capability training and work with clients to develop online compliance education modules and compliance audit tools.

Most employers require their staff to complete compliance training as part of their induction. This is usually done online. These modules may have been developed by either your organisation or an external provider.

Bartlett Workplace is often asked to review existing module content and re-write them to bring them into line with the relevant law, policy instruments and best-practice and/or develop a suite of on – line compliance modules for clients who don't currently have this offering to their staff.

For organisations big or small who do not have compliance online modules, we have developed a suite of online modules that cover the key compliance topics covering critical conduct areas such as:

- What is Workplace Bullying
- Sexual Harassment
- Equal Opportunity
- Internet and Social Media Use
- Privacy
- Work Health and Safety

All our online e – learning compliance modules are interactive and easy to use. Employees can access the modules remotely at any time, no matter where they are located. These compliance modules can be stand alone or can be incorporated into your organisation's employee induction program. We highly recommend that employees are required to undertake the e-learning modules at least once a year as a refresher course to ensure they are up to date with any new regulations and to be reminded of their obligations as employee when it comes to their conduct.



## Committed to innovating education and real time support

At Bartlett Workplace, we understand that you may have workforces located across several different locations either in Australia or overseas and further may work on rotational rosters. Whatever the case may be, our team are currently involved in the development of several on – line products and technologies including:



Apps; and



Virtual Reality situation training solutions.

**Why are we doing this?** Because we are committed to using technology to bring real time support, guidance and solutions to our clients and their workforce, no matter where they are located 24/7.



## Connecting you to global best practice, knowledge, and real time education – at a click of a button - any time any place

Bartlett Workplace has created an Education Hub to support current and future leaders, managers and supervisors to better manage their people and also to help them establishment 'best practice' foundations with the aim to create a supportive workplace, maximise productivity and reduce risk.

The workplace as we know it is for ever evolving. The legal framework can be complex, let alone understanding how to deal with curve balls that inevitably come up when managing people and dealing with workplace issues.

Managers and leaders are now having to manage workforces and teams located across a number of locations, including people working from home and people working in remote locations either on land or at sea.

Our Education Hub is subscription-based and gives subscribers access to the latest in resources, education solutions, real-time applications, such as podcasts and webinars have access to the latest thinking not only from their sector but from across a number of fields and industries and globally.

The education Hub will allow you to co-design your own or your team's education and training programs. Subscribers will also have the opportunity, to subscribe to our podcasts, videos, webinars, all at a touch of a button, any time, any place.



## Our trainers and subject matter experts

Our team not only facilitate training programs but are frequently asked to speak at public forums and participate in panel discussion across Australia, Asia and Europe on Workplace Management Issues, Employment Law Fundamentals, Industrial Relations, Workplace Culture, Board and Executive Leadership and Women in leadership.

To discuss any of your Workplace Legal, IR, WHS, Workplace Investigations and or Education/Training needs, or to find out more about our services and products please call us on 03 9603 5000 or email [victoria@bartlettworkplace.com](mailto:victoria@bartlettworkplace.com)

**Melbourne** | + 61 3 9603 5000

**Perth** | + 61 8 9485 4230

**enquiries@bartlettworkplace.com**

[victoria@bartlettworkplace.com](mailto:victoria@bartlettworkplace.com) | [www.bartlettworkplace.com](http://www.bartlettworkplace.com)

© Bartlett Workplace Lawyers and Consultants PTY LTD

© Bartlett Workplace Investigations PTY LTD

© Bartlett Workplace Training PTY LTD

© Workplace 360°

**bartlett**  
workplace

| LAWYERS | CONSULTANTS |

**thinking differently**



**Melbourne** | + 61 3 9603 5000

**Perth** | + 61 8 9485 4230

**enquiries@bartlettworkplace.com**

**victoria@bartlettworkplace.com** | **www.bartlettworkplace.com**

© Bartlett Workplace Lawyers and Consultants PTY LTD

© Bartlett Workplace Investigations PTY LTD

© Bartlett Workplace Training PTY LTD

© Workplace 360°



**Bartlett Workplace Lawyers & Consultants (BWL)**

Capability Document

Legal Advice, Representation, I.R and E.A Services



thinking differently

**bartlett**  
workplace

|LAWYERS |CONSULTANTS|



## Bartlett Workplace: Your end-to-end partner for leading workplace services and advice

At Bartlett Workplace, we are “thinking differently” in the way we deliver our services and how we work with our clients.

Not only are we focused on developing strong and lasting relationships that add value to you and your teams we are thinking differently in the way we provide legal, IR and ER advice, conduct investigations and how we deliver the most effective and interactive workplace training and development programs for management and leadership groups, that will upskill them and make them the most effective managers and leaders to increase productivity and most importantly drive the right culture through an organisation.

### Bartlett Workplace has been structured to enable it to provide, in the one place, the following specialist services:

- IR and employment legal services;
- IR and HR advisory services including workplace investigations;
- Work, Health and Safety (WHS);
- Workplace management capability and leadership development coaching and training;
- Online compliance education modules and compliance audit tools; and
- Workplace 360° (review tool for policies, contracts, guidelines, enterprise agreements, workplace complaints and investigation processes).

