

10th Annual Public Sector Summit
30 & 31 October, Cliftons Centre Canberra



Legal Framework For
PEOPLE MANAGEMENT AND
WORKPLACE RELATIONS IN
THE PUBLIC SECTOR

**Addressing the impact of the current legal and legislative framework
on people management and workplace relations and in the public
sector**

Key issues to be addressed include:

- ✚ Practical strategies to deal with employee behavior and complaints and framework for the investigation process
- ✚ HR policy development in managing high-conflict employees and unreasonable conduct
- ✚ Legal safeguards for employees subjected to bullying and lessons learned in last 10 years
- ✚ Managing disciplinary procedures at workplace from a people management perspective
- ✚ Balancing the tension between performance management and disciplinary issues
- ✚ Key challenges and legal concerns in drug and alcohol testing of employees
- ✚ Strategies for dealing with unusually persistent complaints in the workplace
- ✚ Strategies for mediating of internal employee grievances and disputes
- ✚ Steps to be taken post-ADR including tips for building a positive workplace culture
- ✚ Managing the operational and legal impact of new technology and social media in public sector workplace
- ✚ Managing the privacy of employees and what an employer can and cannot monitor
- ✚ Six models of individual litigant behavior and managing issues with an eye to legal claim
- ✚ Managing stress and mental health issues and its impact on employee productivity
- ✚ Legal concerns and permissibility issues dealing with mental health and employee productivity
- ✚ When and how can employment can be terminated in the Australian Public Service
- ✚ Strategic management of termination of employment and managing unfair dismissals
- ✚ Relevance of the Public Interest Disclosure Act on people management policies
- ✚ Current workplace culture and reporting of harassment in public sector workplace
- ✚ Findings of the AHRC survey and its implications for public sector workplace
- ✚ Reporting of sexual harassment, inside and outside an organization
- ✚ Managing Comcare claims and liabilities for psychological injuries
- ✚ How to effectively handle claims involving psychological/psychiatric and complex pain syndromes

3 EASY WAYS TO REGISTER!

TEL: (02) 95807327 FAX: (02) 9585 2094, Email: info@learningnetworks.com.au

Overview

After nine successful summits, Learning Network Solutions is proud to present its 10th People Management and Workplace Relations summit. backed up by an excellent speaking panel and 12 sessions, the summit is catered for HR professionals and legal advisors working in the public sector. It will address the impact of the legal and legislative framework on people management and workplace relations in the public sector.

Backed up by a diverse and experienced panel of speakers, all sessions are new and will address the current issues relevant to the public sector workplace. The sessions will address practical strategies in how to apply the legal framework when incorporating and implementing your workplace relations and people management policies. It will also address key legal principles and guidelines that impact the people management process.

Delegates can take advantage of a very attractive registration price coupled with excellent discounts that will meet all budgets and provide value for money. CPD points apply and you can claim 1 point for every 1 hour of attendance.

Who Should Attend: Public sector professionals involved with:

- ✚ Employee Management and Employee Relations
- ✚ People Management/Human Resource Management
- ✚ Workplace Relations
- ✚ Workplace Health & Safety
- ✚ Legal advisory

Summit Agenda

Day1, Wednesday, 30 October

8.30 - 9.00: REGISTRATION AND TEA ON ARRIVAL

9.00 - 9.15: OPENING REMARKS BY THE CHAIR

Vince Sharma, Partner, **MILLS & OAKLEY**

9.15-10.15: SESSION 1

EMPLOYEE COMPLAINT MANAGEMENT: LEGAL GUIDELINES AND STRATEGIES TO DEAL WITH EMPLOYEE COMPLAINTS AND FRAMEWORK FOR THE INVESTIGATION PROCESS

- Good practical guidelines for internal complaint process
- Practical tips for HR professionals to deal with employee complaints
- Relevance of the “The Public Interest Disclosure Act “
- Dealing with unusually persistent complainants
- Outcomes from the process: how to deal when allegations are admitted or clearly evident

Andrew Klein, Partner, Workplace Relations, Employment & Safety, **MILLS OAKLEY**

10.15 -10.35: NETWORKING TEA BREAK

10.35-11.35: SESSION 2

COMCARE CLAIMS AND LIABILITIES FOR PSYCHOLOGICAL INJURIES

- Liability for psychological / psychiatric conditions – what is a “significant contribution”?
- Handling claims involving psychological / psychiatric conditions and complex pain syndromes
- Tips for dealing with complex claimants
- Brief case law update

