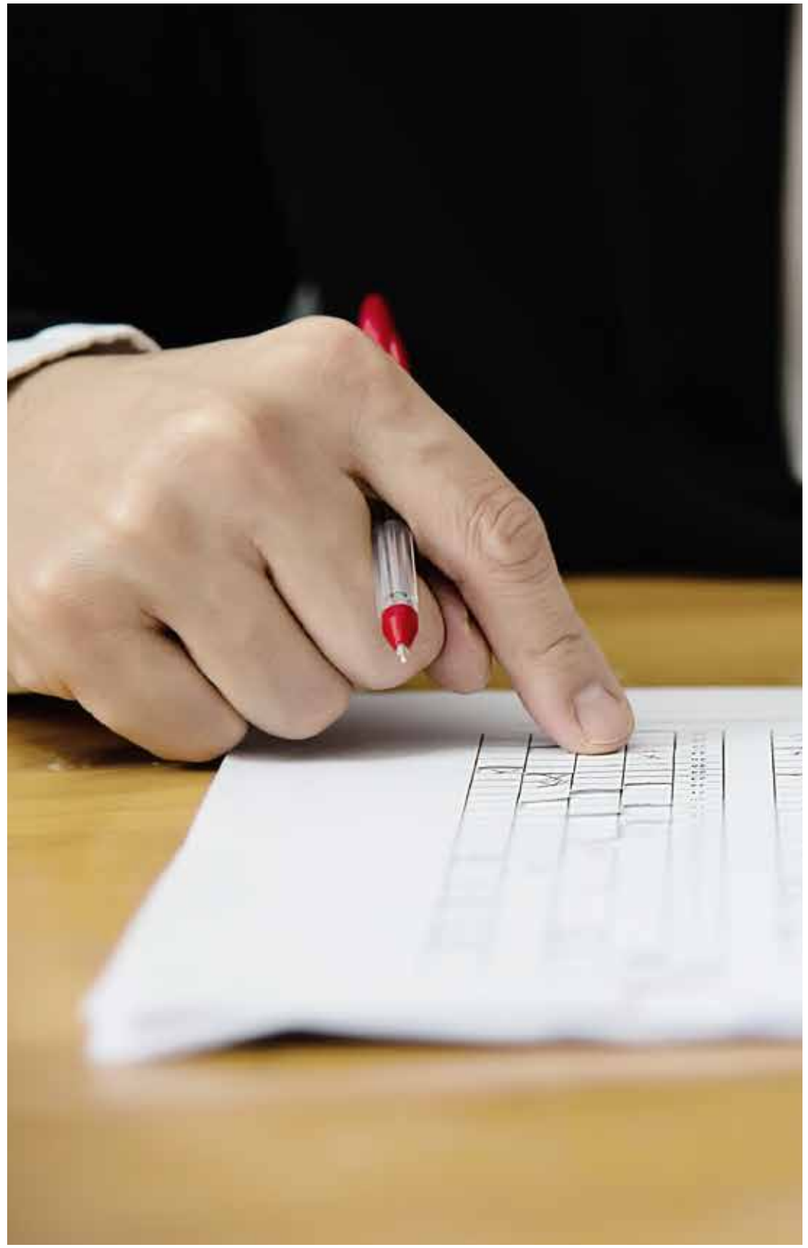
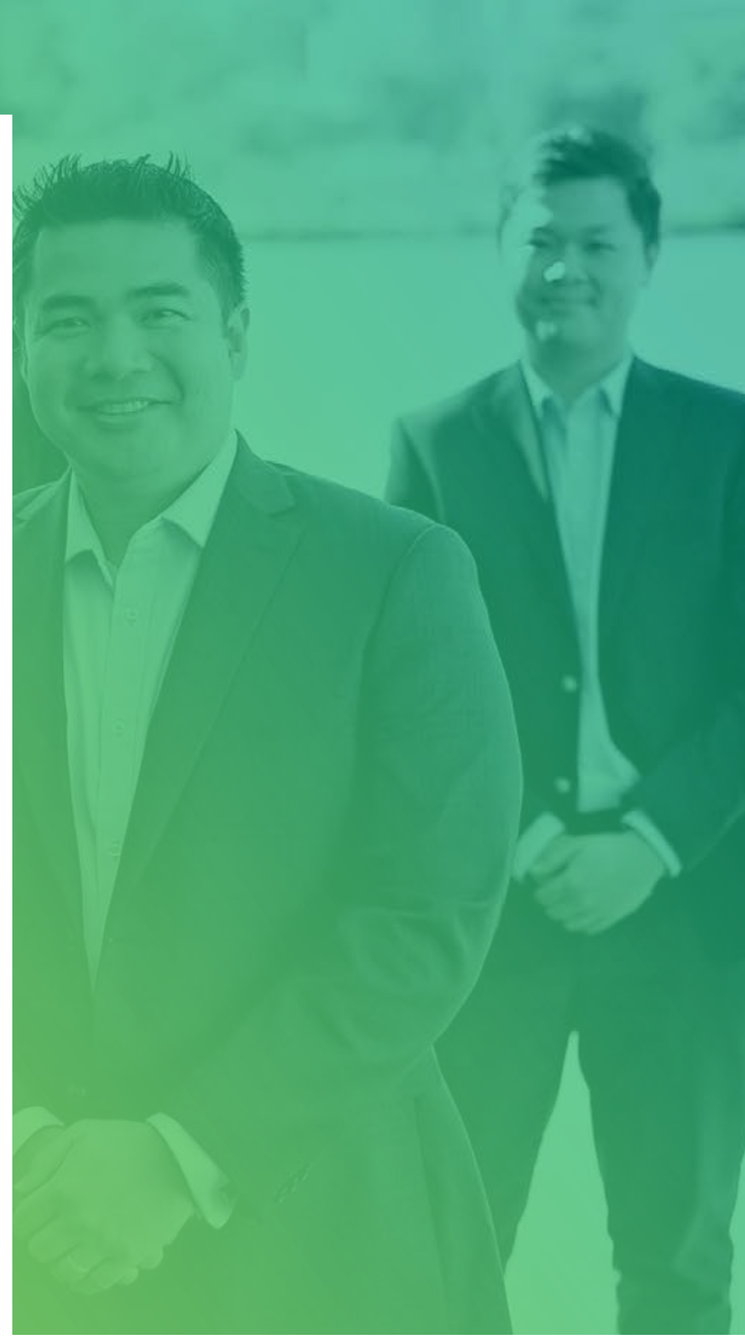
NoBorders
LAW GROUP