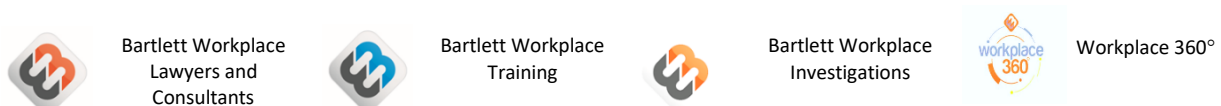
We pride ourselves on building relationships with our clients though understanding your business and its needs, being accessible, and being ready, willing, and able to assist with providing a broad range of workforce solutions. We act as a **sounding board** and we **challenge your thinking**. Why do we take this approach? Because we want to provide our clients with the best knowledge, support, and training to achieve sustainable cultural, operational, and/or commercial objectives and change.

Our dedicated team provide expert industry advice drawing on our firm’s local and global knowledge, tools, and resources. Our specialist legal team, have extensive experience in dealing with complex industrial relations matters, understand how different industry sectors operate and therefore the specific issues and challenges that our clients may face.

With offices in Melbourne and Perth, a network of HR/IR consultants Australia-wide, and comprehensive online services, we are ready to help you when, where and how you need it.

Bartlett Workplace provides advice, representation, and support to a number of global organisations, some of Australia’s leading employers, including government and private sector organisations.

### Bartlett Workplace is structured to enable us to provide clients with the following core specialist services:



### Additional Services that support our core businesses:

360° Workplace Compliance Audit/ Review tool	Online workforce compliance education podcasts and webinars	Access to communications and adaptive technologies	ADR support including by an accredited mediator
Cultural change programs	EB ancillary support (voting and comms) through our partners	Bartlett Workplace online Education Hub	Training facilities and private mediation rooms



## Bartlett Workplace Legal: (BWL) Industrial Relations, Employment Law and Workplace, Health and Safety

Our legal team is resourced to provide the same depth of legal knowledge, experience and expertise found in the employment/IR practice groups of larger multi-practice area legal firms, but to do so on a more competitively and flexibly priced basis. We are responsive to the pressures and factors that we see working in the area, and on corporations and their decision-making in the area.

We provide high level legal advice and representation with respect to collective and individual employment issues including enterprise bargaining, enterprise agreements, industrial disputes, employment contracts including executive contracts, termination of employment, adverse action, workplace bullying, sexual harassment; Workplace Health and Safety incidents, workplace policies, workplace discipline; workplace training and education and compliance with workplace relations law generally.

Our highly experienced team are the trusted advisors to a number of global organisations, and some of Australia's largest employers, including government and labour regulators and have access to the latest in workplace and labour law insights and education and training.

We provide specialised legal advice and representation with respect to all areas of workplace relations, employment and work and health and safety law including:

Industrial Relations and Disputes, Union, and Labour Strategies	Transfer of Business and Onboarding on new teams
Industrial Action and Right of Entry	Diversity and Discrimination including Sexual Harassment and EEO
End to End Enterprise Agreement Offering: <ul style="list-style-type: none"> <li>▪ Enterprise Agreement Drafting and Interpretation</li> <li>▪ Training and Development of Bargaining teams</li> </ul>	Workplace Investigations, including serious WHS investigations, conducting advising and training workplace investigators, in-house teams, and decision makers
Employment Contracts, Executive Contracts and Remuneration	WHS advice, incident response, risk management and WHS regulation compliance
Review and Development of Policies, Procedures and Guidelines	Managing Ill and Injured employees
Performance and Conduct Management including termination of Employment	ADR support including mediation
Employment Disputes, Litigation including General Protections and Adverse Action	Education and training programs

Our lawyers and consultants have extensive experience providing advice and representation across a wide range of industry groups:

Public Sector Entities	Oil and Gas	Security	Communications
Local, State and Commonwealth Government	Energy and Resources	Marine	Sports and Entertainment
Education and Higher Education	Utilities and Retail	Consumer Retail	Media and Broadcasting
Health/Emergency Services	Rail	Hospitality	Advanced Manufacturing
Construction	Agribusiness	Professional Services	Technologies
Transport and Logistics	Aviation and Aeromedical	Banking and Finance	Start Ups

## Bartlett Workplace Enterprise Bargaining and Industrial Relations expertise, services, and advice

Our specialist IR team led by Glen Bartlett have extensive experience working successfully with clients on complex IR and major enterprise bargaining projects across all industries, understands how different industry sectors operate and therefore the specific issues and challenges that each industry sector may face, through this process.

We work with clients to develop strategies, or assist building on our client's existing strategies, expertise, and action plans. We provide their teams with the right tools to enable them to adopt a more effective and efficient approach to best prepare bargaining teams for negotiation and implementation of strategy and to deal with curve balls that can arise through this process.

Our team of workplace lawyers and consultants led by Glen Bartlett are experts on:

✓	Planning and execution of enterprise bargaining strategies;
✓	Developing and advising on IR and Negotiation Communication Plans;
✓	Risk profiling of tactical approaches;
✓	Development of contingency plans;
✓	Media and PR communication action response plans;
✓	Latest voting technologies and digital protocols;
✓	Legislative compliance with respect to People Management Issues including enterprise bargaining and enterprise agreement content;
✓	Dealing with industrial action issues and disputes and dispute settlement processes;
✓	Development of comprehensive Industrial Action Response Plans and associated training;
✓	Bargaining-related Fair Work Commission and Court proceedings;
✓	Enterprise bargaining-related training; IR education and productivity;
✓	Industrial Advocacy; and
✓	Workplace relations and employment-related litigation.

