

# INDUSTRIAL RELATIONS SUMMIT

BOOK EARLY & SAVE \$\$\$



5<sup>th</sup>– 7<sup>th</sup> March 2012 ■ The Grace Hotel, Sydney

## KEY BENEFITS OF ATTENDING:

- ENSURE** best outcomes from enterprise bargaining for your organisation
- MITIGATE** the risk of adverse action and unfair dismissal claims
- CULTIVATE** positive working relationships with trade unions
- INSTIL** a zero tolerance culture to bullying and harassment
- UNDERSTAND** key legislative developments, including OHS Harmonisation
- PLUS:** Don't miss out on **TEN** exclusive case studies

## YOUR EXPERT LINE UP OF SPEAKERS:



The Hon. Graeme Watson,  
Vice President, Fair Work Australia



Nicholas Wilson,  
Fair Work Ombudsman Australia



Leigh Johns,  
Australian Building and Construction Commissioner

- Sue Bussell, Executive General Manager, Industrial Relations, Qantas
- John O'Brien, Head of Industrial Relations, National Australia Bank
- Peter Corkish, Employee Relations Manager, System & Compliance, Bluescope Steel
- Bill Vickers, Industrial Relations Manager, Exxon Mobil
- Mark McCarthy, General Manager, Employee Relations, RailCorp NSW
- Rosemary Holloway, National Manager, Strategy and Policy, Australian Customs and Border Protection Service

- Alex Allars, Workplace Relations Manager, CSIRO
- Judy Barnesby, Employee Relations Manager, Kraft Foods
- Steve Schofield, Group General Manager, Human Resources, Komatsu Australia
- Rod Beales, Human Resources and Employee Relations Manager, Australian Paper
- Steve Knott, CEO, Australian Mines and Metals Association
- Joe Catanzariti, Partner, Clayton Utz
- Miles Bastick, Partner, Freehills
- Andrew Gray, Partner, Mallesons Stephen Jaques
- Grace Collier, Managing Director, Industrial Relations Consulting

## PLUS: DON'T MISS THESE EXCLUSIVE WORKSHOPS ON DAY THREE!

### WORKSHOP A:

*Developing and implementing a company policy on social media: Mitigating the risks and capitalising on the benefits*

Workshop facilitator

Lauren Barel, Senior Associate, Freehills

### WORKSHOP B:

*Enterprise bargaining and union negotiation: Ensuring successful outcomes for your organisation*

Workshop facilitator

Michael Cosgrove, Director, Industrial Relations Training Academy, Director/Senior Industrial Relations Consultant, Rivercity Consulting

Researched by:



Ranked #26 on the  
BRW Fast 100 2010

## CONFERENCE DAY ONE

Monday 5<sup>th</sup> March 2012

8:30 Registration, morning tea and coffee

8:55 Opening remarks from the chair  
**Grace Collier**, *Managing Director*,  
**Industrial Relations Consulting**

## FAIR WORK ACT UPDATE AND OVERVIEW

9:00 **Fair Work Australia: The past three years in review and what's on the horizon**

- Examining the past three years of decision-making under the *Fair Work Act*
  - The 2012 Review of Modern Awards
  - An update on the 2012 *Fair Work Act* review: When will it happen and what will it mean?
  - Current and emerging issues for Fair Work Australia
- The Hon. Graeme Watson**, *Vice President*,  
**Fair Work Australia**

9:40 **An industry overview and legislative update from the Fair Work Ombudsman**

- Highlighting the role and function of the Fair Work Ombudsman
  - How the Fair Work Ombudsman encourages compliance with workplace laws
  - Best practices for employers in dealing with the Fair Work Ombudsman
  - Understanding adverse action claims under the *Fair Work Act* and examining recent cases of interest
  - The Fair Work Ombudsman's view on where the industry is in relation to the implementation of large workplace relations reforms
- Nicholas Wilson**, **Fair Work Ombudsman**

10:20 Morning tea and coffee

## GOOD FAITH BARGAINING

10:50 **The principles of good faith bargaining - from 'observing' to 'enacting'**

- Analysing the legislative requirements of good faith bargaining and the opportunities that arise for cooperative industrial relations practices
  - Encouraging collaboration in the building and construction industry by using the good faith bargaining framework to establish effective workplace relations settings
  - Highlighting the role of workplace regulators in enterprise bargaining – advising and enforcing
- Leigh Johns**, **Australian Building and Construction Commissioner**

## ADVERSE ACTION

11:30 **Mitigating the risk of uncapped adverse action claims**

- Exploring adverse action claims under the *Fair Work Act*
  - Differentiating adverse action and unfair dismissal to mitigate legal risk
  - Developments in case law and their implications
  - Implementing strategies to manage exposure to adverse action claims
- Miles Bastick**, *Partner*, **Freehills**

