



Safety Conference 2018

BRISBANE DETAILS

Date

Friday 15 June 2018

Time

11.30am for 12.00pm to 4.30pm
with networking drinks to follow

Venue

McCullough Robertson
Level 11, Central Plaza Two
66 Eagle Street
Brisbane Qld 4000

SYDNEY DETAILS

Date

Friday 22 June 2018

Time

11.30am for 12.00pm to 4.30pm
with networking drinks to follow

Venue

McCullough Robertson
Level 32, MLC Centre
19 Martin Place
Sydney NSW 2000

Cost

\$220 (inc GST)

Enquiries

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Conference agenda

11.30am **Arrival and light lunch**

12.00pm **Session 1: Year in review**

It has been a big year in Work Health and Safety, with significant shifts in policy and regulation occurring across the country. What once were 'harmonised' health and safety laws across most jurisdictions are changing, as political agendas result in subtle, yet important, differences. This includes new industrial manslaughter offences, more powers for regulators, and greater powers for workers and unions. We are seeing Australian Courts increase penalties, and regulators take a keen interest in the investigation, and sometimes prosecution, of individuals as workers and officers.

SafeWork Australia is also reviewing the Model WHS Law, prompting conversations about what's working, what's not, and where changes are likely to happen.

In this session we will review the year that was in work health and safety, including the significant changes made and the signposts to what we can expect in the future.

1.00pm **Session 2: WHS disciplinary action – unfair dismissal and adverse action cases**

Is a safety breach still the golden rule for discipline and dismissal? Federal and State Industrial tribunals still can't decide. In addition, courts and tribunals continue to move the goal posts on issues such as alcohol and other drug testing.

To complicate the landscape further, claiming an exercise of a 'workplace right' as supporting adverse action claims has become common practice, even where the adverse action taken falls short of termination of employment, such as by issuing a warning.

In this session we will analyse recent cases to draw out the primary considerations and how disciplinary action for WHS breaches can be managed from a 'best practice' perspective in line with the case law authorities, noting the need to balance risks of employees making claims against the need to appropriately deal with WHS breaches.

2.00pm **Afternoon tea**

2.30pm

Session 3: WHS as an industrial issue - right of entry

Right of entry based on WHS issues has become the latest 'hot topic'. We will discuss the challenges, and quirks, happening in this space, including the Full Federal Court overturning a trial judge's finding that middle names must be included on right of entry permits and an attempted 'joint regulator and Union' investigation into psychological wellbeing. We will also provide practical guidance about:

- union right of entry under WHS laws
- powers of unions regarding WHS consultation and the management of workplace incidents, and
- what employers can lawfully do when unions attempt to exercise rights under WHS laws.

3.30pm

Panel discussion: Safety, Insurance and Technology

Is your Uber driver a worker? Can you insure against criminal WHS penalties? Can drones be used to monitor safety behaviours of workers? In a world of data, what should your organisation know about safety trends in the business? These questions and more will be discussed by senior practitioners across our technology, insurance and diversified insurance advisory firm.

4.30pm to
5.00pm

Networking

Refreshments will be provided.

Conference Presenters



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Full profiles can be viewed at www.mccullough.com.au/people

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