



2024 National Conference

Assessing the Impact of Change and Reform in Australian Labour Law

8–9 November 2024, Novotel Geelong

Conference Program

<https://austlabourlaw.asn.au>

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DAY 1: FRIDAY 8 NOVEMBER 2024

8.45-9.05am	<p align="center">Welcome – ALLA President, Distinguished Professor Anthony Forsyth Welcome to Country – details to be confirmed</p>		
9.05-11.00 am	<p align="center">Keynote Plenary (chaired by Prof. Anthony Forsyth):</p> <p align="center"><i>Assessing the impact of recent workplace law reforms (Secure Jobs Better Pay Act 2022 & Closing Loopholes Acts 2023 & 2024)</i> <i>The Fair Work Commission Perspective – Justice Adam Hatcher, President, FWC</i> <i>The Fair Work Ombudsman Perspective – Anna Booth, FWO</i></p>		
11.00-11.30am	<p align="center">Morning tea</p>		
11.30am-1.00 pm	<p align="center">Concurrent Sessions</p>		
	<p align="center">Respect@Work & Other Reforms of Sexual Harassment Laws</p> <p>Susan Price Ella Kelly Isabel Michaels Alicia Barron <i>The paradox of choice: examining the options for workplace sexual harassment claims and progress on the Respect@Work changes</i></p>	<p align="center">Underpayment & Wage Theft</p> <p>Melissa Kennedy <i>The Rise and Fall of the Victorian Wage Theft Offences</i></p>	<p align="center">The Operation of Reforms to Collective Bargaining</p> <p>Larissa Harrison and Anthony Forsyth <i>18 months of multi-employer bargaining reform</i></p>
	<p>Penny Thew <i>Tackling bullying and harassment in the legal profession: systemic discrimination and positive duty powers under the Sex Discrimination Act 1984 (Cth)</i></p>	<p>Domenico Lococo <i>How will the Federal Criminal Offence Targeting Wage Underpayments Impact International Students from India?</i></p>	<p>Mark Bray and Shae McCrystal <i>Non-union collective agreements and the Fair Work Amendments 2022-2024</i></p>
	<p>Philippa Munton <i>Underpayment class actions: Who pays and who benefits?</i></p>	<p>Clive Tillman <i>Reinvigorating Collective Bargaining in the Post Covid Era</i></p>	
1.00-2.00pm	<p align="center">Lunch</p>		

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2.00-3.15pm	Concurrent Sessions		
	Marking the Anniversaries of the Sex and Age Discrimination Acts	The Institutions and Processes of Labour Law Reform	Collective Bargaining and Dispute Resolution
	Dominique Allen <i>40 Years of the Sex Discrimination Act - A Cause for Celebration, Commendation or Commiseration?</i>	Marilyn Pittard <i>Reforming zeal - contentious issues, influence of minorities and Parliamentary process in recent workplace law reform</i>	Jonathan Sale Arlene Sale John Burgess Al Rainnie <i>Managing organisational change with staff redundancies in the Australian university sector: A closer look at consultation terms under enterprise agreements approved post Secure Jobs, Better Pay Act</i>
	Belinda Smith <i>Change and Reform: Examining the Sex Discrimination Act 1984 (Cth) as a tool for achieving gender equality - what does the Positive Duty add?</i>	Daniel Tracey <i>DEWR Perspectives from the Public Service: Developing policy and legislation on workplace relations reforms</i>	Brendan Schwab <i>Opting Out': Collective Bargaining in professional team sports in an era of change and reform in Australian labour law</i>
Alysia Blackham <i>Assessing the Impact of Change and Reform: The Age Discrimination Act 2004 (Cth) 20 years on</i>	Graeme Orr <i>From 'Please Sir' to 'See You in the FWC': Rights to Request or Refuse and the Role of the Commission</i>	John Howe Ingrid Landau Petra Mahy Professor Richard Mitchell Amanda Selvarajah Carolyn Sutherland Trang Tran <i>Collective Labour Dispute Resolution in Practice in Indonesia, the Philippines and Vietnam: An Empirical Assessment</i>	
3.15-3.45pm	Afternoon tea		
3.45-4.45pm	Concurrent Sessions		
	Litigating Labour and Discrimination Law	Workplace Flexibility in Response to Employee Demands	Implications of Reforms for Unions and Management
	Larissa Andelman <i>The onus of proof and causation in discrimination proceedings</i>	Paul Ronfeldt Mia Shaddock <i>Flexible work arrangements and mental illness</i>	Nicole McPherson <i>Right of Entry in the Digital Age</i>
Adriana Orifici <i>The current duty of reasonable care in workplace investigations</i>	Ryan Murphy <i>Keeping control of the remote: An argument against a blanket right to work from home</i>	David Quinn <i>Square pegs in round holes – Unions and the corporations power</i>	