We have tabled below a sample of who we have advised and worked with on their IR and enterprise bargaining projects:

Advising various employers in the **higher education sector** including acting for an Australian University in enterprise bargaining including clause drafting and strategising, advising on industrial action contingency plans, advising and representing the client in respect of a successful application under section 424 of the Fair Work Act to bring protected industrial action to an end on health, safety and welfare grounds (which included an appeal to the Full Bench of the Fair Work Commission), advising on pay deduction implications for staff taking industrial action and advising on the enterprise agreement approval process.

Acting for an employer in the **oil and gas industry** in bargaining for multiple enterprise agreements with four different unions appointed as bargaining representatives, including the making of application to the Fair Work Commission to stop the taking of unprotected industrial action. The bargaining strategy involved seeking to reduce the number of enterprise agreements covering its workforce and seeking major changes to the content of the existing enterprise agreements to maximise flexibility for the employer and increase productivity.

Acting for a single national employer in the **health sector** which was established by mirror legislation enacted in each State and Territory, utilising an application for the Fair Work Commission to deal with a bargaining dispute to successfully determine the legal status of the employer for the purposes of the Fair Work Act.

Acting for an employer in a significant cultural change program in the **coal industry** in Western Australia, which included advising on strategy, content of the Coal Miners Agreement and the Maintenance Agreement, responding to industrial action in particular by the AMWU including successfully obtaining Federal Court and Supreme Court injunctions and appearing in negotiations to break the deadlock after a 9-week strike by the AMWU.

Acting for an employer in the **ship building industry** to establish their first ever non-union collective agreement.

Acting for an employer in the **manufacturing sector** where the employees had appointed multiple bargaining representatives in a 'conflict of interest' situation and successfully using the application of Regulation 2.06 to defeat a protected action ballot application.

Acting for various **maritime industry** employers during industry-wide enterprise agreement negotiations including preparing, instructing and appearing in relation to applications for protected action ballot orders, unprotected industrial action, good faith bargaining orders and injunction proceedings in the Federal Court of Australia.

Acting for a **maritime towage industry** employer during negotiations with the maritime unions, including providing strategic input on the approach to negotiations and developing industrial contingency plans.

Acting for employers in the **building and construction** industry to establish non-union enterprise agreements and acting for the **building and construction regulator** in both Court and Fair Work Commission proceedings.

Acting for a large **international resources** company during negotiations involving protracted protected industrial action, including developing industrial contingency plans and representing the client in various applications in the Fair Work Commission and Federal Court of Australia.

Acting for a **state emergency service agency** in highly contentious enterprise bargaining to drive cultural change, including on applications to the Fair Work Commission for bargaining orders and in Federal Court proceedings regarding the validity, interpretation, and operation of enterprise agreement terms.

Acting for and appearing on behalf of **State emergency service agencies** in numerous enterprise agreement disputes in the Fair Work Commission including substantial arbitrations.

Acting for a **state public service employer** in bargaining including appearing in and successfully defending an application for a scope order and an application that a public servant bargaining representative be paid to attend bargaining meetings during non-rostered hours.

Acting for a **state emergency service agency** in obtaining a weekend Federal Court injunction in relation to industrial action that was potentially life threatening and acting for the employer in an application to the Commission to suspend or terminate the bargaining period.

Acting for an employer in the **government sector** including providing strategic advice with respect to managing multiple bargaining representatives and the communication strategy including dealing with the media.

Advising a **state public sector employer in the health sector** in bargaining including sitting at the bargaining table.

Advising a **territory public service employer** in respect of a pay-docking dispute associated with staff taking protected industrial action during bargaining. The union unsuccessfully sought to have the employer's wage deduction calculation (under section 472 of the Fair Work Act) significantly reduced by the Fair Work Commission

**bartlett**  
**workplace**

| LAWYERS | CONSULTANTS |

**thinking differently**



**Melbourne** | + 61 3 9603 5000

**Perth** | + 61 8 9485 4230

**enquiries@bartlettworkplace.com**

**victoria@bartlettworkplace.com** | **www.bartlettworkplace.com**

© Bartlett Workplace Lawyers and Consultants PTY LTD

© Bartlett Workplace Investigations PTY LTD

© Bartlett Workplace Training PTY LTD

© Workplace 360°



## **Bartlett Workplace Investigations (BWI)**

Capability Document  
Conducting, Advising and Training



thinking differently

**bartlett**  
workplace



| investigations |

## Bartlett Workplace Investigations (BWI):

### Why conducting Workplace Investigations well, helps your business and your people

Dealing swiftly, proportionately and appropriately with workplace issues such as employee complaints and potential employee misconduct/serious misconduct, is crucial and can both save an organisation time, money and contribute to its reputation as a fair and reasonable employer, furthermore there is an increasing call in the modern workplace for investigations to be carried out in order to establish whether or not complaints or grievances are well founded or to reliably establish the facts about certain matters before important decisions are made. If workplace investigations are to serve their purpose, it is imperative that they are conducted efficiently and the reports emanating from them are coherent and sound; essentially that they and the investigatory procedure behind them can stand up to critical scrutiny including sometimes in a court or tribunal setting.

Our team have strong experience in dealing with difficult and culturally sensitive workplace investigations across Australia and have extensive experience providing workplace investigation services across a wide range of industry sectors.

