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Note from ALLA's Secretary

Dear ALLA Members,

Welcome to the February 2012 ALLA Newsletter. Thank you for your continued involvement with ALLA this year.

In this edition of the newsletter, we update you on a range of labour law conferences and workshops that are taking place in Australia and internationally over the coming year, report on the inaugural conference of the newly formed New Zealand Labour Law Society, and update you on changes to the national committee following our AGM in November.

The ALLA National Conference will be held in November in Canberra, offering members a great opportunity to come to the national capital at the end of spring (a great time of year in Canberra) and discuss new research and developments in our field in a relaxed environment. Preliminary details about the conference are set out below, with more information to follow as it becomes available.

In addition to our national conference, there will be a regional meeting of the international 'Voices at Work' Project held in Melbourne in July, and the 20th World Congress of the International Society for Labour and Social Security Law in Santiago, Chile in September. Further information about both of these events is set out below.

These are all great opportunities for our members to get involved in national and international events. We also put on a diverse and vibrant array of state seminars, generally free to ALLA members. A summary of recent and upcoming state chapter events is provided below, giving members an overview of the great work of our state chapter convenors in keeping ALLA vibrant at the local level. If you have ideas for seminars, or want to assist in any way, feel free to get in touch with the convenor of your state chapter.

State chapter events are publicised to state chapters through a chapter-specific email and publication on our website. However, recognising that many of our members frequently travel around the country and might wish to attend an interstate event, we have decided to publicise all ALLA seminars nationally. In coming months, you'll receive email notifications of seminars occurring both within your local chapter and in other chapters around the country. I hope this additional information proves to be helpful to you in planning any interstate trips.

Enjoy the latest edition of the ALLA newsletter and best wishes for the upcoming year.

Shae McCrystal, Secretary, ALLA

ALLA National Conference: Canberra, November 2012

The next ALLA National Conference will be held on Fri 16 and Sat 17 November 2012, at Ridges Lakeside Hotel in Canberra. This venue is close to the city and to additional accommodation.

The conference theme will be *Working in the Public Interest*, and a Call for Papers will be sent out shortly.

The conference organising committee is comprised of Cameron Roles, Kate Leonard, Andrew Stewart, Victoria Lambropoulos and Joellen Riley. For further information contact Cameron Roles at: cameron.roles@anu.edu.au.

A pre-conference teaching workshop has been confirmed, to be coordinated by Anna Chapman and Joo-Cheong Tham. For further information or to volunteer to assist in the organisation of the workshop, contact Anna Chapman or Joo-Cheong Tham at: a.chapman@unimelb.edu.au or j.tham@unimelb.edu.au.

CPD accreditation is available for conference attendance. For more information, contact the ALLA Administrator at law-alla@unimelb.edu.au.

Voices at Work Australasian Meeting: 20-21 July 2012

Voices at Work is an ambitious project that seeks to examine the role of law both in the decline of collective worker representation and in a potential reversal of this trend. It aims to bring together scholars and policy makers from five common law countries (Australia, Canada, New Zealand, United Kingdom and United States) to promote comparative reflection on these important issues. More information about the aims of the project is available at the Voices at Work website: www.voicesatwork.org.uk.

The Australasian regional meeting of the Voices at Work project will be held on Friday 20 to Saturday 21 July, 2012, in Melbourne. The Australasian meeting will focus on the following general themes (although papers addressing other dimensions of employee voice will be considered):

1. Institutions of Voice
2. Power and Voice,
3. Locations of Voice,
4. Is Good Capitalism (with Worker Voice) Possible in a Global Economy?

Conference organisers include ALLA members Anthony Forsyth, Breen Creighton and Tess Hardy.

Papers based on developments in Australia and New Zealand will be preferred, although

comparative and collaborative studies are welcome. Abstracts addressing one or more of the workshop themes should be submitted to Anthony Forsyth by Monday 2 April 2012. Accepted presenters will be notified by Friday 20 April, and will be expected to submit a draft paper or detailed PowerPoint presentation by Friday 29 June. Papers will be made available in a password protected portion of the Voices at Work website and participants will be expected to have read the papers in advance. An arrangement will be sought to publish selected papers from this workshop in a special edition of an academic journal. In addition, the Voices at Work project aims to publish an edited volume, and a selection of papers from the Melbourne workshop may be included in that volume.

The aim is to keep the Australasian regional meeting relatively small to facilitate discussion. In addition to the workshop participants, a number of Australian and New Zealand academics working in areas related to the conference themes will be invited to attend, along with representatives from key trade union and employer organisations, and members of employment/ industrial tribunals.

Expressions of interest in attending may also be sent to Anthony Forsyth. For more information, refer to the Call for Papers on the [ALLA website](#).

NZLLS Conference: December 2011

The Inaugural Conference of the New Zealand Labour Law Society was held on 2 December 2011 in Wellington's picturesque and historic Old Government Buildings.

Hosted by the Victoria University of Wellington Law Faculty, the Conference attracted an audience of judges, practitioners, academics and students to hear a diverse and engaging collection of papers on recent developments on both sides of the Tasman.

