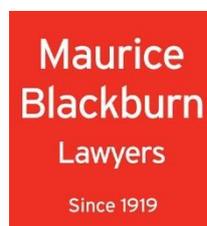


UNIONSWA

UNIONSWA INDUSTRIAL OFFICERS & LAWYERS NETWORK CONFERENCE 2015

8.30 am	Registration
8.50 am	Welcome Meredith Hammat, Secretary, UnionsWA
9.00 am	Keynote Address: How to Get On-Side and Off-Side with Commission Members Brendan McCarthy, Former Deputy President, Fair Work Commission
10.00 am	Concurrent sessions: Union Governance: The Fair Work (Registered Organisations) Act 2009 (Cth), Trade Union Royal Commission and Emerging Issues Enrico Burgio, Senior Associate, Maurice Blackburn Lawyers Union Governance and Requirements Under the Industrial Relations Act 1979 (WA) Simon Millman, Practice Group Leader, Slater & Gordon Lawyers
11.00 am	Morning Tea
11.20 am	Concurrent sessions: Corporate Structures and Commercial Confidentiality Richard Hooker, Barrister, John Toohey Chambers and Adjunct Professor, UWA General Protections, Unlawful Terminations and Equal Opportunity Laws Tim Kucera, Senior Associate, Turner Freeman Lawyers and Allan Macdonald, A/Commissioner for Equal Opportunity, Equal Opportunity Commission
12.20 pm	File Management, Self Management and Managing Workloads Matthew Keogh, Senior Associate, Herbert Smith Freehills
1.20 pm	Lunch
2.00 pm	Long Service Leave in the State and Federal Systems Cory Fogliani, Lawyer, W.G. McNally Jones Staff Lawyers
3.00pm	Recent Case Law on Redundancies Mark Cox, Director, MDC Legal
4.00 pm	Afternoon tea
4.20 pm	Introduction to a Constructive Approach to Dispute Resolution David Rogers, Senior Employee Relations Officer, University of Western Australia
5.30 pm	Please join us for drinks with the Industrial Relations Society of Western Australia

With thanks to our sponsors:



KEYNOTE ADDRESS: HOW TO GET ON-SIDE AND OFF-SIDE WITH COMMISSION MEMBERS

Proposed CPD area: Professional Skills

Get the inside scoop on how to impress a Commission member and, more importantly, what not to do!

Brendan McCarthy, Former Deputy President, Fair Work Commission

Brendan is a familiar face to many of us. Brendan was appointed to the Industrial Relations Commission of Australia in October 2001 as a Deputy President, following a long experience in workplace relations as an industrial relations practitioner and advocate with an extensive involvement in policy. Brendan retired from the Fair Work Commission in December 2014. For the majority of his term at the AIRC and the FWC he was assigned to the Metal, Manufacturing and Construction panel. The majority of industry specific work he was involved in was the construction industry and especially major resource construction projects.

CONCURRENT SESSIONS:

UNION GOVERNANCE AND REQUIREMENTS UNDER THE STATE AND FEDERAL LEGISLATION

Proposed CPD area: Ethics and Professional Responsibility

With the ongoing Trade Union Royal Commission, there is increased political media interest in union governance. It behoves all of us to be aware of the legal duties and requirements of union officials in respect of conduct, elections, finances and the like.

Union Governance: Requirements under the Fair Work (Registered Organisations) Act 2009 (Cth), Trade Union Commission and Emerging Issues

Enrico Burgio, Senior Associate Maurice Blackburn Lawyers

Enrico is a Senior Associate in the Employment & Industrial Law practice of Maurice Blackburn Lawyers. He represents unions and their members in relation to all aspects of employment, industrial and workplace relations law. Examples of his experience include: obtaining orders requiring the employer of three ASU members to grant their requests for flexible working arrangements; obtaining a number of urgent interlocutory injunctions to prevent the unlawful termination of union members, including for the AWU, AMWU and HSU; acting for the CPSU and a public sector employee in the Magistrates Court of Victoria and obtaining damages for breach of contract; and representing the RTBU in a number of enterprise bargaining matters. Enrico is currently representing a number of unions in the Trade Union Royal Commission. Enrico has previously worked in employment law for the Employment Law Centre of WA and the Equal Opportunity Commission. He has been a contributing author to the CCH Australian Master Workplace Relations Guide and the CCH Australian Labour Law Reporter.