CAPABILITY STATEMENT

NO BORDER LAWYERS

a way forward





+61 7 3876 5111

service@nb-lawyer.com.au

lawyersforemployers.com.au

EMPLOYMENT | MIGRATION | COMMERCIAL | PROPERTY



Our Purpose - The Lawyers For Employers

NB Lawyers – the Lawyers for Employers, is a team of hand picked experts who specialise in Employment Law, Commercial Law and Property Law, we solve problems, advise to avoid headaches ever occurring and mitigate risk and liability to engender growth.

We follow 4 key values:

- Help First
- Practical
- Produce Results
- Honest Communication

“ We Help Employers Overcome Legal Obstacles “

Help Employers Overcome Legal Obstacles, Reach Thier Goals & Focus On Growth

We Achieve Our Method Through Our Three Pillars.

EDUCATE

We endeavour to educate employers to create business success and prevent the problem that cause the ever occurring headaches for employers. We take the time to understand the unique operations of our client's business and provide the supportive professional legal services.

ADVISE

As employment law specialists, we understand that the success of business depends on having employees with the right skills and experience, working together in a supportive and productive environment bound by mutual respect, fairness and safety.

SOLVE

We listen to our client's needs and are willing to help with any questions they might have to solve complex problems and produce solid results. Our hand-picked legal team are experts in navigating intricate situations and our track record demonstrates the variety of problems.

Our team of handpicked legal experts come from a unique variety of backgrounds, our team has experience with employer associations, regional and city councils, unions and human resources. We have lawyers who arenationally paid speakers, approved IR Auditors, nominated for lawyer 30 under 30 awards and multilingual.



And asked for expert opinion by media outlets such as **news.com.au** and the **Sydney Morning Herald**. It is because of these unique backgrounds and experience, that the NB Lawyers, lawyers for employers' team are experts in their field and why we have recently been ranked in the Top 10 **Employment Law Firms in Brisbane by lawyer.com.au**, approved as a **Local Buy** pre-qualified legal services provider and recognised by **APAC Insider** as one of the outstanding law firms in Brisbane in Employment law. We offer an obligation free consultation to all Employers - please call **07 3876 5111** or alternatively **service@nb-lawyers.com.au**



OUR OBJECTIVE – WHY?

HELP EMPLOYERS OVERCOME LEGAL OBSTACLES, REACH THEIR GOALS AND FOCUS ON GROWTH

NB Lawyers – lawyers for employers focused client base range from Councils, Health and Allied Health Services, Manufacturing and Professional Services. Our services have benefited many Australian companies.

With our team's expertise, we are ideally suited to organisations in:



- Councils
- Health Services
- Allied Health
- Manufacturing
- Professional Services

OUR TEAM

Specialising in employment law, commercial law and property law, NB Lawyers, the lawyers for employers, have helped thousands of employers understand their legal requirements, mitigate risk and liability, future-proof their organisation and achieve business growth and expansion.

