



Clancy King

Special Counsel

clancy.king@dlapiper.com

Sydney

T: +61 2 9286 8677

F: +61 2 9286 8007

M: +61 499 111 817

Clancy King is experienced in a range of employment issues and the provision of legal and strategic advice to clients across the employment relationship. Her advice is valued for its commercial focus and technical expertise.

Clancy advises on employment and workplace issues from pre-employment through to managing exits, including workplace disputes and employment litigation, responding to workplace claims, negotiating senior executive exits, resolving sensitive and complex disputes and day-to-day employment matters. She has experience in employment matters arising in corporate transactions including employee transfers and restructuring.

Clancy regularly advises international clients on entering the Australian market and negotiating the Australian employment system, working closely with local and international counsel to manage Australian employment matters.

• Employment

• GENIE

- Acting for a ride-share service in the first judicial test of the status of driver-partners in Australia, successfully establishing that driver-partners are not employees.
- Acting for a publicly listed company in proceedings in the Federal Court of Australia brought by a former senior executive alleging breaches of contract and general protections breaches and successfully resolving without final trial.
- Advising an Australian subsidiary of an American medical devices company in respect of allegations of serious misconduct by the local Chief Executive Officer and claims brought by other employees in connection with the misconduct, including advising in respect of related workplace disputes.
- Advising a US-based technology company on the first enforcement of post-employment restraints, globally, successfully enforcing those restraints on a former-employee seeking to commence employment with a global competitor and recovering client property.
- Advising an Australian subsidiary of an American cloud computing company in defending claims of inducing breach of contract by employing a former employee of their largest global competitor.
- Acting for Westpac Banking Corporation in a claim filed by a former senior employee in connection with alleged underpayment of bonuses, negotiating settlement shortly after filing the defence.
- Advising a local subsidiary of a global fintech company on strategy and response to non-compliance with employment-related

obligations.

- Acting for a ride-share service in a range of unfair dismissal, general protections and discrimination claims in various jurisdictions.
- Advising a global software provider on an investigation and management of allegations of sexual harassment and related misconduct by a sales employee at an international conference, including management of related termination and resolution of related proceedings.
- Advising a global information technology services company on employment aspects of a global restructure, including drafting relevant documentation and coordinating local counsel across six jurisdictions.

CREDENTIALS

Professional Qualifications

- Solicitor of the Supreme Court of New South Wales
- Solicitor of the High Court of Australia

Recognitions

Clancy is recognised by *Legal 500 Australia* for Labour and Employment, as a senior associate that “*works unbelievably hard to make sure her clients get the best outcome.*”

Education

- The College of Law, Graduate Diploma in Legal Practice, 2013
- University of New South Wales, Juris Doctor, *First Class Honours*, 2012
- University of Technology, Sydney, Bachelor of Arts in Communications, 2009

INSIGHTS

Publications

What does the change in the Australian Government mean for employers?

26 May 2022

This week has seen a change in Australian Government, that will have significant impacts for employers across all sectors. In the lead up to the election, the Australian Labor Party committed to introducing a range of major legislative reforms across the employment and industrial relations landscape. If implemented, these changes will significantly transform the industrial relations landscape and create several new challenges and regulatory obligations for employers.

Refusing the job, a valid reason for dismissal in Australia

29 September 2021

In Australia, the ability for employers to mandate vaccinations in their workplaces is a controversial issue that has obtained considerable attention in the wake of the COVID-19 pandemic. On Monday, 27 September 2021, the Full Bench of the Fair Work Commission upheld the dismissal of an unvaccinated worker.

COVID 19 Vaccination Alert - Updated Guidance for Australian Employers

25 February 2021

The majority of Australian employers will not be able to require employees to receive the COVID-19 vaccine, following updated guidance on vaccinations in the workplace provided by the Fair Work Ombudsman (FWO) and Safe Work Australia (SWA).

