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Note from ALLA's Secretary

Welcome to the October 2009 ALLA Newsletter. Thank you for your involvement with ALLA this year.

I would particularly like to acknowledge the ALLA members who provided feedback during the 2009-2010 renewal process. Your feedback has been collated and discussed by the ALLA National Committee. We are constantly striving to be the best that we can be, and your feedback is always taken seriously. Please do let us know your suggestions and criticisms, or what you like about our current activities.

One aspect of the feedback that we are already acting on is the request for ALLA to distribute speaking notes/slides from ALLA seminars to those ALLA members who are interstate, regional or unable to attend the seminar. Whenever available, we will endeavour to forward speaking notes to ALLA members. I have attached the slides from the QLD State Chapter Seminar conducted by Anthony Forsyth to this newsletter.

Thank you also to our volunteer State Chapter Convenors, who have continued to arrange an array of interesting State Chapter Seminars. You will find an overview of recent and upcoming events below.

In addition to these various State Chapter events, this September saw ALLA hosting the International Society for Labour and Social Security Law 19th World Congress. Over 300 delegates from all over the globe gathered together for three full days of informative discussion. A highlight for me was the address by Wilma B. Liebman, Chairman of the

United States National Labor Relations Board (NLRB).

The World Congress took three years to organise, and involved a huge effort on the part of Ron McCallum and the other members of the Sydney Organising Committee, especially Ron Baragry, Shae McCrystal, Peter Punch, Joellen Riley and Graham Smith. Richard Mitchell took responsibility for organising the interesting and stimulating Workshops program at the Congress involving speakers from around the globe on a range of topical issues. I thank all the people I have mentioned, as well as the other members of the ALLA National Committee, for their role in staging a successful international event. I would also like to thank those organisations that sponsored the Congress. Without their support we would not have been able to host such a substantial event. Last, but not least I want to thank our conference organisers, ICMS Australia. Sandra Ibrahim and her team did a wonderful job to ensure that the Congress ran smoothly.

Turning to the year ahead of us, I am pleased to announce that the fifth ALLA Biennial Conference will be held in Adelaide next year. Stay tuned for further updates regarding what will no doubt be a fantastic event. Finally, I would like to remind you that the ALLA AGM will be held on 16 November.

Best wishes for the remainder of the year.

John Howe
Secretary, ALLA

State Chapter Developments

ACT

Recent Events:

The ACT Chapter held a State Chapter Seminar on 25 August 2009. Robin Stewart-Crompton (Chair, 2008-09 National Review, Model OHS Laws) discussed *National OHS Reform: What does the future hold?* The Seminar was held at the ANU College of Law.

On 25 March, the ACT Chapter held a seminar in conjunction with the Industrial Relations Society of the ACT. Professor Joellen Riley addressed the topic '*Good Faith Obligations in the Employment and Industrial Law Context*'.

Convenors:

Michael Rawling, Australian National University: michael.rawling@anu.edu.au

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

New South Wales

Upcoming Events:

The NSW State Chapter will hold its next seminar on Thursday 5 November at 5.30pm at the University of Sydney. Professor Keith Ewing (King's College, University of London) will address the topic: *Legal Strategies for Trade Union Recovery: Lessons from Three Continents*. You will find more details about the seminar topic, as well as information about Keith Ewing on the ALLA website.

Recent Events:

The NSW State Chapter held its most recent seminar on Wednesday 5 August at the University of Sydney. Professor Andrew Stewart (John Bray Professor of Law, The

University of Adelaide) addressed the topic: *The Fair Work Act: The Story So Far*.

On Wednesday 24 June, the NSW State Chapter held a seminar at Carroll & O'Dea Lawyers, Sydney. Associate Professor Amanda Coulthard addressed the topic: *Garden Leave, The Right to Work and Restraints on Trade*.

The New South Wales State Chapter held a further seminar on Wednesday 29 April, 2009. Ingmar Taylor addressed the topic: *Independent Contractors and Unfair Contracts: Recent Decisions Under the Independent Contractors Act 2006*.

Convenors:

Dr Shae McCrystal, University of Sydney: S.McCrystal@usyd.edu.au

Mr Peter Punch, Carroll & O'Dea Lawyers: ppunch@codea.com.au

Queensland

Upcoming Events:

The Queensland State Chapter will hold its next seminar on November 26. Professor Joellen Riley (Sydney Law School) will be presenting. More details will be uploaded to the ALLA website soon.