With a dual focus on risk mitigation strategies and healthy growth, our expert lawyers, provide you with strategic and timely advice to manage your legal responsibilities and obligations throughout the entire lifecycle of your business to increase staff performance, manage change and expand your business with clarity and peace of mind.

Professional Experience

Advising on all aspects of Employment Law, including workplace bullying, unfair dismissal, enterprise agreements, restraint of trade, interpretation of Modern Awards and Workplace Health and Safety, Jonathan provides practical and timely advice on the latest legislation changes and legal issues facing employers to ensure they abide by their various statutory obligations.

With over a decade of experience in employment law, representing clients from conciliation through to arbitration in the Fair Work Commission, Queensland Industrial Relations Commission, and Federal Court, Jonathan has helped hundreds of employers understand their legal requirements, mitigate risk and liability, protect their reputation and achieve their goals for business growth and expansion. Prior to becoming the Principal and Director at NB Lawyers, Jonathan worked as an Industrial Officer for a National Trade Union, where he gained unique experience advising union members on termination of employment and workplace bullying issues. Jonathan is also an approved IR auditor for ALDI Supermarkets, a regular speaker on the TEC/Vistage national speaking circuit, Best Practice Network, Employment Office, People2People and The Executive Connection (TEC)



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DIRECTOR

Brisbane Office

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LINKEDIN PROFILE:
https://www.linkedin.com/in/jonathanmamaril/

Practice Areas

- Employment Law
- Employment Contracts
- Human Resources
- Employee Relations
- Discrimination & Unfair Dismissal
- Industrial Relations
- Workplace Relations
- Arbitration
- Dispute Resolution
- General Protections

Qualifications

- Masters of Commerce, Swinburne University of Technology
- Graduate Diploma in Legal Practice, QUT
- Bachelor of Laws, QUT
- Bachelor of Arts (International Studies and Politics), QUT
- Approved IR Auditor for ALDI Supermarkets

Admissions

- Supreme Court of Queensland
- High Court of Australia

Affiliations

- Queensland Law Society
- Industrial Relations Society of Queensland
- The Executive Connection (TEC)
- Board member for Foundation of Student Horizons

KEY CASES

Regional Council – Workplace Investigation

The client was a Council who suspected a conflict of interest between a manager and their subordinate in breach of Council policy. The Council was assisted by way of a detailed workplace investigation which uncovered the full extent of the misconduct between the manager and subordinate. The Council was assisted with strategies to minimise legal exposure and negotiations were conducted on behalf of the Council to settle the matter on beneficial terms for the Council.

Cleaning – Employment Contracts and Contractor Agreements

A cleaning company requested advice on how to legally engage their workforce to a contractor model. We developed risk mitigated contractor agreements and advised on setup. We also guided the cleaning company on labour hire license requirements.

Security Mining – Redundancy

Client lost a tender to renew a key contract and had to downsize. Letters of Termination were sent to 29 employees who requested redundancy packages. We applied to the Fair Work Commission to reduce redundancy pay stating suitable alternative employment had been found for the Respondents that were on sites wherein the incoming contractors had hired the new staff on essentially a “shirt swap”.

Health – Fraud and Misconduct

CEO was underperforming and also engaged in fraudulent conduct including but not limited to misleading the board. We advised the board on how to remove the CEO safely and without incident and in doing so avoided severe financial liability issues such as reasonable notice and breach of contract claims.

Manufacturing – Labour Hire

Provided advice on the new labour hire laws in Queensland to a manufacturing company who were being given mixed advice from various advisers. Our recommendation was clear and succinct – we believed they would be caught by the generalist nature of the laws however they may not have been the intended target. Therefore, it was a commercial decision as to whether they obtained the license or not.

2015 – Present	Principal & Director: NB Lawyers
2013 – 2015	Special Counsel: NB Lawyers
2011 – 2013	Associate: Mullins Lawyers
2009 – 2011	Industrial Officer: United Voice
2007 – 2009	Solicitor: Hall Payne Lawyers
2005 – 2009	Union Organiser: United Voice

Professional Experience

Advising and representing clients in all areas of Commercial Law and practice, including business sales and purchase, share sales, trusts, companies, asset protection, employment law, restructures, commercial leasing, debt securities, revenue, corporate governance and contracts. Daniel is sensitive to practical concerns, budget limitations and time frames of his clients and looks for practical solutions to most legal problems.

Before working at NB Lawyers, Daniel gained over six years' experience working for small and medium business owners, not-for-profit entities and private individuals as a commercial lawyer in Brisbane. Daniel has experience acting in a broad range of business industries.