There was a strong Australian presence at the event. ALLA President Andrew Stewart was invited

to give a keynote address, as was fellow national committee member Richard Johnstone, while Joellen Riley also gave a paper.

The Conference was widely hailed as a success, and our congratulations go to both NZLLS President Pam Nuttall and, in particular, VUW's Gordon Anderson, who launched his new book *Reconstructing New Zealand Labour Law: Consensus or Divergence?* We wish them well as they continue to develop their new Society.

International Society for Labour and Social Security Laws

XX World Congress of ISL&SSL, Santiago, Chile, 25-28 September 2012

The next ISL&SSL World Congress will be held at Hotel "W", Isidora Goyenechea 3000, Las Condes, in Santiago, from 25th to 28th September 2012.

The Congress webpage is currently available at www.congresomundialtrabajo2012.com/?lang=en.

The following agenda has been agreed upon:

Theme I: The effectiveness of Labour Law and the role of the Labour Inspection.
General Reporter, Giuseppe Casale (Italy/ILO)

Theme II: Mobbing and sexual harassment at the workplace. General co-reporters: José Luis Ugarte and Sergio Gamonal (Chile)

Theme III: Strike as a fundamental right and its possible collision with other fundamental rights of the citizens.
General reporter: Bernd Waas (Germany)

Round Tables:

- Social Security: Its present and future.
- Labour Law: Its present and future
- Litigation on labour law issues: present and future.

ALLA AGM: 3 November 2011, ALLA National Committee

ALLA's 2011 AGM was held at 5.30pm on Thursday 3 November by video conference at the offices of Blake Dawson.

The following committee members were elected at the AGM:

President: Professor Andrew Stewart
(University of Adelaide, SA)

Vice-President: Professor Marilyn Pittard
(Monash University, VIC)

Treasurer: Mr Nicholas Ellery
(Corrs Chambers Westgarth, WA)

Secretary: Dr Shae McCrystal
(University of Sydney, NSW)

Ordinary Members:

Professor Ron McCallum (University of Sydney, NSW)

Mr Michael Tamvakologos (Blake Dawson, VIC)

Mr Vince Rogers (Blake Dawson, QLD)

Associate Professor John Howe (University of Melbourne, VIC)

Ms Natalie Van der Waarden (Murdoch University, WA)

Mr Cameron Roles (Australian National University, ACT)

Ms Victoria Lambropoulos (Deakin University, VIC)

Ms Janine Smith (Carroll & O'Dea, NSW)

Mr Graham Smith (Clayton Utz, VIC)

Ms Erin McCarthy (Piper Alderman, SA)

Mr Richard Johnstone (Griffith University, QLD)

Mr Mark Rinaldi (TAS)

There have been several changes to the new committee and the ALLA executive.

The national committee said farewell to five ordinary members who did not stand for re-election, Pat Leary, Ingmar Taylor, Paul Harpur, Peter Punch and David Johns, and resigning Treasurer Michael Tamvakologos. We are grateful for their longstanding commitment to ALLA.

The national committee also welcomed new members Janine Smith (NSW), Richard Johnstone (QLD), Mark Rinaldi (TAS), Graham Smith (VIC) and Erin McCarthy (SA).

State Chapter Developments

ACT

Upcoming Events:

A seminar will be held with Professor Guy Mundlak of Tel Aviv University in the week of Anzac Day. Further information will be circulated soon.

Recent Events:

30 November 2011

The ACT State Chapter held a seminar on Wednesday 30 November 2011 at the ANU College of Law in Canberra. Janine Webster, Chief Counsel of the Fair Work Ombudsman, addressed the topic "Update from the Fair Work Ombudsman".

Convenor:

Cameron Roles, Australian National University:
cameron.roles@anu.edu.au

New South Wales

Upcoming Events:

Planning is underway in NSW for further seminars looking at the consolidation of anti-discrimination legislation, and the *Fair Work Act* Review. Details will be circulated as they become available.

Recent Events:

27 February 2012

The NSW State Chapter held a seminar on Monday 27 February 2012 at the offices of Thomsons Lawyers in Sydney. Dr Meg Smith addressed the topic "Ramifications of the Equal Remuneration Case", discussing the recent decision of Fair Work Australia in the *Equal Remuneration Case* [2012] FWA 1000. Click [here](#) to view the flyer.

5 December 2011

The NSW State Chapter held its Christmas Seminar on Monday 5 December 2011 at the offices of Thomsons Lawyers in Sydney. The Honourable Justices Stephen Rothman & Monika Schmidt from the Supreme Court of New South Wales shared their views and reflections on notable labour law

developments in 2011, in a speech entitled "Reflections from Queens Square".

11 October 2011

The NSW State Chapter held a seminar on Tuesday 11 October 2011 at the offices of Thomsons Lawyers in Sydney. ALLA President Professor Andrew Stewart addressed the topic "Paid Parental Leave and the intersections between the *Paid Parental Leave Act 2010* and the *Fair Work Act 2010*".