Scott Moloney, Partner, **MORAY & AGNEW**

11.35 -12.35: SESSION3

WRONGFUL AND UNFAIR DISMISSAL AND HOW TO MANAGE DISCIPLINARY PROCEDURES FROM A PEOPLE MANAGEMENT PERSPECTIVE

- Recent cases and the key criteria for determining wrongful and unfair dismissal
- When and how an employment can be terminated in Australian Public Service
- Can you make an employee redundant because of their poor workplace performance?
- How to balance the tension between performance management and disciplinary issues
- Minimising the risks of unfair dismissal and unlawful termination

Kate Plowman, Partner, MINTER ELLISON

12.35 -1.30: NETWORKING LUNCH BREAK

1.30-2.30: SESSION4

CURRENT STATE OF WORKPLACE PRACTICES FOR DEALING WITH SEXUAL HARASSMENT IN THE PUBLIC SECTOR WORKPLACE

- Findings of AHRC survey and its implications for Australian workplace
- Current workplace culture and reporting of harassment
- Preventing and responding to allegations of harassment
- Reporting sexual harassment – channels of reporting inside and outside an organization
- Legal obligations of an organization to keep workplace free of harassment
- Recent cases arising from workplace sexual harassment

Emma Reilly, Partner, MORAY & AGNEW

2.30-3.30: SESSION 5

PEOPLE MANAGEMENT POLICIES – HOW TO MANAGE ISSUES OF BULLYING, HARRASMENT AND INTIMIDATION IN THE WORKPLACE

- Defining workplace bullying and harassment and lessons learnt from previous cases
- What constitutes bullying and harassment
- Measures to manage risks caused by bullying, harassment and intimidation
- Legal safeguards for employees subjected to bullying, harassment and intimidation

Anca Costin, Senior Associate - Employment & Industrial Law Group, BRADLEY ALLEN LOVE

3.30 -3.50: NETWORKING TEA BREAK

3.50-4.50: SESSION6

THE SIX MODELS OF INDIVIDUAL LITIGANT BEHAVIOUR

- Sources of claims;
- Managing issues with an eye to a legal claim;
- Optimising your tribunal appearance;
- To settle or not to settle? The ingredients;
- The six models of individual litigant behaviour

Katrina Anderson, Senior Associate, SEYFARTH SHAW AUSTRALIA

4.50-5.00: SUMMING UP OF DAY 1

9.00 – 9.15: OPENING REMARKS BY THE CHAIR**Vince Sharma, Partner, MILLS & OAKLEY****9.15- 10.15: SESSION7****MANAGING PRIVACY OF PUBLIC SECTOR EMPLOYEES**

- Rights and responsibilities under the Privacy Act
- The Privacy Act 1988 and how it deals with employee records
- Can an employer monitor your activities at work?
- What an employer can and cannot monitor
- How much privacy do you really have?

William Ward, Special Counsel, MEYER VANDENBERG LAWYERS**10.15-10.35: NETWORKING TEA BREAK****10.35-11.35: SESSION 8****MANAGING STRESS AND MENTAL HEALTH ISSUES IN THE WORKPLACE AND ITS IMPACT ON EMPLOYEE PRODUCTIVITY**

- Link between employee productivity and stress and mental health management
- Protections offered by the current legal framework and its impact
- What steps should organizations take to address workplace related mental health issues?
- Mental health and employee performance: what are permissible?
- Can mental health be relevant to reasonableness of penalty?
- Some practical strategies for employers to deal with the above

Sarah Ralph, Partner, NORTON ROSE FULLBRIGHT**11.35-12.35: SESSION 9****SUCCESSFULLY MANAGING YOUR MOST DIFFICULT EMPLOYEES**

- Understanding high-conflict employees and unreasonable complainant conduct
- How to proactively manage unreasonable complainant conduct
- Navigating your legal obligations to achieve great outcomes for your organisation

Bede Gahan, Partner, HWL EBSWORTH**12.35-1.30: NETWORKING LUNCH****1.40-2.40: SESSION10****EMERGING ISSUES IN SOCIAL MEDIA AND DRUGS & ALCOHOL TESTING OF EMPLOYEES**