DANIEL DASH
SENIOR ASSOCIATE

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https://www.linkedin.com/in/daniel-dash-31868bbb/

Practice Areas

- Contracts
- Commercial Law
- Commercial Leasing
- Trusts
- Corporate Structures
- Corporate Governance
- Litigation
- Business Sales

Qualifications

- Graduate Diploma in Legal Practice, QUT
- Bachelor of Laws, UQ
- Bachelor of Science, UQ
- Certificate in Foundation Tax

Admissions

- Supreme Court of Queensland
- High Court of Australia

Affiliations

- Queensland Law Society1

KEY CASES

Motor Servicing – Share Sale – Private Equity Purchase

The client was a proprietary company with an established business in the motor servicing industry. The client was approached by a private equity fund interested in acquiring all or part of the company. A contract was negotiated for the staged buy-out of the founding shareholders and joint board representation in the short and medium term. The client was assisted with the review and drafting of Share Sale Agreement, Shareholders Deed and Employment Agreements.

Cleaning – Employment Contracts and Contractor Agreements

The clients were the founders of a not-for-profit that provided services to members of the community based on need. The clients received advice on establishment of a company limited by guarantee for charitable purposes, regulatory requirements and corporate governance. General commercial advice was provided – tailored to the requirements of a not-for-profit – in commercial leasing and the Corporations Act

Security Mining – Redundancy

Clients were directors of a mining company embroiled in a dispute with its joint venture partner and sued for breach of contract and breach of duty. Previous solicitors for the client were unable to resolve the dispute and the matter festered over ten (10) years as plaintiff failed to prosecute its case and persistently delayed trial. Finally when the Plaintiff failed to comply with a step in the proceeding, the claim was struck out for the Plaintiff's delay. Costs were awarded to the clients.

Health – Fraud and Misconduct

Represented a client dealing with an unfair dismissal claim – although relatively straight forward, the employee was unrepresented and required copious amounts of time and nuanced advocacy to ensure the matter was discontinued at an early stage.

2018 – Present	Senior Associate: NB Lawyers
2018 – 2018	Associate: NB Lawyers
2016 – 2018	Associate: Crilly Lawyers
2011 – 2016	Solicitor: Crilly Lawyers

06.



KAYLEIGH WHITTAKER
ASSOCIATE

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https://www.linkedin.com/in/kayleigh-whittaker-07a1974b?originalSubdomain=au

Professional Experience

Advising on all aspects of Employment Law, including workplace bullying, unfair dismissal, enterprise agreements, restraint of trade, interpretation of Modern Awards and Workplace Health and Safety, Jonathan provides practical and timely advice on the latest legislation changes and legal issues facing employers to ensure they abide by their various statutory obligations.

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Practice Areas

- Property Law
- Body Corporate Issues
- Conveyancing
- Leasing
- Commercial Law
- Sale and Purchase Acquisitions
- Liquor and Gaming
- Licensing
- Shareholder Agreements
- Debt Recovery
- Employment Law
- Employee Relations

Qualifications

- Bachelor of Laws, QUT
- Bachelor of Business, QUT

Admissions

- Supreme Court of Queensland
- High Cour of Australia

Affiliations

- Queensland Law Society

KEY CASES

Security – Redundancy

Client lost a tender to renew a key contract and had to downsize. Redundancy options were canvassed and redeployment options were considered nationally. Partnered with the client to organise logistics for consultations and on site and off site advisory services.

Real Estate - Shareholder Agreement

Reviewed shareholder and share sale agreements and attended various negotiations regarding the terms of the agreements.

Automotive – Termination of Employment

Advised the client in relation to a termination of employment of a senior staff member. Advice was required in relation to shares, reasonable notice and without prejudice discussions. The Deed executed was quite convoluted and detailed.

Hospitality - Purchase of Franchise

Client wanted to buy a franchise. To assist with the purchase due diligence, a review of the contract, franchise agreement and lease agreement, and assistance in setting up the company was provided.

Not for Profit–Set up of a new Charitable Foundation

The client wished to set up a charitable foundation – liaised with key stakeholder and provided

submissions to the regulator to ensure charitable status was obtained.

2020 – Present	Associate: NB Lawyers
2018-2020	Senior Lawyer: NB Lawyers
2016 – 2018	Lawyer: NB Lawyers
2015 – 2016	Solicitor: Broadly Rees Hogan Lawyers
2012 – 2015	Property Officer: Moreton Bay Regional Council
2014	Legal Intern: Queensland Land Court
2013	Client Advocate: Queensland Aged and Disability Advocacy
t2013	Legal Intern: Royal Brisbane and Women's Hospital



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https://www.linkedin.com/in/daniel-jie-chen-8ba77052/

Professional Experience

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Practice Areas

- Contract Law
- Employment Law
- Property Law
- Workplace Relations
- Compliance and Risk

Qualifications

- Graduate Diploma of Legal Practice
- Bachelor of Commerce, UQ
- Bachelor of Laws (Hons), UQ
- Certificate in Industrial Relations
- PEXA Compliance Course
- Fluent in Mandarin

Admissions

- Supreme Court of Queensland
- High Court of Australia

Affiliations

- Queensland Law Society

KEY CASES

Security Company – Medical Retirement

The client was a security company who had an employee that had been on unpaid personal leave for one (1) year. The client was assisted by way of a strategy that involved creative use of the Enterprise Agreement for directing the employee to undergo an Independent Medical Examination (IME) which ultimately allowed the client to terminate the employee's employment on medical grounds.