20 September 2011

The NSW State Chapter held a seminar on Tuesday 20 September 2011 at the Sydney Law School. Professor Gordon Anderson from Victoria University, Wellington NZ addressed the topic "Recent developments in New Zealand's Labour Laws". For more information please click [here](#).

Convenors:

Ms Jacquie Seemann, Thomsons Lawyers
Ms Janine Smith, Carroll & O'Dea Lawyers
Tashina Orchiston, Women's Legal Services NSW
Therese McDermott, Macquarie Uni (until July 2012)
Contact – janine.smith@codea.com.au

Queensland

Recent Events:

6 October 2011

The third Qld State Chapter seminar for 2011 was held on Thursday 6 October at the offices of Blake Dawson. Professor Richard Johnstone spoke on "The model Work Health and Safety Act 2011 and Precarious Workers". Professor Johnstone is Australia's leading scholar on occupational health and safety regulation. For more information please click [here](#).

Convenors:

Mr Vince Rogers, Ashurst (formerly Blake Dawson):
vince.rogers@ashurst.com

Professor Richard Johnstone, Griffith University:
r.johnstone@griffith.edu.au

South Australia

Upcoming Events:

2 May 2012

The next seminar will take place on Wednesday 2 May at 5:30pm at the offices of Piper Alderman, 167 Flinders Street, Adelaide. Andrew Stewart will speak on the issue of sham contracting. Further details will be circulated shortly.

Recent Events:

20 February 2012

The SA Chapter held a seminar on Monday 20 February at the Adelaide Law School. Dr Meg Smith of the University of Western Sydney discussed the recent equal pay ruling by Fair Work Australia for the social, community and disability services sector, which will mean substantial pay increases for its mostly female workforce. Dr Smith's research into pay equity and the undervaluation of feminised work has been the basis of international and domestic journal articles, research consultancies, expert opinions and submissions to parliamentary inquiries.

12 December 2011

The SA Chapter held a seminar on Monday 12 December at the Adelaide Law School. Anthony Forsyth of Monash University addressed the topic 'Of "Kamakazes" and "Mad Men": the Fallout from the Qantas Dispute'. The protracted bargaining dispute at Qantas not only attracted public attention – it also highlighted several issues relating to the operation of key provisions of the *Fair Work Act*. Anthony discussed these issues and possible policy responses that might emerge from the federal government's review of the *Fair Work Act* in early 2012. Andrew Stewart provided a commentary on Anthony's presentation.

Convenors:

Professor Andrew Stewart, The University of Adelaide: andrew.stewart@adelaide.edu.au

Ms Erin McCarthy, Piper Alderman:
emccarthy@piperalderman.com.au

Tasmania

Recent Events:

28 October 2011

In October, the Chapter held a Q & A forum featuring Steve Knott (CEO of AMMA), Kevin Harkins (Secretary Unions Tasmania), Ray Smith (Acting Director, Fair Work Ombudsman) as well as local IR practitioners representing businesses, unions and the profession.

9 August 2011

Tim Lee, former General Manager of Fair Work Australia spoke at a function for the Tasmanian Chapter of ALLA just prior to his appointment as a Fair Work Australia Member. This function was very popular with our members

Convenor:

Mark Rinaldi, Barrister: mrinaldi@bigpond.com

Victoria

Upcoming Events:

21 March 2012

The next seminar will take place on Tuesday 21st March 2012. Dr Meg Smith from the University of Western Sydney will discuss the *Equal Remuneration Case*.

4 April 2012

The Victorian State Chapter will hold a seminar on Wednesday 4 April 2012. The Hon Justice Peter Gray of the Federal Court of Australia will discuss *The Common Law Contract of Employment*.

19 July 2012

The Victorian State Chapter will hold another seminar on Thursday 19 July. Professor Tonia Novitz of the University of Bristol Law School will discuss the *Right to Strike*.

Recent Events:

3 November 2011

The Victorian State Chapter held a seminar on Thursday 3 November 2011 at 6pm at the offices of Blake Dawson in Melbourne following the conclusion of the ALLA AGM. Federal Magistrate Dominica Whelan addressed the topic "Workplace Litigation in the Federal Magistrates Court".

Convenors:

Professor Marilyn Pittard, Monash University:
marilyn.pittard@monash.edu

Ms Victoria Lambropoulos, Deakin University:
victoria.lambropoulos@deakin.edu.au

Western Australia

Recent Events:

24 August 2011

The WA State Chapter, in conjunction with the Industrial Relations Society of WA, held a seminar on 24 August at The University of WA. A panel composed of Daniel Lee (CCIWA), Dave Sproule (Woodside Energy Ltd), Rob Lilburne (Blake Dawson) and Trish Todd (UWA Business School) considered "The two best and worst features of the Fair Work Act - the employers' views". For more details please click [here](#).

Convenors:

Mr Nicholas Ellery, Corrs Chambers Westgarth:
nicholas.ellery@corrs.com.au

Ms Natalie van der Waarden, Murdoch University:
n.vanderwaarden@murdoch.edu.au