Recent Events:

The Queensland State Chapter held its last seminar on Thursday October 22, 2009. Michael Tamvakologos from Blake Dawson discussed *Misleading and Deceptive Conduct in Employment: Issues and Remedies*.

The Queensland State Chapter also held a seminar on Thursday August 6, 2009. Associate Professor Anthony Forsyth discussed

'Good Faith Bargaining Under the Fair Work Act: What Influence Will Overseas Law and Practice Have?' You will find slides from this seminar attached. Please note that Anthony suggested that members might be interested in the paper by Logan on US union avoidance consultants, available at: <http://www.tuc.org.uk/extras/loganreport.pdf>

Convenor:

Ms Amanda Coulthard, Franklin Athanasellis: amanda.coulthard@mac.com

South Australia

Recent Events:

The South Australian State Chapter held a Seminar on Tuesday 17 March. Peter Hampton, Director of Policy and Strategy, SafeWork SA, discussed the topic: *Safety First? The Future of OHS Regulation.*

Convenor:

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

Tasmania

Convenor:

President Pat Leary, Tasmanian Industrial Commission: pat.leary@justice.tas.gov.au

Victoria

Recent Events:

The Victorian Chapter held a State Chapter Seminar on Monday 3 August. The Honourable Justice Geoffrey Giudice (President of Fair Work Australia) addressed the topic: *The Fair Work Act: Changes in the legislation and dawn of the new era.*

Convenors:

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

Ms Shelley Marshall, Monash University: shelley.marshall@buseco.monash.edu.au

Mr Michael Tamvakologos, Blake Dawson: michael.tamvakologos@blakedawson.com

Western Australia

Recent Events:

Run in conjunction with the University of Western Australia, the WA State Chapter held a seminar on Thursday 4 June at The University of Western Australia, Perth. Associate Professor John Howe (The University of Melbourne) addressed the topic *Job Security and the Fair Work Act in a Global Financial Crisis.* Marcia Kuhne (Director, Workplace Relations Policy, Chamber of Commerce & Industry, WA), Dean Ellis (Industrial Officer/Lawyer with the Health Services Union) and Nick Ellery (Australian Labour Law Association, Corrs Chambers Westgarth) responded to the address.

Convenor:

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

2009 International Society for Labour & Social Security Law (ISLSSL) World Congress in Sydney

ALLA's affiliation with the ISLSSL means that ALLA members have opportunities to become involved in the World Congress, Regional Congresses, and Study Groups of ISLSSL.

From 1 – 4 September this year, the Australian Labour Law Association hosted the 19th ISLSSL World Congress in Sydney. Held at the Sofitel Wentworth Sydney, around 300 delegates enjoyed presentations from esteemed academics and practitioners from around the world. In addition to an outstanding address by Wilma B. Liebman, Chairman of the United States National Labor Relations Board (NLRB), other distinguished

presenters included Professor Carlos Hernández (Pontifical Catholic University Madre & Maestra (PCUMM) School of Law), Professor Antoine Jeammaud (Université de Lumière Lyon 2), Professor Gillian Lester (U.C. Berkeley School of Law) and Professor Rosemary Owens (The University of Adelaide).

ALLA would like to acknowledge and thank the Congress Organising Committee, led by Professor Ron McCallum AO, for their outstanding job in putting on such a successful international event.

ALLA's Fifth Biennial Conference: Adelaide, 2010

Every second year, ALLA coordinates the ALLA Biennial National Conference. The last Conference, held in Melbourne in November 2008, featured over 30 presenters, and was attended by more than 170 delegates.

Attendees enjoyed provocative speeches, and were fortunate enough to hear new announcements about the *Fair Work Bill* first

hand, with a speech given by Deputy Prime Minister Julia Gillard.

The ALLA National Committee is pleased to announce that the Fifth Biennial Conference will be held in Adelaide in 2010. Details about submitting papers and the Conference itself will be available in the coming months.

ALLA AGM: 16 November 2009

ALLA's 2009 AGM will be held at 5.30pm on 16 November at the offices of Blake Dawson Melbourne. Members in other states can participate via videoconference or telephone conference. ALLA members are warmly invited to attend the AGM, and consider nominating for a National Committee position.

For further information, please contact Catherine at law-alla@unimelb.edu.au.

ALLA would like to thank Blake Dawson for hosting this event.