Builder – Enterprise bargaining

The client was a machinery company who wished to introduce an amended enterprise agreement to become compliant with the Building Code 2016. This was met with stiff objection from the Union. The client was advised on common law principles which would enable the client to become code compliant.

Labour Hire Company – Performance management

The client company had an employee who was taking excessive sick leave and was aggressive towards management and other employees. The client was assisted with a review of its HR policies in relation to the management of performance, as well as the drafting of show cause notices.

Recruitment Company – Employment Contracts

The client was a recruitment company that insisted on staff working more than 38 hours – we developed a strategy for annualised salary which protected the employer. For those contracts which were more difficult we used IFAs.

Services Company – General Protections

Company was sued by an employee who had been working at the company for a very short period of time. Dealt with a notorious General Protections and Unfair Dismissal firm known for settling at conference for a certain pay point. Knowing this information gave our client the required leverage to settle at a lower amount even though there was an arguable case.

2018 – Present	Lawyer: NB Lawyers
2018 – 2018	Graduate Consultant: IRIQ Law
2017 – 2018	Law Graduate: Whitsunday Regional Council
2015 – 2017	Paralegal: MPN Lawyers



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Admissions

- Supreme Court of Queensland
- High Court of Australia

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- Queensland Law Society

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2018 – Present	Lawyer: NB Lawyers
2018 – 2018	Graduate Consultant: IRIQ Law
2017 – 2018	Law Graduate: Whitsunday Regional Council
2015 – 2017	Paralegal: MPN Lawyers

THE LAWYERS FOR EMPLOYERS

WHAT OUR CLIENTS SAY...



We have used various legal firms to primarily help us with Industrial Relations/Employment related matters. We've had varying degrees of success. Until we met the team at NB Lawyers. Our experience with them has consistently been very good. They are friendly, professional, knowledgeable and quick in their responses. We have built a relationship of trust with them, and our team feel very supported by the level of service offered. We feel that we have built a partnership with them, in that they understand our business and offer solid advice and support. I have no hesitation in recommending NB Lawyers - Lawyers for Employers.

Roseta Jacobs, Executive Manager Organisational Development & Culture, Fraser Coast Regional Council

The employment law team at NB Lawyers – lawyers for employers have provided our company with very timely and excellent legal services and advice. It has exceeded our expectations and are different to other law firms. They truly listen to your needs and are always willing to help with any questions we might have and most importantly produce results. A law firm that really know how to traverse the myriad of legal obstacles they are highly recommended.

Michelle Carter, Human Resources Manager, Nauru Airlines

When you are working with a lawyer, you need to know they have your best interests at heart and consider themselves a long-term partner in your business. This is exactly how we felt with NB Lawyers when they were doing our business sale agreement and employment contracts. Their attention to detail and professionalism was outstanding and their accessibility and reliability was a constant reassurance that they had our backs through the entire process.

Josh Mitchell, Owner, Totally Workwear Capalaba & Victoria Point



OUR CLIENTS

CLIENTS WHO TRUST NB LAWYERS – LAWYERS FOR EMPLOYERS INCLUDE

Lone Pine Koala Sanctuary

Student Horizons

Buderim Ginger

TWW Totally Workwear

Fraser Coast Regional Council

vee

Nauru Airlines
Airline of the Central Pacific

BenchOn

Employment Law

At NB Lawyers, we're specialists in Employment Law.

We understand that the success of your business depends on having employees with the right skills and experience, working together in a supportive and productive environment bound by mutual respect, fairness and safety.

That's why we act for employers by delivering expert legal advice and representation in employment, workplace relations and industrial relations matters, including:

Enterprise Agreements:

Including drafting single-enterprise, multi-enterprise, and Greenfields agreements; preparing essential statutory documents; negotiating with trade unions; and arbitration in the Fair Work Commission.

Labour Hire:

Including providing short- or long-term labour hire from a labour supplier or individual workers; giving advice to host firms and agencies regarding labour agreements; mitigating statutory liability risk to companies and agencies; and advising on the benefits and risks of labour hire.