### **Bartlett Workplace Investigations offers a full range of workplace investigation services and we are experts when it comes to:**

- Conducting workplace Investigations;
- Advising on workplace investigations and outcomes to ensure results are robust, accurate and legally defensible;
- Helping organisations set up or review their internal processes for legal compliance and best practice (including policies, procedures, and guidelines) related to employee complaints, grievances, conduct management and workplace investigations; and
- Upskilling investigators, managers, and decision-makers in workplace investigations capability.

### Our Integrated Approach

Our approach to workplace investigations is directed at achieving those objectives. We do this by integrating practical, mature experience in the actual conduct and techniques of workplace investigations, together with high level legal expertise concerning investigations to make sure our investigations and their results are robust, accurate and legally defensible when you need them to be. **We make a point of keeping you informed of issues arising and progress over the course of the investigation.**

### Our Workplace Investigators

We understand that every organisation has its own features and that a sound investigation must be informed by an appreciation of contextual factors. Accordingly, when we select an investigator to work with you, we look at both the matters to be investigated and the context in which the matters arise to make sure that the investigator nominated is well fitted to conducting the investigation required. Our Workplace Investigators have extensive experience conducting workplace investigations providing advice and training across a wide range of industry groups:

Public Sector Entities	Oil and Gas	Security	Communications
Local, State and Commonwealth Government	Energy and Resources	Marine	Sports and Entertainment
Education and Higher Education	Utilities and Retail	Consumer Retail	Media and Broadcasting
Health/Emergency Services	Rail	Hospitality	Advanced Manufacturing
Construction	Agribusiness	Professional Services	Technologies
Transport and Logistics	Aviation and Aeromedical	Banking and Finance	Start Ups

## Advisory Services for Workplace Investigations and related Policies and Procedures

Apart from conducting or overseeing the conduct of workplace investigations, Bartlett Workplace also provides legal and human resources advice on:

- How to deal with the results of an investigation conducted by other investigators;
- Helping organisations set up or review their internal processes for legal compliance and best practice (including policies, procedures, and guidelines) related to employee complaints, grievances, conduct management and workplace investigations; and
- Issues relating to organisational culture and change.

Our experience has taught us that many organisations make critical errors before they even begin a workplace investigation by not having appropriate, practical investigation guidelines to be consistently followed in workplace investigations. Bartlett Workplace has extensive experience in formulating best practice, practical processes and procedures that are adapted to the organisation concerned.

Because of the combination of practical workplace investigation expertise and legal expertise, Bartlett Workplace Investigations (BWI) is especially well placed to evaluate investigation reports, to advise on the taking on the next steps by reference to them and on the legal issues associated with them such as their disclosure to others, legal privilege and the like.

Additionally, if a workplace investigation report discloses cultural issues in the organisation, Bartlett Workplace can conduct a thorough cultural review, identify the issues, and advise on practical steps to address them.

## Having well trained people is the first step towards conducting a successful Workplace Investigation

**Our Workplace Investigation Education & Training Solutions** provides your people with the tools and practical training they need to better manage employee behaviour and to investigate and make decisions with respect to matters involving serious misconduct.

**Our customised education programs and workshops** are the best way for you to ensure you have in place a best practice model for workplace investigations in place. We can work with you to design training tailored specifically to your needs to fill skills gaps and make sure each workplace investigation you conduct is consistent, addresses the issues that matter to you, follows a legally robust process and achieves your strategic goals.

Bartlett Workplace also provides **public workshops and webinars** for workplace investigators and human resources managers, a workshop tailored for decision makers and a best practice workshop focusing on best practice disciplinary processes and procedures including workplace investigations.

## Our 3 foundation Workplace Investigation Education and Training Programs cover the following for your Managers, Workplace Investigators and Decision Makers

1. Workplace Investigation Training for Workplace Investigators;
2. Workplace Investigation Training for Decision Makers; and
3. Workplace Investigation and Disciplinary Processes Best Practice Workshop.

## 1. Workplace Investigations Officer Training:

**Train your workplace Investigators to improve and increase capability and reduce risk**

Conducting a successful investigation is a challenging and often difficult task for any investigator. The purpose of this training is to provide managers responsible for conducting workplace investigations and investigator officers with the tools and practical training to better prepare and carry out the process of conducting workplace investigations.

This workshop covers the fundamentals of conducting an investigation including; proper referrals/delegated authority, principals of natural justice, investigating techniques, including obtaining statements and other evidence, required standard of proof, and the meaning of important legal phrases such as **'without prejudice'**, **'legal professional privilege'** and **'discovery' of documents** in a legal process.

### The anticipated learning outcomes from this training will include

Gain a full understanding of how to plan a serious misconduct investigation and how to obtain as much information as possible from witnesses;
Have a practical understanding of essential workplace investigation skills including audio recording meetings, drafting witness statements and preparing investigation reports;
Understand and be able to identify misconduct, serious misconduct & when suspension is required;
Understand natural justice and what is required for a fair and defensible workplace investigation;
Understand and be able to manage the key legal and human resources risks associated with investigating allegations of serious misconduct;
Appreciate and know how to avoid key things that can go wrong when interviewing employees and collecting evidence;
Be able to respond to 20 crucial "curve balls" that difficult employees and their representatives can use to undermine a workplace investigation;
Understand the different sanctions that can be imposed after a finding of serious misconduct;
Be able to write consistent and useful investigation reports;
Know more about your legal obligations in a hands-on training environment; and
Be able to run a serious misconduct investigation, including: <ul style="list-style-type: none"> <li>✓ Preparation and use of the tools provided;</li> <li>✓ Interviewing witnesses and taking statements;</li> <li>✓ Audio recording interviews</li> <li>✓ Dealing with difficult witnesses and their representatives; and</li> <li>✓ Writing investigation reports.</li> </ul>

### Who is the training for?

We have found that HR professionals, including; managers/supervisors and workplace investigators gain the most benefit from this course. We recommend that anywhere between 8-12 participants is the ideal number to work with to maximize the benefits of the training.