12:10 Networking lunch

## WORKING EFFECTIVELY WITH TRADE UNIONS

1:10 **Qantas' experiences with union negotiation and enterprise agreements**

- Analysing Qantas' approach to union negotiation
  - Examining how and why union negotiations broke down, leading to industrial action, and what was done to manage this
  - Highlighting options for when industrial actions takes place
  - What can be learnt from hindsight and how this will be implemented into Qantas' future IR strategy
- Sue Bussell**, *Executive General Manager*, **Industrial Relations, Qantas**

1:50

**Fostering practical and functional relationships with trade unions**

- Promoting healthy, mutually beneficial relationships with trade unions
  - Developing a harmonious working environment by working with in-house union delegates
  - Analysing techniques for successfully avoiding and managing union initiated IR disputes
  - Utilising win/win negotiation techniques to achieve best outcomes for your company and employees
- John O'Brien**, *Head of Industrial Relations*,  
**National Australia Bank**

2:30

**Customs and Border Protection's experiences with union negotiation and enterprise agreements**

- Customs and Border Protection's approach to union negotiation and enterprise bargaining
  - Analysing the agency's recent experiences with industrial action
  - How and why negotiations hit a hurdle and protected industrial action ensued
  - What was done to manage this?
  - Highlighting options for when industrial actions takes place
  - What can be learned from hindsight and how this will be implemented into Customs and Border Protection's future IR strategy
- Rosemary Holloway**, *National Manager, Strategy and Policy*,  
**Australian Customs and Border Protection Service**

3:00

Afternoon tea and coffee

## UNFAIR DISMISSAL &amp; ADVERSE ACTION

3:30

**Minimising the risk of unfair dismissal and adverse action claims**

- Clarifying adverse action and unfair dismissal: Analysing the differences and implementing strategies to protect your organisation from claims
  - Managing claims effectively and efficiently to protect your reputation and keep costs low
  - Approaching cases in a professional manner to avoid escalating the problem
  - Implementing business strategies to limit your exposure to unfair dismissal law suites
- Peter Corkish**, *Employee Relations Manager, System & Compliance*, **Bluescope Steel**

## SUCCESSFUL APPROACHES TO INDUSTRIAL RELATIONS

4:10

**Making the Fair Work Act work for you!**

- Strategies to take advantage of new bargaining laws to produce best outcomes for your organisation
  - Methods to manage agreements to bypass trade unions
  - Techniques to ensure best outcomes from enterprise bargaining for your organisation
- Grace Collier**, *Managing Director*,  
**Industrial Relations Consulting**

4:50

Closing remarks from chair

5:00

Close of day one

## CONFERENCE DAY TWO

Tuesday 6<sup>th</sup> March 2012

8:30

Morning tea and coffee

8:55

Opening remarks from the chair  
**Grace Collier**, *Managing Director*,  
**Industrial Relations Consulting**

## LEGISLATIVE UPDATE: OHS HARMONISATION

9:00

**OHS Harmonisation: Overcoming the challenges and impacts three months in**

- Impacts of the January 1 implementation of OHS harmonisation on the IR landscape
- Definitive legislative overview of the new framework
- Practically applying the new OHS framework to your organisation
- Considering the effects of the OHS regime on current policies and procedures
  - Extension of duties and liabilities
  - Right of entry

- Training
  - Election of health and safety representatives
- Joe Catanzariti, Partner, Clayton Utz**

## LEGISLATIVE UPDATE: UNFAIR DISMISSAL

- 9:40 **Analysing current developments in IR regulations**
- Overview of the *Fair Work Act* and the role of Fair Work Australia in relation to the transfer of business
  - Examining the implications for employers when employees and industrial instruments transfer
  - Learning from experiences in a group company context
  - Assessing opportunities for improvement and reform
- Andrew Gray, Partner, Mallesons Stephen Jaques**

10:20 Morning tea and coffee

## WORKPLACE BULLYING AND HARASSMENT

- 10:50 **Preventing adverse action claims by creating a zero tolerance culture to bullying and harassment**
- Examining legal responsibilities and consequences of bullying and harassment in the workplace
  - Implementing effective policies that cultivate a healthy, non-threatening environment
  - Analysing ways to drive the anti-bullying and harassment message throughout your organisation
  - Taking a preventative approach to bullying and harassment
  - Turning a culture of bullying and harassment around
- Mark McCarthy, General Manager, Employee Relations, RailCorp NSW**