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	Emma Graham <i>“A Number in the System”: Inequality in the Employment Relationship as a Driver of Maternal Job Loss</i>	Amanda Selvarajah <i>Breastfeeding Bodies at Work: The Case for Transforming Business as Usual</i>	
4.45-5.30 pm	Book Launch: <i>Research Methods in Labour Law: A Handbook</i> (edited by Alysia Blackham & Sean Cooney)		
7.00-11.00pm	Conference Dinner		

DAY 2: SATURDAY 9 NOVEMBER 2024

9.00-9.05am	Introductions		
9.05-10.30am	Plenary (chaired by Dr Amanda Selvarajah)		
	<i>The Advancement of Gender Equality in Australia and Reflections on Recent Reforms</i>		
	<i>In the previous two years, we have seen a range of significant changes to the law that have been targeted towards promoting gender equality at work. In this plenary panel, experts in the field will consider a range of significant changes, from measures to address the ongoing gender pay gap to the recent prohibition of pay secrecy clauses. They will discuss how these changes might impact on employer practices, worker rights and the functions of agencies. The panel will feature Dr Anna Cody (Australia's Sex Discrimination Commissioner) Dr Niki Vincent (Victoria's Public Sector Gender Equality Commissioner) and Professor Rae Cooper AO (Professor of Gender, Work and Employment Relations, University of Sydney and founding Director of the Australian Centre for Gender Equality and Inclusion at Work).</i>		
10.30-10.50 am	Morning tea		
	Concurrent Sessions		
10.50am-12.20 pm	Developments in Aotearoa New Zealand	Where Next for the Contract of Employment?	Historical Perspectives on Labour Law
	Gordon Anderson Yvonne Oldfield <i>Developments in New Zealand Labour Law: A return to neo-liberalism?</i>	Caroline Kelly <i>Public Law and Labour Law: Control and Discipline in the Common Law Contract of Employment</i>	Michael Quinlan <i>The Development of Australian Labour Law 1788-1888</i>
	Ria Holmes <i>Collective bargaining: Collective Agreement clauses, employee perspectives. Tikanga Māori relevance to employment law in New Zealand. Indigenous experiences</i>	Eugene Schofield-Georgeson <i>Contract, Labour Law and the Realities of Working Life</i>	John Howe <i>The Eight Hour Day Movement and the Development of Australian Labour Law before 1900</i>
	Alan Toy & Nadia Dabee <i>Is there a role for compulsory arbitration in collective bargaining after repeal of the Fair Pay Agreements Act 2022 in NZ?</i>	Blade Atton <i>Overruling Addis? Limitations on the recovery of damages for breaches of contracts of employment</i>	Richard Naughton <i>19th Century Origins of Conciliation and Arbitration</i>

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	Grant Morris <i>The evolving relationship between employment mediation and the Employment Relations Authority in Aotearoa New Zealand</i>	Imogen Szumer <i>The Ultimate Arbiter of Good Business? The Fair Work Commission, Managerial Prerogative, and Opportunities for Unions and Employees</i>	
12.20-1.00pm	Lunch		
	Concurrent Sessions		
1.00-2.30pm	AI and Privacy Issues in Workplace Law	Wage-Setting and Precarious Work	Improving Workplaces and Working Conditions for Diverse Groups of Workers
	Angelo Capuano <i>Investigating bias based on class, race and disability in ChatGPT and other Large Language Models: Is discrimination law in Australia equipped for the latest leap in AI?</i>	Shelley Marshall <i>Implications of new international developments regarding living wages for Australia</i>	Karen Iles Anna Boucher Alicia Snijders <i>Doing Employment Law 'Our' Way: Making employment law advice better for Indigenous women</i>
	Danae Fleetwood <i>AI is watching, but where is the law reform? Exploring the forgotten workplace surveillance laws</i>	Luigi Amoresano Igor Nossar <i>Securing Compliance with Minimum Legal Working Standards Throughout Contract Networks (such as supply chains): The Scope for Strategic Co-enforcement within public sector procurement supply chains by means of innovative regulatory intervention into contract network governance structures</i>	Imogen Beynon <i>Recognising Artists as Workers: Award and Agreement Making in the Visual Arts</i>
	Natalie Sheard <i>AI-Driven Hiring Systems: The Impact on Equality Rights in Australia</i>	Ema Moolchand <i>Institutionalised Wage Theft in the Meat Industry through the PALM Scheme</i>	Alex Cousner <i>Secrecy and Culture in the Finance Sector</i>
	Lisa Heap <i>No Blood – No Job: Workers’ privacy and the collection of biometric data at work</i>	Marius Olivier <i>Labour and Social Protection for Temporary Migrant Workers: The Need for Further Reform</i>	Natalie van der Waarden <i>Protections for young workers</i>
2.30-2.45pm	Afternoon tea		
2.45-3.45pm	ALLA Annual General Meeting		