

Provisional Program

Friday 22 September 2006

- 7.00 am Registration: *Stamford Plaza, First floor foyer*
Ballroom 1
- 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

- **Anthony Forsyth, Peter Gahan, John Howe and Richard Mitchell:** *Regulating for innovation in workplace production and employment systems: A preliminary discussion of issues and themes*
- **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*