Provisional Program

Friday 22 September 2006

7.00 am  
Registration:  *Stamford Plaza, First floor foyer*

8.45 am  
Official Opening:  **Professor Ron McCallum AO** President Australian Labour Law Association

**Chair:**  **Amanda Coulthard**  Franklin Athanasellis and School of Law, Bond University

9.00 am  
Keynote speaker: **Professor Takashi Araki**  *Changing employment practice, corporate governance and role of labour law in Japan.*  Professor Araki is currently a Professor of law at the University of Tokyo, a member of the Labor Relations Commission in Tokyo, and a member of the Labor Policy Council, Ministry of Health, Labor and Welfare.

10.00 am  
**MORNING TEA BREAK:**  *First floor foyer*

10.30 am  
Plenary session 1:  *Ballroom 1*

**Justice Geoffrey Giudice:**  *TBA*

**David Rushton:**  *The new OEA*

**Vice President QIRC, Dianne Linnane:**  *The Queensland Industrial Relations Commission business as usual*

**Andrew Dungan:**  *State Governments: Possible strategies and initiatives*

12.30 pm  
**LUNCH:**  *Brasserie on the River, Stamford Plaza*

Launch of the Charter of Employment Rights for Australia by Mordy Bromberg, Anthony Forsyth, Jill Murray:  *Ballroom 1*

1.30 – 3.00 pm  
Parallel sessions

**Session 1A:**  *Ballroom 1*

**Chair:**  **Richard Mitchell**  Department of Business Law & Taxation, Monash University and Melbourne Law School

- **John Howe & Ingrid Landau:**  *‘Light Touch’ Labour Regulation by State Governments: A preliminary assessment*

- **Carolyn Sutherland:**  *From one to many: Institutional supervision of agreement making in Australian Labour Law*

- **Rob Durbridge:**  *Hobson’s Choice? Work Choices and beyond*

**Session 1B:**  *Raffles Rooms I, II, III*

**Chair:**  **Joellen Riley**  Law School, University of New South Wales

- **Peter Gahan & Andreas Pekarek:**  *The regulatory future of Unions: A preliminary analysis*

- **Anthony Forsyth, Samantha Korman & Shelley Marshall:**  *Joint Consultative Committees in Australia; An empirical update*

- **Carolyn Penfold:**  *Unions responses to white collar off-shoring*

- **Colin Fenwick & Kym Sheehan:**  *Seven, the Corporations Act, corporate governance and termination payments to senior employees*
Session 1C: River Room

Chair: Marilyn Pittard Faculty of Law, Monash University
- Joo-Cheong Tham: Towards an understanding of Standard Employment Relationships under Australian Labour Law
- Meredith Jones: Does Australia fit the market/outsider model: A review of the evidence on labour management practices
- Fabian Flintoff: Casual employees: Comparing Australia to Alberta

3.00 pm  AFTERNOON TEA BREAK: First floor foyer
Launch by Ron McCallum of Joellen Riley’s book, 'Employee Protection at Common Law' (Federation Press)

3.30 – 5.00 pm Parallel sessions

Session 2A: Ballroom 1
Chair: Richard Naughton Deacons, Melbourne
- Lou Floyd: Work Choices & bargaining: Swinging the pendulum too far to the right
- Gordon Anderson: Current developments in New Zealand labour law

Session 2B: Raffles Rooms I, II, III
Chair: Jill Murray School of Law, La Trobe University
- Rosemary Owens: Equality at work after Work Choices
- Lee Adams: The pentimento of the common law: Why indirect discrimination is failing
- Anna Chapman: Workers, pregnancy and babies, and the Constitution of work and family through legal regulation
- Belinda Smith: Using Equality Laws to regulate for work-family balance

Session 2C: River Room
Chair: Bill Ford Faculty of Law, University of Western Australia
- Shae McCrystal: Collective bargaining by independent contractors: Challenges from Labour Law
- Bruce Moore: Regulatory reform and quarantining independent contractors from Labour Law – a practitioner perspective
- Michael Rawling: Outworkers, owner-drivers and the Federal takeover of Labour Law
- Igor Nossar: The scope for regulating work relationships by State Government procurement contracts in the aftermath of Work Choices

7.00 – 10.00 pm CONFERENCE DINNER: River Room
After Dinner Speaker: Tony Lawrence, Victoria’s Workplace Rights Advocate
Saturday 23 September 2006

9.00 – 10.00 am Parallel sessions

**Session 3A:** Ballroom 1

**Chair:** Ron McCallum School of Law, University of Sydney

- **Chris Arup:** Labour Law as labour market regulation: New horizons
- **Clive Thompson:** Rethinking the Australian Bargaining Model

**Session 3B:** River Room

**Chair:** Richard Johnstone Social Legal Research Centre, Law School, Griffith University

- **Joellen Riley:** Estoppel in the employment context: A solution to standard form unfairness?
- **Commissioner Dominica Whelan:** The common law of employment – a new avenue for enforcing fairness?

10.00 am MORNING TEA BREAK: First floor foyer

10.30 – 11.50 am Parallel sessions

**Session 4A:** Ballroom 1

**Chair:** Graeme Orr Law School, Griffith University

- **Richard Johnstone:** A challenge for contemporary Labour Law: Issues arising from Constitutive Regulation of the firm in Occupational Health and Safety
- **Craig Cameron:** Porn and Labour Law: A cultural approach
- **Paul Harpur:** Occupational Health and Safety: Statutory protection or a human right?

**Session 4B:** River Room

**Chair:** Arthur Moses Barrister, New South Wales Bar

- **Marilyn Pittard:** Taking up the gauntlet? Courts and termination of employment remedies for individual workers in contemporary Australia
- **Cameron Roles:** Can non-solicitation of staff clauses in employment contracts be enforced? An examination of recent developments
- **Richard Naughton:** A review of the transmission of business rules in Part II of the Workplace Relations Act

**Session 4C:** Raffles Rooms I, II, III

**Chair:** Ron Baragry Australian Industry Group

- **Paul Murphy:** Work Choices: A practitioner’s reflections
- **Graeme Haycroft:** Nuts and bolts of workplace change implementation
- **Jocelyn Fredericks:** Duress & AWAs: The use of economic pressure by employers under Work Choices
- **Damian Murphy:** Remedies & penalties in Work Choices

12.00 – 1.00 pm Conference conclusion and AGM: River Room

2.00 – 6.00 PM Teachers’ Conference: Raffles Rooms II, III