Union Governance and Requirements under the Industrial Relations Act 1979 (WA)

Simon Millman, Practice Group Leader Slater & Gordon Lawyers

Simon started working at Slater & Gordon Lawyers in 2004, and became a partner in 2009. Initially practising in workers' compensation law, and then industrial law, in 2010 he assumed responsibility for running the Asbestos practice. Simon has appeared or instructed in all industrial tribunals and courts, the Occupational Safety and Health tribunal, the Magistrates and Industrial Magistrates Court, all Federal Courts, the State Administrative Tribunal and in state and federal equal opportunity tribunals. He has also appeared in both the state and federal workers' compensation jurisdictions. He once appeared in the Family Court, but hasn't been back.

CONCURRENT SESSIONS:

CORPORATE STRUCTURES AND COMMERCIAL CONFIDENTIALITY

Proposed CPD area: Substantive Law

Unravel the mysteries of corporate structures, such as identifying the employing entity, understanding transmission of business arrangements, and knowing the difference between an 'associated entity' and a 'related body corporate'. Learn when an employer can and can't hide behind 'commercial confidentiality'.

Richard Hooker, Barrister, John Toohey Chambers and Adjunct Professor, UWA

Richard is a Barrister at John Toohey Chambers and an Adjunct Professor at the University of Western Australia Law School. Richard graduated from UWA with First Class Honours in Law in 1991 and has a Masters degree from the University of Chicago. He commenced his professional career at the then Crown Solicitor's Office in 1989 before commencing practice as a barrister in 1998. Richard's 'day job' as a Barrister encompasses a number of areas of civil litigation, but his primary specialities lie in public law, as well as industrial and employment law. Richard is listed in Doyles Guide as one of WA's leading employment and workplace relations barristers. At UWA, he has been a faculty member in one capacity or another since the early 1990s, mostly in public law-related areas and advocacy. In Richard's 'spare' time he enjoys reading, parenting and drinking wine.

GENERAL PROTECTIONS, UNLAWFUL TERMINATIONS AND EQUAL OPPORTUNITY LAWS

Proposed CPD area: Substantive Law

An overview of causes of action and remedies available in relation to general protections, unlawful terminations and equal opportunity laws in the state and federal jurisdictions.

Tim Kucera, Senior Associate, Turner Freeman Lawyers

Tim is a Senior Associate at Turner Freeman Lawyers. Tim has been working in and around trade unions in the meat, manufacturing, construction and mining industries since 1991. He has worked on major industrial cases in both state and federal industrial jurisdictions including cases on rights of entry, freedom of association and actions by the Australian Building Construction Commission and large companies against unions and their members. Tim's work regularly requires him to appear in the various courts as well as the Fair Work Commission, the Western Australian Industrial Relations Commission and the WA Occupational Health & Safety Tribunal.

Allan Macdonald, A/Commissioner for Equal Opportunity, Equal Opportunity Commission

Allan is an Australian rock musician and lawyer, best known as the drummer of the 1980s band The Triffids. After completing his articles in 1996, Allan worked as a legal officer at the EOC, eventually becoming its Senior Legal Officer. He is currently the Acting Commissioner.

FILE MANAGEMENT, SELF MANAGEMENT AND MANAGING WORKLOADS

Proposed CPD area: Practice Management

The notoriously high burnout rate among industrial relations practitioners makes this session a must for all of us. Learn how to better manage your workload and stay on top of your files.

