

# Registration Form / Tax Invoice

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## Employment Law Key Topics

Tuesday 1 December 2009

8.30am – 1.00pm

Grace Hotel, 77 York Street, Sydney

Course cost includes tuition, materials and refreshments  \$352

I cannot attend but please provide the papers  \$165

Total Price includes GST **Total \$**

### Payment Options

I enclose a cheque payable to "CLE, UNSW",

or Payment by credit card  Mastercard  Visa

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**Please return this registration form  
with your payment to:**

**CLE,  
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UNSW, Sydney  
NSW 2052.**

Tel: (02) 9385 2267 or (02) 9385 2195

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Email: cle@unsw.edu.au

Website: www.cle.unsw.edu.au

**Programme Variation:** The Director of CLE retains the right to vary the programme to deal with unforeseen circumstances. This includes cancelling or re-scheduling a programme and changing speakers or content if occasion obliges us to do so.

**Cancellation Policy:** Cancellations will be accepted up to two weeks prior to the commencement of the course. Withdrawal after this time and before the commencement of the course will result in a cancellation charge of \$100. Cancellations after the commencement of the course will not be eligible for a refund.

**Privacy note:** The information you have provided on this form will only be used by UNSW to distribute information about University courses and activities to you.

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THE UNIVERSITY OF  
NEW SOUTH WALES

FACULTY OF LAW  
CONTINUING LEGAL EDUCATION

# Employment Law Key Topics

Tuesday 1 December 2009

8.30am – 1.00pm

Grace Hotel,  
77 York Street, Sydney

www.cle.unsw.edu.au

## Audience

- Employment and Industrial Law specialists
- Corporate Law specialists
- Solicitors in General Practice
- In-house legal advisors
- Human Resource Managers
- Company Directors and Secretaries
- Employer and Union groups

## Objective

This seminar will provide a useful update on the legislative changes to Employment law. We aim to explore areas that traditionally concern employers, such as their ability to protect corporate assets; managing the performance of staff contractually; and documenting the rights and procedures for the parties in cases of redundancy or retrenchment. A timely examination of Regulations now in operation affecting unfair dismissal claims in the new Fair Work Australia jurisdiction and proposed reforms to increase the regulation of executive termination payments will also be of guidance to practitioners.

Recent and relevant cases and legislation in the area will be reviewed.

**CLE/CPD Points:** Four (4)

## About CLE/CPD

The CLE/CPD programme is an important link between the Law School at UNSW and the professional community. The programme consists of a series of quality short courses assisting lawyers, accountants, financial planners, executives and other professionals whose work demands up-to-date knowledge of, and skills in, the relevant areas.

# Employment Law Key Topics

Tuesday 1 December 2009

## 8.30am Introduction and Welcome

**Chair:** **Mark PAUL**, Accredited Specialist Employment and Industrial Law, Executive Lawyer Workplace Relations, Bartier Perry

## 8.35am Opening Remarks

**Mr Deputy President P.J SAMS, AM** Industrial Relations Commission of New South Wales

## 8.55am

### Topic 1: Employment Contracts, Employee Disclosure and Maintaining Employees' Confidential Information

**Speaker:** **Sam INGUI**

Partner Colin Biggers & Paisley

- Role of legislative framework
- What are implied terms?
- Could an employer win a pecuniary order against an employee?
- Disclosures made by employees
- Maintaining confidential employee information

## 9.50am

### Topic 2: Redundancy and Retrenchment of Employees

**Speaker:** **Stephen GODDING**

Partner Kemp Strang

- Meaning of 'Redundancy' and 'Retrenchment'
- Sources of Redundancy Entitlements
- Practical Issues in conducting Retrenchment
- Taxation of Redundancy Benefits

## 10.45am Morning Tea

## 11.05am

### Topic 3: Restraints of Trade and Protection of Company Assets

**Speaker:** **Stephen TREW**, Partner Holding Redlich

- The use of restraints of trade in protecting businesses including, what they can protect and practical drafting lessons
- Who owns what intellectual property?
- Conducting surveillance and issues regarding 'privacy'
- Practical guidelines and steps employers can take in order to protect their businesses

## 12.00noon

### Topic 4: High Income Threshold Issues and Remedies Available to 'High Income Employees' and the Implications of the Proposed 'Golden Parachutes' Legislation

**Speaker:** **Abraham ASH**, Senior Associate, Clayton Utz

- Explanation of high income employee threshold and manner of calculation as of 1 July 2009
- Consideration of other remedies available to these employees, including:
- Claims related to breach of contract, breach of employment policies and Trade Practices Act
- Breach of implied terms claims including good faith, mutual trust and confidence
- 'adverse action' cases
- Unlawful dismissal complaints
- 'Golden Parachutes' – consideration of the proposed amendments to the Corporations Act 2001 in the Corporations Amendment (Improving Accountability on Termination Payments) Bill 2009 and its implications

## 12.55pm Q & A and Close 1.00pm

For more information visit our website: [www.cle.unsw.edu.au](http://www.cle.unsw.edu.au)