Benchmark Training:

Including drafting and preparing information for your employees; conducting onsite benchmark training; and reporting to the Department of Immigration and Border Protection (DIBP) on your behalf to ensure your compliance with training each financial year. Our training covers employee duties and obligations under policies and procedures, workplace discrimination, harassment and bullying, performance management, and disciplinary procedures.

Workplace Health And Safety:

Including assessing policies and procedures for WH&S information, training, supervision, hazard reporting, and risk management.

Employee Management:

including developing workplace policies and procedures; dealing with unfair dismissal, general protections, and underpayment of wages claims; attending to serious misconduct and performance management; and advising on parental leave, redundancies and restructures, and modern Award interpretation.

Workplace Bullying:

Including implementing reasonable management action strategies for physical, verbal, social, or psychological abuse by an employer or a co-worker.

Workplace Discrimination:

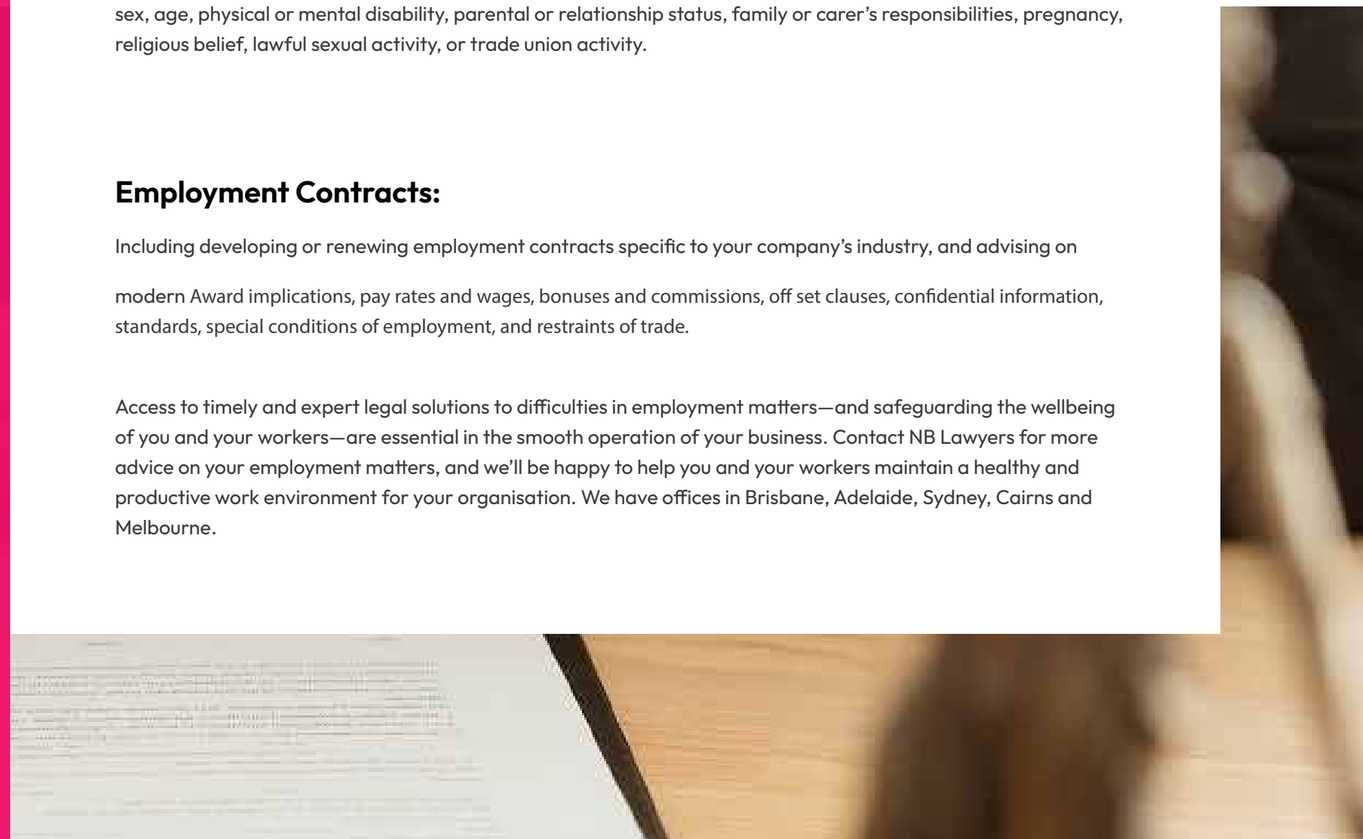
Including advising on and developing recruitment practices, and education and training procedures, that comply with discrimination laws; and lodging or defending complaints of discrimination on the grounds of race, colour, sex, age, physical or mental disability, parental or relationship status, family or carer's responsibilities, pregnancy, religious belief, lawful sexual activity, or trade union activity.