Matthew Keogh, Senior Associate, Herbert Smith Freehills

Matthew (BA (Hons) LLB (UNDA)) works as a Senior Associate in the Disputes Group at Herbert Smith Freehills, practising in contentious regulatory matters, white collar crime, anti-bribery and corruption, regulated assets and insurance. Matthew was the 2015 President of the Law Society of Western Australia before stepping down in August to run in the recent Canning by-election. He is the Chairperson of the Law Access board, a member of numerous Law Society committees, the Committee of Management of the Street Law WA community legal centre, and also the former chair of its Australian Young Lawyers Committee. Previously, Matthew was a Principal Legal Officer with the Perth Office of the Commonwealth Director of Public Prosecutions in the Commercial Prosecutions branch after having commenced practice in 2005 at the suburban firm of Travers & Keogh in Kelmscott. Prior to the law, Matthew was a policy advisor in the Gallop Government. In 2009 Matthew was awarded as the Australian Young Lawyer of the Year.

LONG SERVICE LEAVE IN THE STATE AND FEDERAL SYSTEMS

Proposed CPD area: Substantive Law

Cory Fogliani has been at the forefront of recent case law on long service leave in the state and federal systems. He will provide a discussion on this complex area, including on recent case law developments.

Cory Fogliani, Lawyer, W.G. McNally Jones Staff Lawyers

Cory commenced with W.G. McNally Jones Staff as a law clerk in April 2013. Cory was admitted to practice as a lawyer in April 2014. He is listed on the register of practitioners in the Supreme Court of Western Australia and the High Court of Australia. Cory is a qualified locomotive driver. Before moving into the legal profession, Cory spent time driving freight/bulk trains in the south west of Western Australia. Cory also spent several years as an elected official and industrial officer at the Rail Tram and Bus Union in Western Australia. Cory's main areas of interest are employment law, industrial relations, contract law and restitution/unjust enrichment. He is also a keen martial artist outside of work.

RECENT CASE LAW ON REDUNDANCIES

Proposed CPD area: Substantive Law

With the current economic downturn, employers are cutting costs and workforces. And it's not just resource companies – the downturn has already had an effect on other businesses and the WA State Government's budget, resulting in public sector and other job cuts as well. Advising and assisting members facing redundancy is sadly becoming an ever-growing component of our work.

Mark Cox, Director, MDC Legal

Mark (BA LLB Hons, University of Melbourne) was admitted in 1998 and is Director of MDC Legal. Mark has practiced in employment and workplace relations law for over 15 years. He was also associate to the former Chief Justice of WA, the Hon David Malcolm AC, QC in 1999 and 2000. Having worked in a boutique commercial litigation firm, and then as a senior associate of a national law firm, leading the industrial and general litigation division of its Perth Office, and as the former Principal Solicitor of the Employment Law Centre, WA, Mark is a well-regarded practitioner in workplace relations law, named as a 'leading lawyer' in Doyle's Guide 2014 and 2015, and recommended in 2011, 2012 and 2013. Mark has conducted litigation and acted as counsel in several jurisdictions in a wide variety of matters.

INTRODUCTION TO A CONSTRUCTIVE APPROACH TO DISPUTE RESOLUTION

Proposed CPD area: Professional Skills

Effective and efficient dispute resolution needs a range of procedural and communication skills. David will demonstrate how disputing parties can work together to resolve their issues.

David Rogers, Senior Employee Relations Officer, University of Western Australia

David is a nationally accredited mediator. He promotes and co-ordinates mediation practice at UWA and is an active practitioner. David holds degrees in Political Science and Law and is admitted as a legal practitioner in NSW. Before joining UWA, David worked as an industrial officer for the ASU for eight years and was involved in a variety of dispute resolution practices, including negotiation, mediation, conciliation and arbitration. David has co-presented Alternative Dispute Resolution (ADR) courses at UWA since 2010. David's interest areas are Employee Relations and ADR.

CONFERENCE DRINKS with the INDUSTRIAL RELATIONS SOCIETY OF WESTERN AUSTRALIA

We invite network members, speakers, sponsors and members of the Industrial Relations Society of Western Australia to join us for drinks. This is an opportunity for industrial practitioners from unions and employers to come together in an informal, non-adversarial environment, and to learn more about what the Industrial Relations Society of Western Australia has to offer. The Industrial Relations Society of Western Australia is an independent, non-partisan association which welcomes anyone studying, working or interested in employment relations and encourages discussion and debate on the wide range of issues affecting the employment relationship.