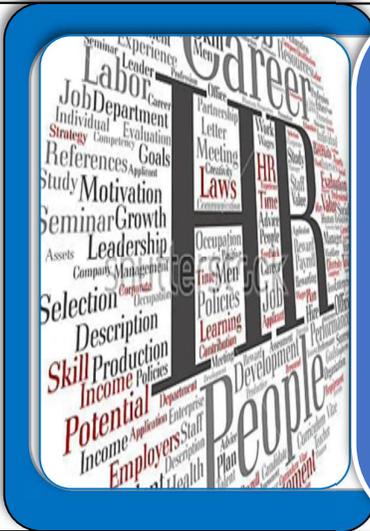


**11<sup>th</sup> Annual Conference**  
**2 Day Public Sector Conference, 17 & 18 August 2021, Cliftons Centre Canberra**



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

*Addressing the impact of legal framework on employee management and the legal & operational challenges for public sector workplaces now and in the future*

### **Agenda a glance:**

- ✚ Key legal considerations for employing people in in the current environment
- ✚ The current features of the APS Employment framework – what things have changed
- ✚ Legal and operational challenges for public sector workplace in 2021 and beyond
- ✚ What constitutes under performance and key considerations for HR managers while measuring employee performance
- ✚ Complying with performance management policies & managing inconsistent performance
- ✚ Return to work challenges and employee flexibility in times of a pandemic
- ✚ How to ensure business continuity during a pandemic whilst ensuring you still meet your legal obligations
- ✚ Managing work disruption and its implications for people management and workplace relations
- ✚ People management and social media policy use in the public sector workplace
- ✚ Monitoring and addressing employee physical and mental health when face-to-face interaction is limited or non-existent
- ✚ Legal and operational challenges in managing workplace misconduct and disciplinary investigation
- ✚ When to conduct and how to manage the findings of a workplace investigation
- ✚ Proactive measures to keep workplace free of sexual harassment
- ✚ How the law views sexual harassment and what are the liabilities in the current legal environment
- ✚ Fair vs unfair dismissal and who can make unfair dismissal claims
- ✚ Legal and practical considerations in managing comcare claims and liabilities for work related injuries
- ✚ Key challenges for People Management in managing workplace investigations into whistleblower public interest disclosure allegations

**2 EASY WAYS TO REGISTER!**

**TEL: (02) 9580732**

**Email: [info@learningnetworks.com.au](mailto:info@learningnetworks.com.au)**

## OVERVIEW OF THE CONFERENCE

*Learning Network Solutions* is proud to present its 11<sup>th</sup> People Management and Workplace Relations Conference. The global environment and workplaces are operating in a rapidly changing and uncertain times and the public sector workplace is not an exception. The operational, legal and regulatory landscape is ever changing that has a significant impact on the workplace environment.

This conference will address key issues related to people management in the public sector both from the context of the impact of the legal and legislative framework and the current uncertain environment that we find ourselves in and its implications for the public sector. It will detail strategies and explain the legal obligations for public sector workplaces in terms of people management, workplace relations and employee development, health and safety.

Backed by an excellent speaking panel, this comprehensive conference is developed for both the non-legal and legal professionals involved with various aspects of employment and workplace relations including professionals involved with various aspects of HRM/People Management.

Delegates can register for one or both days and take advantage of our generous discounts and flexible registration options.

**Who Should Attend:** Public sector professionals involved with:

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

## PROGRAM AGENDA

Day 1, Tuesday, 17<sup>th</sup> August

### 8.30 - 9.00: REGISTRATION AND TEA ON ARRIVAL

### 9.00 - 9.10: OPENING REMARKS BY THE CHAIR

**Vince Sharma, Partner, MILLS OAKLEY**

### 9.10-10.10: SESSION 1

#### LEGAL AND LEGISLATIVE BASIS FOR EMPLOYING PEOPLE IN THE PUBLIC SECTOR IN THE CURRENT ENVIRONMENT

- The current features of the APS Employment framework – what things have changed'
- Employment under the current Public Service Act and under enabling legislation
- Legal obligations while employing staff
- Unique features of Australian Public Service (APS) employment
- Operation of the current Fair Work Act

**Athena Cains, Principal, MCINNES WILSON LAWYERS**

### 10.10 -10.30: NETWORKING TEA BREAK

### 10.30-11.30: SESSION 2

#### KEY CONSIDERATIONS AND CHALLENGES IN MANAGING EMPLOYEE PERFORMANCE

- What constitutes underperformance and managing underperformance
- Addressing under performance: Informal and formal performance management / procedural considerations
- Trends, emerging risks and how to mitigate those risks (from a workers compensation perspective)
- Key consideration for HR managers while measuring performance