### Format of training

The training is conducted in an interactive and practical manner. Participants engage in practical activities and role play real life workplace investigation situations. This allows them to test their knowledge and gain confidence in their ability to manage difficult workplace investigations and also be able respond to the various curve balls that inevitably arise when investigating allegations. For example, participants will be trained on how to audio record interviews, prepare statements and prepare their investigation reports.



## Included are practical resource materials for participants such as

Our clients and past participants have found the practical materials to save both time and cost when later conducting their own serious misconduct investigations.

- Practical field manual for investigating officers for practical use and guidance;
- Checklists for investigating officer interview;
- Sample witness statement;
- Suggested interview checklist and script;
- Draft format for investigator’s report.

## 2. Workplace Investigations Training for Decision Makers

### Providing the right training for the decision maker can be critical to a successful outcome

While the processes can be confronting and uncomfortable, it is important to address workplace investigations early and in an organised and efficient manner, so as to prevent them from escalating into a messy time consuming and costly disputes.

The **decision maker** makes the decision about the outcome of a workplace investigation. They are the person responsible for the investigation process and they determine:

- whether or not an investigation should take place;
- whether the investigation should be done by an internal or external investigator;
- what is the scope of the investigation;
- how long the investigation should take;
- what is communicated to the respondent employee about the investigation;
- whether the respondent is to be suspended pending the investigation; and
- whether any other lawful or reasonable directions will be given.

A **decision maker** cannot make a good decision without a proper investigation. But a great deal of legal risk depends on the decision maker performing their role well. Having properly trained decision makers is therefore key to reducing the legal risk associated with workplace investigations.

### The anticipated learning outcomes from this training will include

Understand and be able to identify misconduct and serious misconduct and when suspension is required;
Know how to assess if an investigation is necessary;
Know how and when to appoint an internal or external investigator;
Understand natural justice and what is required for a fair and defensible workplace investigation;
Know how to set and manage the time frame for an investigation process;
Know how to draft the scope for the investigation and appropriate terms of reference;
Know how and what needs to be communicated to the respondent employee and when;
Understand and be able to manage the legal and human resources risks associated with investigating allegations of serious misconduct;
Be able to respond to 15 crucial “curve balls” that difficult employees and their representatives can use to undermine a workplace investigation;
Know how to consider all the relevant circumstances and make a robust and defensible decision on the outcome of an investigation;
Understand the different sanctions that can be imposed after a finding of serious misconduct;
Know what to do when extraneous issues arise during the investigation process; and
Know how to keep and manage confidential documents and reports.

## Who is the training for?

We have found HR manager/supervisors and inhouse legal counsels who are responsible for the management of workplace investigations gain the most benefit from this course. We recommend that anywhere between 8-12 participants is the ideal number to work with to maximize the benefits of the training.

## Format of training

The training is conducted in an interactive and practical manner. Participants engage in practical activities and role play real life workplace investigation situations. This allows them to test their knowledge and gain confidence in their ability to manage difficult workplace investigations and also be able respond to the various **curve balls** that inevitably arise when investigating allegations.

## Included practical resource materials for participants such as

In addition, we are able to develop simple and easy to follow flowcharts and plain English guidelines for both investigators and decision makers tailored to your organisation.

- Tailored simple and easy to use guidelines for decision makers;
- Draft file notes and Draft referral letters; and
- Sample letter for immediate action and disciplinary action for serious misconduct.

---

### 3. **Workplace Investigations: ‘Best Practice’ Policies, Complaints Procedures, Management Guidelines and Disciplinary Processes**

Having the right approach to workplace investigations along with having the best practice policies, complaints procedures and management guidelines in place is fundamental in preventing employee issues escalating to messy disputes

Our Workplace Investigations and Disciplinary Processes Best Practice Workshop is an interactive workshop that allows your HR teams and managers to review what is and is not working effectively when it comes to workplace investigations and disciplinary processes.

During this workshop we explore best practice workplace investigation processes, including a review of your organisation’s current investigation policies and procedures.

#### The purpose of the review is to provide your team with

- Information about the strength and limitations of your organisation’s disciplinary/investigation policies and procedures;
- Recommendations for possible improvements; and
- Alternative policies, procedures and management/investigators guidelines to optimise results

#### This workshop covers the following

All stages of the investigation process from identification of the problem through to the conduct of the investigation and conclusion of the matter;

Alternative approaches that could be used to effectively resolve misconduct issues, implemented through enterprise agreements, policies, procedures and guidelines;

Options for any appeals against the current process as well as the use of any external advice and review throughout the process, including how to optimise business outcomes throughout the process; and

Best practice options and recommendations for change including the provision of simple guidelines and template documents to assist investigators and decision makers.

## Who is the training for?

Our training is perfect for all human resources professionals, including HR managers, supervisors, workplace investigators, decision makers as well as team leaders and managers.