Employment Contracts:

Including developing or renewing employment contracts specific to your company's industry, and advising on

modern Award implications, pay rates and wages, bonuses and commissions, off set clauses, confidential information, standards, special conditions of employment, and restraints of trade.

Access to timely and expert legal solutions to difficulties in employment matters—and safeguarding the wellbeing of you and your workers—are essential in the smooth operation of your business. Contact NB Lawyers for more advice on your employment matters, and we'll be happy to help you and your workers maintain a healthy and productive work environment for your organisation. We have offices in Brisbane, Adelaide, Sydney, Cairns and Melbourne.



Migration Law Services

NB Migration Law

At NB Lawyers, we're specialists in Migration Law.
We have a long and respectable track record in assisting businesses and individuals with migration matters, because we understand the importance of strengthening organisations and the Australian economy with skilled workers.

That's why we deliver well-informed and experienced legal solutions in:

Migration Review Tribunals: including representation in applications for review of decisions on visa refusal and cancellation, in the Migration Review Tribunals (MRT), Administrative Appeals Tribunal (AAT), and the Refugee Review Tribunal (RRT).

Benchmark training for 457 Visa employer sponsors: including assistance to sponsor foreign employees under the 457 Temporary Work Visa Program, and helping your business meet the training and benchmark requirements of the Department of Immigration and Border Protection (DIBP) each financial year on policies and procedures for staff performance, breach of contract, workplace health and safety, workplace bullying, and discrimination and sexual harassment.

Liaison with our sister companies: which involves working with No Borders Migration and Job2Go Group to manage visa and residency applications and assessments, and employment and training requirements for skilled migrants who fill skills shortages in your organisation.

NB Lawyers are highly skilled and experienced in navigating Migration Law, and we've assisted many clients to achieve successful outcomes across a broad range of applications and appeals. We work together with a team of experienced migration specialists, so contact us for more advice on how we can help you and your skilled workers grow and develop your organisation into a dynamic and worldly enterprise.



Commercial Law

At NB Lawyers, we're specialists in Commercial and Business law.

We understand the complexities of commercial endeavours, and how important it is to have an experienced and insightful legal team ready to navigate your organisation through the myriad requirements of operating and expanding a business. We also understand entrepreneurship—because we're entrepreneurs too. We understand the special needs of start-up businesses, and what it takes to give them a head start in their markets. We understand the blood, sweat and tears that go into building a new enterprise from a great idea, and it's the labour of love at the heart of Australian business ownership.

Business Sales And Purchases :

Including negotiating and preparing business purchase contracts, structuring business entities and completion.

Business Structuring :

Including advice about business entities, establishing trusts and companies and associated advice.

Commercial Contracts :

Including contract review services and drafting of contracts.

Corporations Law :

Including advice under the Corporations Act 2001 (Cth) in relation to directors' duties, corporate governance, shareholders rights and more.

Disputes And Litigation :

Including alternative dispute resolution, negotiation and state and federal court proceedings.

E-Commerce :

Including online terms and conditions, privacy laws, consumer law and intellectual property.

Finance And Security :

Including advice to borrowers and lenders about the terms of advance, personal guarantees, regulations, real property mortgages and personal property securities.

Intellectual Property :

Including copyright, trademarks, patents, trade secrets and more.

Taxation Law :

Including start-ups, foreign businesses operating in Australia, restructures and rollovers, property and property developers, trust taxation.

NB Lawyers would love to be a reliable partner in your business's stability and future growth. Whether you're changing the directions of an established organisation, or you're sowing the first seeds of a brand new enterprise, contact us to find out how we can help your business thrive and grow in a competitive global market. Our offices are located in Brisbane, Sydney, Cairns, Adelaide and Melbourne.

Property Lawyers Brisbane

We at NB Lawyers have a wealth of experience in both basic and complex property law and conveyancing matters.

Businesses, Body Corporates, commercial clients and individuals will appreciate that an agreement should represent your rights and interests. We provide effective, expedient and comprehensive legal advice to our clients. This gives our clients the assurance and confidence they need to enter into safe property transactions.

From the purchase of a residential home to the sale of a commercial office block, recognising an issue before it becomes a problem, and negotiating on your behalf throughout the transaction, NB Lawyers will ensure your investment is secured and appropriately handled.

NB Lawyers offers specialised advice for off the plan transactions, residential and commercial sales and purchases, as well as any other property law matter.