**Laura Hinwood, Senior Associate, SPARKE HELMORE**

**Lino Kim, Associate, SPARKE HELMORE**

### 11.30 -12.30: SESSION 3

#### PEOPLE MANAGEMENT AND SOCIAL MEDIA USE – LEGAL AND OPERATIONAL CHALLENGES

- Acceptable use of types of social media in the workplace and what constitutes unacceptable use of social media
- What are the legal and policy considerations in developing a social media policy?
- What are the practical challenges facing HR managers in monitoring the use of social media at workplace?
- Legal risks involved in usage of social media at workplace
- Some case examples

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

### 12.30 -1.30: NETWORKING LUNCH BREAK

### 1.35-2.35: SESSION4

#### LEGAL AND OPERATIONAL CHALLENGES FOR PUBLIC SECTOR WORKPLACES IN 2021 AND BEYOND

In this session, Peter will address what are the key challenges that lie ahead for public sector workplace in uncertain and rapidly changing times both from a legal and operational perspective. Peter will profile the challenges that lie ahead and list various strategies to manage the same.

**Peter McNulty**, Senior Associate, **ASHURST**

### 2.30 -3.30: SESSION 5

#### RETURN TO WORK: CHALLENGES, STRATEGIES AND CONTINUITY PLANNING FOR PUBLIC SECTOR WORKPLACE

- National Covid -19 Safe work principles and creating a safe workplace
- Impact of COVID-19 on workplace design and what changes to expect
- Employee flexibility and legal risks in times of a pandemic
- What changes public sector workplaces need to make for continuity planning – planning for a future work environment

**Sally Moten**, Partner, **LANDERS & ROGERS**

**Tony Pick**, Senior Associate, **LANDERS & ROGERS**

### 3.30-3.55: NETWORKING TEA BREAK

### 3.55-4.55: SESSION6

#### WORKPLACE MISCONDUCT & DISCIPLINARY INVESTIGATION – LEGAL AND OPERATIONAL CHALLENGES

- What constitutes misconduct and serious misconduct and when to investigate
- How to conduct a robust and fair investigation – key challenges and legal concerns
- Common mistakes made in employee misconduct and disciplinary investigations
- How to report the investigation
- Managing workplace behaviour and obligations of an employee under investigation
- Role of the Fair Work Ombudsman

**Luis Izzo**, Managing Director, **AUSTRALIAN BUSINESS LAWYERS & ADVISERS**

### 4.55-5.05: SUMMING UP AND CLOSE OF DAY ONE

**8.30 - 9.00: REGISTRATION AND TEA/COFFEE ON ARRIVAL****9.00 - 9.10: OPENING REMARKS BY THE CHAIR****Emma Reilly, Partner, MORAY AND AGNEW LAWYERS****9.10-10.15: SESSION 7****PRACTICAL AND LEGAL CONSIDERATIONS IN MANAGING EMPLOYEE HEALTH IN TIMES OF PANDEMIC**

*The COVID-19 pandemic has thrown up a lot of questions and uncertainties for employers in managing the health of their workforce. In this session, Lauren and Nick will address some of the key issues they have seen over the course of the last 18 months, what matters may arise as we move to the next phase in dealing with COVID-19, and how employers can be more prepared for future disruptions to business continuity.*

## Session outline:

- legal considerations when faced with a pandemic. This will primarily be focused around employer's WHS obligations;
- how to ensure business continuity during a pandemic whilst ensuring you still meet your legal obligations;
- monitoring and addressing employee health when face-to-face interaction is limited or non-existent. This will include a discussion on physical and mental health;
- mobilising your workforce to return to the office, and the challenges we have seen in implementing this. This will include a discussion on whether an employer can direct their workforce to be vaccinated; and
- after the storm: what lessons employers can learn from this pandemic and how can they be more prepared for a disruption in BAU in the future.