We recommend that no more than 16 people attend the training, but anywhere between 8-16 participants is ideal to maximize the benefits of the training.

## Format of training

The training is conducted in an interactive and practical manner. Participants engage in practical activities and role play real life workplace investigation situations. This allows them to test their knowledge and gain confidence in their ability to manage difficult

## What do participants receive?

Top quality training and advice from leading workplace lawyers and workplace investigators with plenty of real-life examples, tips and tricks in how to manage curve balls in real life situations.

Each participant also receives appropriate checklists, templates, guides, flow charts and how -to manuals to assist them and their organisations perform and deal with these challenging employment issues.

## We work with you to tailor to your needs

We have a number of real-life case studies where decision makers, HR managers and supervisors have handled situations positively and ways in which there is room for improvement.

We would also discuss with you any specific case studies that you would like us to include in the materials to make the training more realistic for those involved.

To discuss any of your Workplace Investigations and or Education/Training needs, or to find out more about our services and products  
please call us on 03 9603 5000 or email [victoria@bartlettworkplace.com](mailto:victoria@bartlettworkplace.com)

**Melbourne** | +61 3 9603 5000

**Perth** | + 61 8 9485 4230

**enquiries**@bartlettworkplace.com

victoria@bartlettworkplace.com | www.bartlettworkplace.com

© Bartlett Workplace Investigations PTY LTD

© Bartlett Workplace Lawyers and Consultants PTY LTD

© Bartlett Workplace Training PTY LTD

© Workplace 360°

**bartlett**  
**workplace**  
investigations  
thinking differently



**Melbourne** | +61 3 9603 5000

**Perth** | + 61 8 9485 4230

**enquiries**@bartlettworkplace.com

[victoria@bartlettworkplace.com](mailto:victoria@bartlettworkplace.com) | [www.bartlettworkplace.com](http://www.bartlettworkplace.com)

© Bartlett Workplace Investigations PTY LTD  
© Bartlett Workplace Lawyers and Consultants PTY LTD  
© Bartlett Workplace Training PTY LTD  
© Workplace 360°



## **Bartlett Workplace Training (BWT)**

Workplace Management and Leadership  
Learning and Development Programs, Educational  
Products and Resources



thinking differently

**bartlett**  
workplace  
| TRAINING |





## Sharing our knowledge so your people can succeed

*"Having trained over 5000 decision makers and managers from both public and private sectors, what is apparent to me, is that organisations often put their best people into management positions, making them responsible for their organisations' most valuable asset (its people), but fail to provide them with the adequate practical training and a "tool kit" to enable them to successfully manage people and deal with workplace issues in a way that will maximise performance and desired behaviours, let alone minimise risks of disputes and claims.*

*Our team at Bartlett Workplace is committed to working with you to provide your people with the best skills and knowledge to help them drive performance, deliver better value and maximise productivity".*

**Glen Bartlett, Director and Principal Trainer**

Bartlett Workplace Training (BWT) provides an extensive range of public and customised workplace management and leadership education solutions that include F2F, online, webinar based and e-module programs, workshops and masterclasses, resources, and online tools.

All our programs, workshops and masterclasses are tailored for the public and private sectors, across all industry segments and are focused on improving the knowledge, confidence and capability of HR professionals, decision makers, managers, front-line supervisors, workplace investigators, enterprise bargaining teams and in-house counsel.

### Public training workshops, masterclass, and webinar series

Our public workplace training programs cover topics that are key areas for HR professionals, managers, front-line leaders, in-house legal counsel, and workplace investigators. **We deliver training all year round, and across Australia, covering both metro and regional areas.**

### Customised training programs and bespoke education solutions

All our training can be customised to suit your organisation's needs. We deliver training in several ways to best suit your teams' education and development requirements. This includes face to face (**F2F**), online, using video conferencing platforms such as ZOOM or design a blended education solution for you.

We have designed and delivered customised training for over 60 of Australia's largest employers across every industry sector, including international companies who have operations and workforces in Australia and HR professionals who based overseas but are tasked with managing staff in Australia who need to gain a strong understanding of the Australian Employment and IR Legal landscape.

We work with you to review your processes and procedures and redesign the way your key people work, to enable them to get quicker resolution of disputes, become more effective decision makers and managers, and keep them informed of the latest regulatory changes. All our F2F training programs can be developed into online versions or a mix of F2F and online programs that will deliver the same high-quality education and outcomes for your teams.

### Tailored training offer advantages to your teams such as

- Privacy - you can workshop and solve real problems in a confidential environment
- One - on - one attention working closely with our skilled facilitators;
- Receive personalised video and recorded copies of role plays and analysis;
- We use real life case studies that are relevant to your organisation and industry; and
- Comprehensive useful take away reference material and tools which will be tailored for and branded specific to your organisation.

All our public and customised workshops are practical and interactive using the latest in technology, are very comprehensive and very effective. All participants are provided with take away resources, field manuals and tools to use in their day to day roles.

- All our education programs and workshops are conducted in a very practical and interactive manner and include a number of roleplays and practical activities with real-life case studies and we would of course include case studies pertaining to your organisation and industry specific;

- As part of the face to face (F2F) and online customised training we would supply a collection of very valuable practical materials for participants, to both enhance the learning experience and provide them with take-away practical resource materials (which will be tailored and branded specifically for your organisation); and
- You and/or your teams will be provided with the resources and tools to deal with difficult situations practically and with reference to the latest legal framework including gaining a strong understanding of important legal phases such as **'without prejudice'**, **'legal professional privilege'** and **'discovery'** of documents in a legal process.