Our property law team offers their practical advice in the following key areas:

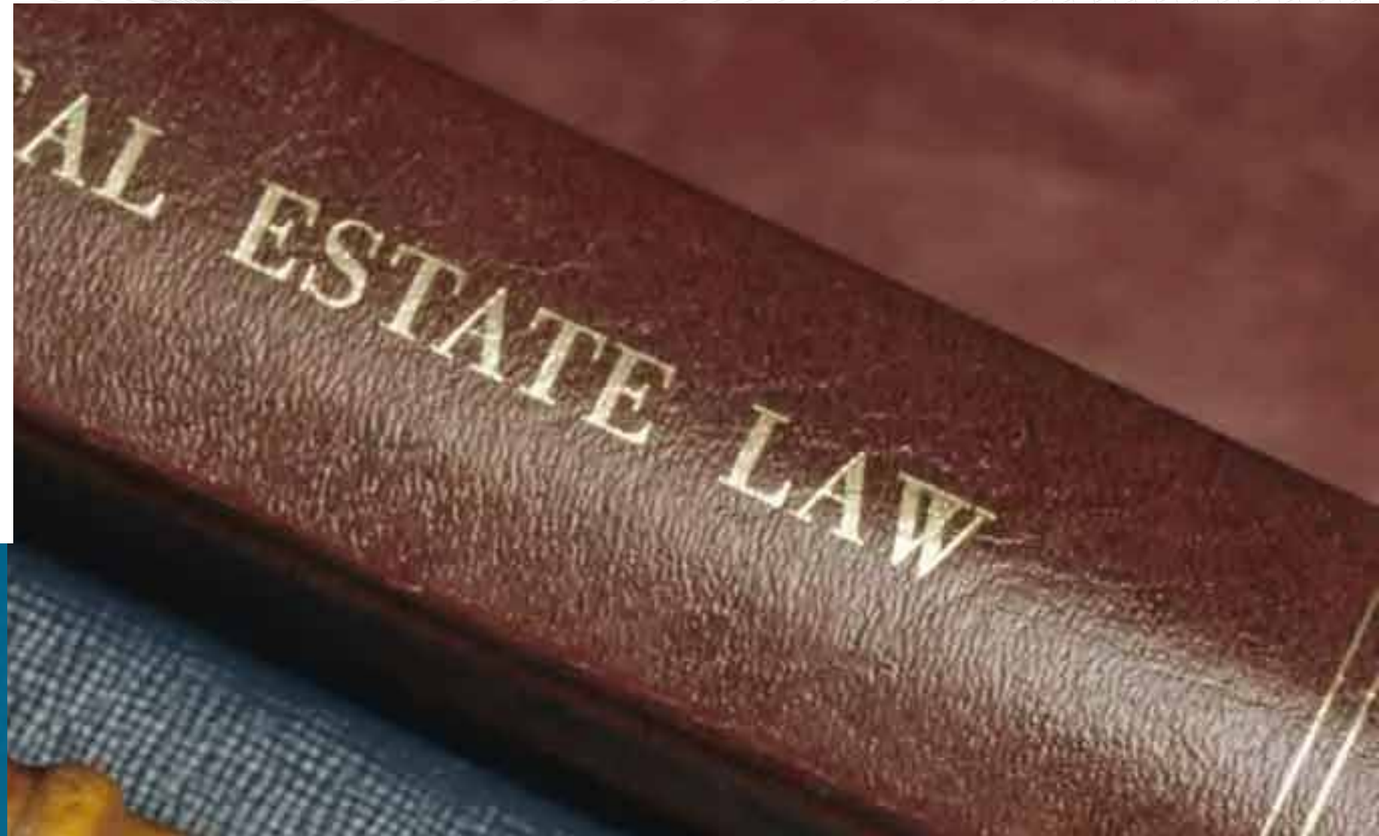
Conveyancing

We undertake all relevant matters pertaining to the purchase or sale of property including reviewing the Contract and other documents, drafting contract clauses, correspondence with stakeholders such as the agent and financier (as needed), obtaining, reviewing and distributing searches; and attendance to stamping and registering transfer documents and settlement of all residential properties.

Liquor And Gaming Licenses

We include negotiating and amending lease agreements for the sale of liquor or gaming, drafting the Public Interest Assessment; correspondence with all stakeholders including Local and State Government Authorities; and liaising with authorities during the Licence assessment and advertising period.

NB Property Law





THANK YOU!

This Capability Statement is a snapshot of our ability and presence we bring to a client's objectives for growth, to avoid the headaches in the first place, deal with problems and take the necessary action to mitigate risk when needed. We welcome any opportunity to meet and discuss your business objectives and how we can help.

JONATHAN MAMARIL
DIRECTOR
NB LAWYERS – LAWYERS FOR EMPLOYERS

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GET IN TOUCH

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Level 1, Suite 7, 3 Spring Street, Sydney, NSW 2000

ADELAIDE OFFICE

Bradman Suite, Level 3, 96 Pirie Street, Adelaide, SA 5000

CAIRNS OFFICE

14 Spence Street, Boland Centre, Carins, QLD 4870 Phone: 1300 66 267

MELBOURNE OFFICE

Coming Soon