**Ashleigh Discipio, Senior Associate, CLAYTON UTZ****Nicholas West-Foy, Lawyer, CLAYTON UTZ****10.15 -10.40: NETWORKING TEA BREAK****10.40-11.40: SESSION 8****MANAGING WORKPLACE INVESTIGATIONS INTO WHISTLEBLOWER AND PUBLIC INTEREST DISCLOSURE ALLEGATIONS**

- Who is a Whistleblower and what is a reportable conduct?
- Understanding the benefits of whistleblowing and protections provided to a Whistleblower
- Understanding the PID Act and what are the obligations of your organisation
- When will employees be confident to disclose wrongdoing – creating a culture
- Risks of ignoring or not managing a PID program
- Key legal risks and challenges for People Management

**Maxine Feletti, Partner, SPARKE HELMORE****11.40-12.45: SESSION 9****APPROPRIATE HANDLING OF SEXUAL HARASSMENT COMPLAINTS AND LIABILITIES DUE TO INAPPROPRIATE MANAGEMENT OF COMPLAINTS**

- Proactive measures to keep workplace free of sexual harassment
- How the law views sexual harassment and what are the liabilities
- How to investigate a sexual harassment complaint
- Current legal update and employee rights
- Effective investigation of complaints
- Challenges in investigating the complaints and way forward
- Managing trial by media

**Emma Reilly, Partner, MORAY & AGNEW**

## 12.45 -1.45: NETWORKING LUNCH BREAK

### 1.45 – 2.45: SESSION 10

#### MANAGING THE RISKS DUE TO WORKPLACE DISCRIMINATION, HARASSMENT AND BULLYING: SCOPE OF THE ANTI-DISCRIMINATION LAW & NEW CHALLENGES FOR PEOPLE MANAGEMENT

- An overview of the risks of workplace discrimination, harassment and bullying
- Anti-discrimination laws relevant to the Australian Public Service
- How to manage the risks, including an overview of investigations of these types of complaints
- Recent cases regarding developments in people management

**Martin Osborne, Partner, NORTON ROSE FULBRIGHT**

### 2.45 -3.45: SESSION11

#### EMPLOYEE DISMISSAL AND TERMINATION OF CONTRACT – UNDERSTANDING KEY FACETS OF UNFAIR DISSMISSAL

- When can an employee be dismissed?
- Fair vs unfair dismissal and who can make unfair dismissal claims
- Litigation in the Fair Work Commission
- Unfair dismissal round up – recent cases
- Practical strategies to avoid litigation and when to move to litigation

**Tammy Wong, Barrister, STATE CHAMBERS**

## 3.45 -4.00: NETWORKING TEA BREAK

### 4.00-5.00: SESSION 12

#### LEGAL AND PRACTICAL CONSIDERATIONS IN MANAGING COMCARE CLAIMS AND LIABILITIES FOR WORK RELATED INJURIES

- Managing rehabilitation and suitable duties
- Proactive claims management
- Managing liabilities including third party recoveries
- Managing employees who are not entitled to compensation

**Ben Mason, Partner, MORAY & AGNEW**

## 5.00-5.10: SUMMING UP AND CLOSE OF THE CONFERENCE

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### ABOUT THE VENUE:

Cliftons is a Covid safe venue. For all venues – Cliftons rigorous health and safety measures include:

- Increased cleaning of venues (three times daily, plus before and after every event)
- Hand sanitisation stations throughout all venues
- Refusal of entry to anyone presenting with fever or signs of illness
- Adaptation of rooms, breakouts and dining areas to allow for mandated social distancing
- Mandatory training and certification of all Cliftons staff in our 'be safe face to face' health protocols before returning to work
- Health department compliant signage in all venues reminding visitors to follow COVID safe practices, including social distancing and frequent hand washing

### Additional measures:

- Hygienic food management and service via a zero-handling food policy and individually packaged meals
- Daily temperature and health checks for all attendees on arrival
- Staggered timing of events and break times to prevent crowding
- Implementation of contact tracing through visitor registrations

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

17&18 August 2021, Cliftons Centre, Canberra

## \*\*REGISTRATION FORM\*\*

### \*\*Register By:

Tel: (02) 95807327

Email: [info@learningnetworks.com.au](mailto:info@learningnetworks.com.au)

### INVESTMENT TOTAL: For 2 days:

Registration Options	Investment (\$)
Registration before 15 <sup>th</sup> June – Super Saver	\$1100 + GST: (\$1210)
Register between 16 June & 16 July-Classic Saver	\$1300 + GST: (\$1430)
Register for any one day at any time	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 \_\_\_\_\_

Expiry Date \_\_\_\_\_

Cardholder's Name \_\_\_\_\_

**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)

- Register and pay for 3 delegates for 2 days get 2 free additional passes
- Register and pay for 5 delegates for 2 days and get 3 free additional free passes

### 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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