Redundancy Series: Varying redundancy pay – making an application to the FWC

30 September 2020

Australia Redundancy Series

The *Fair Work Act 2009* (Cth) provides a mechanism by which an employer can make an application to the Fair Work Commission to vary the amount of redundancy pay that must be paid to the employee. Employers can seek that the amount be reduced to a lower amount or reduced to zero.

In the sixth part of this redundancy series, we look at where an employer can make an application to vary redundancy pay on the basis that the employer cannot pay the amount.

Redundancy Series: Varying redundancy pay – what you need to know

8 September 2020

Australia Redundancy Series

In most instances, if an employee's employment is terminated due to redundancy, that employee will be entitled to redundancy pay of 4-16 weeks' base rate of pay, depending on their period of service .

In the fifth part of this redundancy series, we set out the key principles of varying redundancy pay.

Working from home in Australia

8 September 2020

The Australian Fair Work Commission has released a Draft Award Flexibility Schedule in self-described effort to promote discussion about ways in which flexibility can be introduced into modern awards to assist businesses and industries impacted by COVID-19.

Redundancy Series: Redeployment

10 August 2020

Australia Redundancy Series

When considering and implementing redundancies, it is critical that employers understand the applicable processes to implement redundancies and best protect the business from claims. Getting redeployment right is essential to defeating an unfair dismissal claim.

In the fourth part of this redundancy series, we set out the key principles of redeployment.

Australia: New COVID-19 paid pandemic leave entitlement for certain workers

28 July 2020

The Fair Work Commission (FWC) has determined to provide an entitlement to two weeks' paid 'pandemic leave' to certain aged care workers. The changes have been made in response to the worsening outbreak of COVID-19 across Victoria and the impact that is having on workers in the aged care industry.

The DLA Piper employment team has extensive experience in assisting employers with award compliance and responding to and staying abreast of changes that have been made to workplace laws in response to COVID-19. Please do not hesitate to reach out to our team who would be more than happy to discuss this topic with you.

Redundancy Series: Consultation lessons from ASU v Auscript Australasia

14 July 2020
Australia Redundancy Series

The failure to comply with consultation obligations can have serious ramifications for an employer attempting to implement redundancies. It can result in the Fair Work Commission (**FWC**), Australia's employment tribunal, issuing orders which delay or prevent the implementation of redundancies, leading to significant cost and disruption within the business and the workforce.

In the third part of this redundancy series, we review the decision of *ASU v Auscript Australasia Pty Ltd* and set out its key lessons.

NEWS

DLA Piper advises Realbase on its acquisition by Domain Group for consideration of up to \$230 million

4/4/2022

Global law firm DLA Piper is pleased to have advised Realbase Pty Ltd, the largest real estate campaign management technology platform in Australia and New Zealand, on its sale to the Domain Group (ASX:DHG) for consideration of up to \$230 million.

DLA Piper advises Ares on AUD 428 million sale of AMP PrivateMarketsCo Infrastructure Debt Investment Management Platform

2/10/2022

Global law firm DLA Piper has advised NYSE-listed Ares (NYSE:ARES) on its subsidiary's AUD 428 million acquisition of AMP's PrivateMarketsCo Infrastructure Debt Platform, one of the largest infrastructure debt investment management platforms globally.

"AMP's PrivateMarketsCo Infrastructure Debt Platform is highly complementary with Ares' leading private credit franchise," said Martin Jamieson, Head of Investment Management & Funds, Australia, DLA Piper.

DLA Piper advises UK-based sawmiller on strategic acquisition

2/8/2022

DLA Piper has advised Scottish sawmilling company James Jones & Sons Limited on their acquisition of approximately 60 per cent of the family-owned Hyne Timber business, a sixth generation, family owned company with an annual turnover of AUD\$380M in the year ending 30th June 2021.

DLA Piper advises on USD500 million acquisition

9 December 2021

Global law firm DLA Piper has advised Stantec Inc. (TSX, NYSE: STN), a global leader in sustainable design and engineering, on the acquisition of the North America and Asia Pacific engineering and consulting groups of Cardno Limited (ASX: CDD) for aggregate cash consideration of USD500 million (approximately AUD 667 million). The transaction has now completed.