We have listed a sample of our programs which can be customised and delivered F2F, online, using various platforms or through a blended education solution.



### The Essential HR Tool Kit for HR Professionals, Managers/Leaders/Front-Line Supervisors, and In-house Legal Teams

Course
1. Managing People Fundamentals (One of our most popular courses for Managers/Leaders and Front-Line Supervisors)
2. HR and Employment Law Fundamentals for HR professionals, In House Counsels and Managers
3. Managing Employee Performance and Conduct
4. Managing Ill and Injured Employees
5. Change Management Restructuring and Employment Law Fundamentals
6. Outsourcing Employees/Contractors issues including provision of Best Practice Guidelines
7. Setting up a new business in Australia, Workplace Laws and Labour Fundamentals
8. Driving Culture and Setting the Right Behaviours
9. Alternative Conflict Resolution for Managers
10. "Feedback is a gift" - how to conduct difficult discussions and give and receive constructive feedback
11. Tips and Tricks in Managing Behaviour from Minor to Serious Misconduct
12. Working with Union Delegates and Union Organisers (Taking a collaborative approach)



### Workplace Investigations Training Solutions for your Managers and Decision Makers

Course
1. Workplace Investigations Officer Training focusing on Serious Misconduct Investigations
2. Workplace Investigations Training for Decision Makers
3. Workshop focussing on 'Best Practice' for workplace investigations and disciplinary processes and procedures



### Enterprise Bargaining and IR Education

Course
1. Enterprise Bargaining and Negotiation for bargaining teams
2. Protected and unprotected bargaining-related industrial action and how to deal with it
3. Handling disputes under enterprise agreements that go to the Fair Work Commission
4. Interpretation of Enterprise Agreements
5. Advocacy in Industrial Relations Tribunals



**Bespoke 'Hot Topics' Masterclasses and Case Management Study Workshops and Coaching**

We work closely with clients to help them and their teams realise their potential leadership capability by providing individual\* and small team coaching through bespoke leadership and education programs to suit their professional development, covering all HR, ER and IR topics and issues.

	Course
1.	Workshopping case studies relevant to your organisation – including group analysis, review of decisions, Q&A and what went wrong and what is best practice
2.	Workplace relationships – dealing with the fallout of a soured office romance
3.	Regulating employee conduct in their private time
4.	Dealing with mental health issues at work
5.	Wellbeing of employees – managing anxiety in the workplace



**Driving Workplace Culture and the Role of Leadership**

	Course
1.	What is workplace culture and what is the role of the leadership in driving it?
2.	Driving the right culture and behaviour across the organisation
3.	Developing a "One team," approach and trademark for leadership groups

\*We also provided customised coaching one – to one. We will design a program for you over a month, 2-month period or for as long as you like to suite your time frame and schedule. We find that HR professionals and Senior Managers who are tasked with managing teams find these sessions extremely beneficial. We become your personal advisor.



**Delivering training in an interactive and innovative manner no matter where your people are located**

**E- Learning Compliance Modules**

We also provide risk management capability training and work with clients to develop online compliance education modules and compliance audit tools.

Most employers require their staff to complete compliance training as part of their induction. This is usually done online. These modules may have been developed by either your organisation or an external provider.

Bartlett Workplace is often asked to review existing module content and re-write them to bring them into line with the relevant law, policy instruments and best-practice and/or develop a suite of on – line compliance modules for clients who don't currently have this offering to their staff.

For organisations big or small who do not have compliance online modules, we have developed a suite of online modules that cover the key compliance topics covering critical conduct areas such as:

- What is Workplace Bullying
- Sexual Harassment
- Equal Opportunity
- Internet and Social Media Use
- Privacy
- Work Health and Safety

All our online e – learning compliance modules are interactive and easy to use. Employees can access the modules remotely at any time, no matter where they are located. These compliance modules can be stand alone or can be incorporated into your organisation's employee induction program. We highly recommend that employees are required to undertake the e-learning modules at least once a year as a refresher course to ensure they are up to date with any new regulations and to be reminded of their obligations as employee when it comes to their conduct.





## Committed to innovating education and real time support

At Bartlett Workplace, we understand that you may have workforces located across several different locations either in Australia or overseas and further may work on rotational rosters. Whatever the case may be, our team are currently involved in the development of several on – line products and technologies including:



Apps; and



Virtual Reality situation training solutions.

**Why are we doing this?** Because we are committed to using technology to bring real time support, guidance and solutions to our clients and their workforce, no matter where they are located 24/7.



## Connecting you to global best practice, knowledge, and real time education – at a click of a button - any time any place

Bartlett Workplace has created an Education Hub to support current and future leaders, managers and supervisors to better manage their people and also to help them establishment 'best practice' foundations with the aim to create a supportive workplace, maximise productivity and reduce risk.

The workplace as we know it is for ever evolving. The legal framework can be complex, let alone understanding how to deal with curve balls that inevitably come up when managing people and dealing with workplace issues.

Managers and leaders are now having to manage workforces and teams located across a number of locations, including people working from home and people working in remote locations either on land or at sea.