- Social media in the workplace: challenges and concerns
- Risks, monitoring, the approach of Fair Work Australia
- Drug and alcohol testing of employees – can you? should you? and, how should you?
- Getting the balance right

Luis Izzo, Managing Director, AUSTRALIAN BUSINESS LAWYERS & ADVISORS

2.40-3.40: SESSION 11

STRATEGIC MANAGEMENT OF TERMINATIONS OF EMPLOYMENT

- The key elements of the process
- Managing the issues of general protections claims
- Addressing the other avenues of claim
- Case studies and recent case law developments

Ross Jackson, Partner, **MADDOCKS**

3.40-4.00: NETWORKING TEA BREAK

4.00-5.00: SESSION 12

MEDIATION OF INTERNAL EMPLOYEE GRIEVANCES AND DISPUTE

Workplace grievances and disputes can often lead to lost productivity, absenteeism, presenteeism and ultimately litigation. Taking proactive steps to manage internal grievances at early stages and building a positive workplace culture of open-communication and proactive management can make all the difference. In our presentation we will provide strategies for avoiding these issues festering, including:

- explaining conflict and the underlying dynamics: including a brief exploration of common issues which result in conflict including workplace change, poor management, cultural and communication issues;
- alternative dispute resolution: an explanation of ADR and the benefits of facilitative processes such as coaching, mediation and facilitation operate;
- informal v formal management of grievances and disputes;
- how best to manage and conduct a workplace investigation; and
- steps to be taken post-ADR including tips for building a positive workplace culture

Layla Langridge, Senior Associate, Workplace, **SPARKE HELMORE LAWYERS**

Ian Bennett, Senior Associate, **SPARKE HELMORE LAWYERS**

5.00-5.10: SUMMING UP AND CLOSE OF THE SUMMIT

LEGAL FRAMEWORK FOR PEOPLE MANAGEMENT AND WORKPLACE RELATIONS IN THE PUBLIC SECTOR

30&31 October 2019, Cliftons Centre, Canberra

REGISTRATION FORM

*****Register By:**

Tel: (02) 95807327 Fax: (02) 9585 2094

Email: info@learningnetworks.com.au

INVESTMENT TOTAL: For 2 days:

Super Offer: Be amongst the first 15 to register for 2 days and get a free pass for the 3rd delegate

Registration Options	Investment (\$)
Register by 25 th September -Early Bird Offer	\$1200 + GST: (\$1320)
Register after 25 th September	\$1400 + GST: (\$1540)
Register for any one day (one day pass)	800 +GST: (\$880)

First Delegate

Name _____

Position _____

Email _____

Second Delegate

Name _____

Position _____

Email _____

Third Delegate

Name _____

Position _____

Email _____

Organisation: _____

Address: _____

Telephone: _____

Sign: _____

***Invoice shall be sent after receipt of the registration**

*** Please make payment prior to the event**

*** Cheques made payable to *Learning Network Solutions***

Please debit my:

Visa Amex Master card Bankcard

Card Number _____

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Venue: Cliftons Centre,10 Moore Street, (Optus Building), Canberra.
Tel: 6122 0999

Continuous Professional Development

This conference will add to your CPD points based on the state you are based in. You may claim up to one unit for each hour of attendance. Refreshment breaks are not included in this hour.

Documentation: Conference documentation provided by the speakers will be provided to delegates at the venue.

Team Discounts: (Only 1 discount applies)

- Be amongst the first 15 delegates to register for 2 delegates and get an additional for the 3rd delegate
- Register 3 delegates for 2 days and get 2 additional passes for 4th and 5th delegate
- Register 5 delegates for 2 days and get 3 additional passes for 6th, 7th and 8th delegate

Networking Lunch

Lunch and refreshments will be provided at the event. Please advise us if you have any special dietary requirements

Privacy Statement

We do not have mailing lists and we do not share your contact information with any external agency. Information supplied by you may be only be to provide you with further information about our events

Cancellation Policy

Cancellations made 2 weeks prior to the event will receive complete refund. If cancellations are done within 2 weeks of the program you are liable to make full payment and no refund can be made. We will issue you a credit note that could be used to attend any of our future events of the same amount. If event is not held due to any reason, our liability is limited to the event fee only. In any event our liability is limited to the event fee only.

Program Changes

We reserve the right to make changes in the program, the venue and the panel of speakers.

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