

 Earn 6 CLE/CPD points

ALB

MASTERCLASS SERIES

Rolling out Fair Work

- Understand the redesign of the safety net under Fair Work
- Examine the ramifications of the January 1, 2010 Fair Work rollout
- Enterprise agreements and good faith bargaining: Ascertain their true impact
- Flexible work arrangements and general protections: Explore these two significant features of Fair Work and their impact on Australian Industrial Relations policies
- Understand the changes to the Unfair Dismissal legislation
- Fair Work Australia: Who are they and what can they do?
- Unionised workplaces: The rights of businesses and how to protect against abuses of the new Rights of Entry provisions
- *Fair Work Act* under the microscope: The good, the bad and the ugly

Brisbane: Tuesday 23 February 2010
Stamford Plaza, cnr Edward and Margaret Streets

Sydney: Wednesday 24 February 2010
Sir Stamford at Circular Quay, 93 Macquarie Street

Melbourne: Thursday 25 February 2010
Stamford Plaza, 111 Little Collins Street

All sessions run 8.30am – 5pm



Heinz Lepahe
partner
Cooper Grace Ward



Tim Longwill
partner
McCullough Robertson



John Lunny
partner
DLA Phillips Fox



Joanna Glynn
partner
Freehills



Brad Petley
partner
Holman Webb



John-Anthony Hodgens
partner
Gadens Lawyers



Aaron Anderson
partner
Deacons



Hedy Cray
partner
Clayton Utz



Dan Williams
partner
Minter Ellison

Employment Law agenda

8:30am: Registration opens

8:55 **Welcome and opening remarks from the Chairperson Heinz Lepahe, partner, Cooper Grace Ward**

9:10 **The Fair Work Act 2009: How has the rollout affected HR policy?**

- Analysing the key changes between Work Choices and Fair Work
 - What are the central compliance issues for employers under the new laws?
- The new rules for HR and IR: how will Fair Work impact on managing employment and industrial relations?

Tim Longwill, partner, McCullough Robertson

9:55 **Implementing the redesign of the safety net under the Fair Work Act**

- National Employment Standards – how do they differ from the Australian Fair Pay & Conditions Standard?
- Modern awards – how will they operate? How can they be made to apply more flexible to the organisation?
- Understanding the interaction with the NES and awards
- How should employers prepare for commencement of the new safety net conditions on January 1, 2010?

John Lunny, partner, DLA Phillips Fox

10:40am: Morning tea

11:00 **Enterprise agreements and good faith bargaining**

- Identifying the two types of enterprise agreements
- Examining the statutory collective bargaining regime
- What are “single-enterprise employers” for the purpose of bargaining?
- Who are the parties to enterprise agreements?
- Who are bargaining representatives?
- What is a “majority support determination” and why this is important?
- Good faith bargaining
 - What is it?
 - What must employers do to be compliant?
 - What is the role of the FWA in relation to good faith bargaining?

Joanna Glynn, partner, Freehills

11:45 **Two significant features of Fair Work: Flexible work arrangements and general protections**

- Right to request flexible work arrangements
 - What are the employer’s obligations? How do these interact with parental leave entitlements and anti-discrimination laws?
 - How should employers prepare for requests for flexible working arrangements?
 - Clarifying potential sanctions for breaching the FWA provisions regarding flexible work arrangements
- General protections
 - Overview of the new protections for workplace rights, freedom of association and workplace discrimination

Key benefits

- Earn 6 CLE/CPD points
- Hear the latest case law updates and legislative reforms
- Develop new strategies and innovative practices
- Receive comprehensive course notes
- Increase your industry contacts through networking

- Examining basic concepts: adverse action and workplace rights
- How will these protections be enforced and what is their significance for business decision-making?

Brad Petley, partner, Holman Webb

12:30pm: Lunch

1:30 **Examining the changes to unfair dismissal: Update for 2010, what you need to do to protect against claims**

- Exploring the changes to unfair dismissal laws under the new Fair Work regime
 - Who can bring an unfair dismissal claim under Fair Work?
 - How will Fair Work Australia deal with the claim?
 - What will the claimant need to prove to succeed?
 - What remedies are available?

John-Anthony Hodgens, partner, Gadens Lawyers

2:15 **Understanding the role of the newly created Fair Work Australia**

- Exploring the new Fair Work Australia and clearly defining their role and operations
- Where is the precedent coming from? Life under a new regime and the lessons we can learn from international experience
- Examining the main functions of the new governing body of Australia’s workplace legislation and how it effects business objectives

Aaron Anderson, partner, Deacons

3:00pm: Afternoon tea

3:30 **Rights of entry: Implications of the Fair Work Act**

- Rights of union permit holders to gain access to the workplace: What changes have occurred due to the Fair Work Act?
- What are the pre-conditions and rules for this access?
- What is the role of Fair Work Australia in regulating rights of entry?
- Key issues:
 - Employee privacy
 - Non-member records
 - Misuse of powers by permit holders/unlawful restriction of rights by employers and occupiers
 - OHS and operational limitations on rights of entry

Hedy Cray, partner, Clayton Utz

4:15 **Regulating employment contracts under Fair Work**

- How do employers need to vary template employment contracts and human resources policies to comply with the Fair Work Act?
- What precedents, polices and guidelines need to be developed to address the new requirements?
- Tailoring NES and modern awards - options for enterprise agreements, award flexibility agreements, individual flexibility agreements and guarantees of earnings

Dan Williams, partner, Minter Ellison

5:00pm: Conference closes

HOW TO REGISTER

ONLINE www.albmasterclass.com
 E-MAIL michael.cullen@keymedia.com.au
 FAX +612 8437 4704
 PHONE +612 8437 4736
 MAIL **Attn: Michael Cullen**
Key Media Pty Ltd
Level 10, 1 Chandos Street
St Leonards NSW 2065

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PAYMENT DETAILS

**Please reserve me _____ place(s)
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BRISBANE FEBRUARY 23 2010
 SYDNEY FEBRUARY 24 2010
 MELBOURNE FEBRUARY 25 2010

EARLY BIRD \$874.50 INCL GST
 Expires Wednesday 16 December 2009

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