- 11:30 **Clamping down on bullying and harassment in the workplace**
- Preventing legal action by implementing strategies that prevent bullying and harassment
  - Fostering a culture of zero tolerance towards bullying and harassment in your workplace
  - Driving the anti-bullying message throughout your organisation
  - Initiating policies that cultivate a healthy, non threatening environment
- Judy Barnesby, Employee Relations Manager, Kraft Foods**

12:10 Networking lunch

## ENTERPRISE BARGAINING

- 1:10 **The keys to successful IR agreements**
- Assessing the corporate sector's perspective on the *Fair Work Act* three years in
  - Analysing how to make collective agreements more favorable for employers
  - Highlighting AMMA's longitudinal study on the impact of Fair Work laws on the resources sector

- Examining possible amendments to the *Fair Work Act* and how this impacts workplace productivity
  - Avoiding industrial action under the Fair Work laws?
- Steve Knott, CEO, Australian Mines and Metals Association**

1:50

CASE STUDY

- Cultivating positive relationships with trade unions**
- Promoting healthy, mutually beneficial relationships with trade unions
  - Impact of *Fair Work Act*: Is it a help or hindrance?
  - Ensuring positive outcomes for both parties
  - Introducing maturity into the union/employer relationship dynamic
  - Key Learnings : Critical success factors
- Bill Vickers, Industrial Relations Manager, Exxon Mobil**

2:30

CASE STUDY

- Achieving desired outcomes from the bargaining process by being proactive in preparing and managing a bargaining strategy**
- Establishing a bargaining agenda and examining contemporary trends in terms and conditions negotiated in enterprise bargaining
  - Analysing your rights and obligations under the new rules and how the tribunals are interpreting the laws
  - Exploring options for when negotiations break down
- Alex Allars, Workplace Relations Manager, CSIRO**

3:00

3:30

CASE STUDY

- Afternoon tea and coffee
- Examining enterprise agreement trends and outcomes in the mining and resources sector**
- Analysing contemporary mining and resources trends in enterprise bargaining
  - Mitigating the risk of negative outcomes by instilling these enterprise bargaining processes
  - Highlighting options for when negotiations break down
- Steve Schofield, Group General Manager, Human Resources, Komatsu Australia**

## PERFORMANCE MANAGEMENT

4:10

CASE STUDY

- Performance management that negates legal action**
- Ensuring managers and senior executives understand the importance of performance management that avoids legal action
  - Effectively educating staff and senior executives how to do this
  - Utilising performance management to improve staff performance and moral
  - Examining ways to manage and discipline staff without triggering a legal/adverse action claims
  - Setting achievable KPIs to encourage staff and maximise productivity
- Rod Beales, Human Resources and Employee Relations Manager, Australian Paper**

4:50

5:00

Closing remarks from chair  
Close of conference

## WORKSHOP DAY - Wednesday 7<sup>th</sup> March 2012

8:30 Registration, morning tea and coffee

### WORKSHOP A:

9:00 – 12:00

**Developing and implementing a company policy on social media: Mitigating the risks and capitalising on the benefits**  
*Social media is a global phenomenon and it is here to stay. Facebook, Twitter, Myspace, LinkedIn - social media has limitless apparitions, and employers need to face the realities of the phenomenon. Employers are under increasing pressure to decide how they want to address the risks and maximise the benefits of the use of social networking sites. This workshop will explore the phenomena of social media, and assist you to develop a position and outlook on social media within your organisation.*

Attendees will:

- Experience some of the social networking sites that impact your organisation
- Understand the laws and other issues that impact your approach to social networking
- Discuss and develop the content of a policy framework on social networking sites
- Explore strategies to manage the risks that arise from these issues

Your expert facilitator:

**Lauren Barel, Senior Associate, Freehills**

### WORKSHOP B:

1:00 – 4:00

**Enterprise bargaining and union negotiation: Ensuring successful outcomes for your organisation**  
*As industrial action increases exponentially across a wide range of sectors, there is no more important skill-set for IR and HR professionals to possess than expertise in enterprise bargaining and union negotiation. Ensuring best outcomes for your employer is essential in turbulent economic times, as industrial action can completely cripple a company's bottom line.*

Attending this workshop will allow you to:

- Ensure best outcomes from enterprise bargaining for your organisation
- Implement strategies to take advantage of bargaining laws
- Analyse methods to manage agreements to bypass trade unions
- Increase company productivity throughout the negotiation process

Your expert facilitator:

**Michael Cosgrove, Director, Industrial Relations Training Academy, Director/Senior Industrial Relations Consultant, Rivercity Consulting**

(Lunch, morning tea and afternoon tea is provided to delegates attending both workshops)