Our Education Hub is subscription-based and gives subscribers access to the latest in resources, education solutions, real-time applications, such as apps and webinars, have access to the latest thinking not only from their sector but from across a number of fields and industries and globally.

The education Hub will allow you to co-design your own or your team's education and training programs. Subscribers will also have the opportunity, to subscribe to our podcasts, videos, webinars, all at a touch of a button, any time, any place.



## Our trainers and subject matter experts

Our team not only facilitate training programs but are frequently asked to speak at public forums and participate in panel discussion across Australia, Asia and Europe on Workplace Management Issues, Employment Law Fundamentals, Industrial Relations, Workplace Culture, Board and Executive Leadership and Women in leadership.



To discuss any of your customised training needs, public workshops and masterclass schedules across Australia and Webinars or to find out more about our extensive education and development products and services please call Victoria Laspas on 03 9603 5000 or email [victoria@bartlettworkplace.com](mailto:victoria@bartlettworkplace.com)



**Melbourne** | + 61 3 9603 5000

**Perth** | + 61 8 9485 4230

**enquiries@bartlettworkplace.com**

[victoria@bartlettworkplace.com](mailto:victoria@bartlettworkplace.com) | [www.bartlettworkplace.com](http://www.bartlettworkplace.com)

© Bartlett Workplace Training PTY LTD

© Bartlett Workplace Lawyers and Consultants PTY LTD

© Bartlett Workplace Investigations PTY LTD

© Workplace 360°

---

## Workplace 360° Compliance Review Tool

At Bartlett Workplace, we have over 30 years' combined experience advising employers on their legal obligations and industry best practice.

### That experience has shown us two key things:

1. Every element of a human resources' workplace compliance system needs to work together to be truly efficient and compliant; and
2. A human resources and workplace compliance system is only ever as strong as the skills of the people implementing it.



People issues and achieving alignment across the business is critical to your success in achieving your aims and in successfully managing any risks/issues. It is important to understand that developing and embedding the right culture and the right structure and support for the People Managers is not an easy process and requires determination and resilience from the leaders for a number of years. Many of the elements Workplace 360 looks at, are fundamental to putting the right foundations in place and setting up a business to go from 'strength to strength' which will future proof the business for decades to come.

Our **Workplace 360° review** ensures every element in your human resources and workplace compliance system works together and that your people have the knowledge and skills needed to effectively implement it.

As part of this package we do a 360 degree overview of policies, contracts, guidelines, enterprise agreements, employee and contract agreements, workplace complaints and investigation processes along with an assessment of management capability and training needs and work collaboratively with you to develop a comprehensive system to ensure your business has 'best practice' foundation documents, systems and management capability to maximise productivity and minimise costs.

We will then structure a comprehensive training programme to ensure your people have the knowledge and skills needed to effectively implement and use the system to drive productivity, ensure compliance and avoid costly and distracting disputes. This can include face-to-face training, online education, or a blended solution as appropriate to your needs.

Teams are provided with and taught how to properly deploy implementation documents including guidebooks.



---

## Workplace 360° Review will look at:

### 1. Human Resources Policies/Procedures/Compliance Systems including Management Guidelines and Templates Review

- **Conduct a Review** all existing policies/procedure frameworks/management guidelines and advise you on any issues/areas for improvement identified and recommend remedial action.
- **Development** of policies/procedures/management guidelines in the context of promoting a 'One Agency' approach and the drive to continuously improve revenue and productivity. The correct 'best practice' structure is also a critical risk management issue.
- **Complaints/Grievances** Review of all your standard documents used for lodging complaints/grievances along with any procedures/guidelines followed in resolving grievances/complaints. and advising you on any issues/areas for improvement and recommended action.
- **Conduct a Review** of your **Workplace Investigations** process and capability.
- **Review of your Compliance Systems Guidelines and Templates** including, managing employee performance and conduct (behaviour); and managing ill and injured employees.
- **Review and Development of Compliance Systems for employees** engaging in and education systems for employees on: Workplace Bullying; Sexual Harassment; Privacy; Workplace Health and Safety; EEO; and Internet and Social Media.
- **Conduct a review** of your organisations Culture, Values and Behaviour framework and the way these are managed within the organisation.
- **Conduct a review** of your organisation's **Productivity drivers** and barriers and advise you on any issues/areas for improvement identified and recommend remedial action.
- Develop and provide comprehensive **education/training** and tool kits to support your managers and leaders to successfully implement new frameworks and to provide your managers and people leaders the best skills, knowledge, and confidence to manage their teams effectively and equitably.

### 2. Legal Compliance –/Best Practice in Respect of Employees and Review of Employment Contracts and Legislation on Modern Awards Compliance

- Conduct a review of award application and award/legal compliance issues (if any), and advise you of any issues and recommended, if necessary, remedial action.
- Draft of new template employment contracts per classification of employee and discuss with you options for different style of agreements including for different level of employees.
- Provide general advice on practical implementation of variations to employment contracts, including identifying likely areas of contention such as variations to post-employment restraints.

### 3. Best Practice in respect of Engagement of Independent Contractors and Review of Independent Contractor Agreements

- Conduct a review of existing engagement and management practices including existing independent contractor agreements, and advise you of any issues and recommend, if necessary, remedial action.
- Prepare, recommended variations to independent contractor agreements and/or suggested new template independent contractor agreement(s) depending on the extent of any compliance issues identified through the Workplace 360° review.
- Provide general advice on practical implementation of variations to independent contractor agreements.