

 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



**Fiona Inverarity**  
partner  
Truman Hoyle



**Andrew Gray**  
partner  
Mallesons Stephen Jaques



**Stephen Trew**  
partner  
Holding Redlich



**Darren Perry**  
partner  
Freehills



**Dianne Banks**  
partner  
Gilbert + Tobin



**Kathryn Dent**  
partner  
Gadens Lawyers



**David Cross**  
partner  
Deacons



**Rachel Bernasconi**  
partner  
Blake Dawson



**Siobhan Flores-Walsh**  
partner  
Australian Business Lawyers

# Employment Law agenda

## 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

8:30am: Registration opens

**8:55** **Welcome and opening remarks from the Chairperson Fiona Inverarity, partner, Truman Hoyle**

**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?

**Andrew Gray, partner, Mallesons Stephen Jaques**

**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?

**Stephen Trew, partner, Holding Redlich**

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?

**Darren Perry, partner, Freehills**

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

- Examining the legislative changes to flexible work arrangements
- Clarifying the operational impact of the changes to your business
- What are the justifiable reasons for declining flexible work requests?
- What are the impacts of non-compliance?
- How do the Fair Work Act provisions interact with discrimination legislation?

**Dianne Banks, partner, Gilbert + Tobin**

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?

**Kathryn Dent, 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

**David Cross, 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

**Rachel Bernasconi, partner, Blake Dawson**

**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, policies 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

**Siobhan Flores-Walsh, partner, Australian Business Lawyers**

5:00pm: Conference closes

# HOW TO REGISTER

ONLINE [www.albmasterclass.com](http://www.albmasterclass.com)  
 E-MAIL [michael.cullen@keymedia.com.au](mailto:michael.cullen@keymedia.com.au)  
 FAX +612 8437 4753  
 PHONE +612 8437 4704  
 MAIL **Attn: Michael Cullen**  
**Key Media Pty Ltd**  
**Level 10, 1 Chandos Street**  
**St Leonards NSW 2065**

This form is a tax invoice when completed  
 ABN: 74 096 504 308

## PAYMENT DETAILS

**Please reserve me \_\_\_\_\_ place(s)  
 for the ALB Employment Law masterclass**

BRISBANE FEBRUARY 23 2010  
 SYDNEY FEBRUARY 24 2010  
 MELBOURNE FEBRUARY 25 2010

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

STANDARD \$984.50 INCL GST

TOTAL PAYMENT \$  INCL GST

PLEASE DEBIT  
 MY CREDIT CARD

Please supply your credit card details below

## CARD DETAILS

VISA  MASTERCARD  DINERS  AMEX

Please note: For payments made with American Express and Diners, a 4% processing fee will be added to the final invoice

AMEX 4 DIGIT PIN

CARD NUMBER

EXPIRY DATE

NAME ON CARD

CCV.

SIGNATURE

## CANCELLATION, TRANSFER AND PRIVACY

If you are unable to attend, a substitute delegate is welcome at no extra charge. Cancellations received 14 or more working days in advance will incur a 50% charge of the GST inclusive rate. The company regrets that no cancellations will be accepted within 14 working days of the start date; however, a credit note will be issued. Should we cancel or postpone a conference, delegates will receive a full refund. Key Media is not responsible for any loss, damage or additional costs as a result of an alteration, cancellation or postponement of a conference. We reserve the right to vary the program and speakers. Key Media is not liable for the content of speaker presentations. Photographs/audio visual content may be produced at this conference and may be used for future ALB Masterclass collateral.

Information provided in the registration form will be entered into our database for the purpose of processing payments and registrations. We may also use it to provide you with future marketing material. A list of seminar participants may be provided to our presenters and stakeholders.

ANOTHER EVENT ORGANISED BY



ALB

MASTERCLASS SERIES

# Employment Law Registration form

## DELEGATE INFORMATION PLEASE COMPLETE IN BLOCK LETTERS

MR/MS/MISS/MRS (please circle)

FIRST NAME

LAST NAME

COMPANY

JOB TITLE

POSTAL ADDRESS

SUBURB

STATE

POSTCODE

TELEPHONE

FAX

MOBILE

E-MAIL

A LIST OF SEMINAR PARTICIPANTS MAY BE PROVIDED TO OUR PRESENTERS.  
 TICK THIS BOX IF YOU WISH TO BE EXCLUDED FROM THE LIST

## DELEGATE 2

MR/MS/MISS/MRS (please circle)

FIRST NAME

LAST NAME

JOB TITLE

E-MAIL

## DELEGATE 3

MR/MS/MISS/MRS (please circle)

FIRST NAME

LAST NAME

JOB TITLE

E-MAIL

## DELEGATE 4 FREE

MR/MS/MISS/MRS (please circle)

FIRST NAME

LAST NAME

JOB TITLE

E-MAIL

**YOU WILL RECEIVE A CONFIRMATION OF YOUR REGISTRATION VIA EMAIL. IF YOU DO NOT RECEIVE THIS CONFIRMATION, PLEASE CONTACT ACCOUNTS ON +612 8437 4700 IMMEDIATELY.**

**FAX BACK +612 8437 4753**

5449 / TEL-MC