

# Labour Law 2010

**A leading annual conference providing advanced analysis on key case law and legislation**

**Thursday 18 and Friday 19 March 2010**

Radisson Mountbatten, London

Conference devised and chaired by **Michael Rubenstein** in association with **Industrial Relations Law Reports**

**11**  
hours  
15 mins  
CPD

**Unfair dismissal: new developments**

*James Laddie, Matrix Chambers*

**TUPE developments**

*Jennifer Eady QC, Old Square Chambers*

**Contractual duties and responsibilities**

*Clive Sheldon, 11KBW*

**Protecting the business**

*Paul Goulding QC, Blackstone Chambers*

**Delegate Reception**

Welcome from *HH Jeremy McMullen QC, Senior Judge, EAT*

**Working time issues**

*Caspar Glyn, Cloisters Chambers*

**Whistleblowing: latest case law**

*Jane Russell, Tooks Chambers*

**Discrimination Case Law**

*Sean Jones, 11KBW*

**The Equality Bill: key points**

*Michael Rubenstein, Equal Opportunities Review*

**PLUS post-conference webcast**

**A closer look at whistleblowing litigation tactics – how to win your case**

**24 March 2010, 09:30 – 10:30**

**Location: your desk**

1 CPD hour

**Tutor: Jane Russell, Tooks Chambers**

Book today on **020 7347 3573**

**[www.conferencesandtraining.com/labour-law](http://www.conferencesandtraining.com/labour-law)**



## Who are the speakers?

**James Laddie** is a barrister at Matrix Chambers specialising in employment, discrimination, and civil actions against the police. He is a co-author of *Butterworths Employment Law Guide*.

**Jennifer Eady QC** is a barrister at Old Square Chambers specialising in employment and discrimination law, and acting for employers, employees and trade unions. She is a member of the ACAS Council, a vice president of the Industrial Law Society, a Recorder and former part-time employment judge, and contributes to *Harvey on Industrial Relations and Employment Law*.

**Clive Sheldon** is a barrister at 11KBW specialising in employment law, education and public law. He is a member of the Attorney-General's "A" Panel of Junior Counsel to the Crown and is a contributor to *Tolley's Employment Law and Employment Handbook*.

**Paul Goulding QC** is a barrister at Blackstone Chambers specialising in employment and sports law. He is the editor of *Employee Competition: Covenants, Confidentiality and Garden Leave*, a former chair of the Employment Lawyers Association, and chair of the Football Association Judicial Panel.

**Caspar Glyn** is a barrister at Cloisters Chambers specialising in employment law, and in regulatory, personal injury, and sports law. He is a member of the executive committee of the Industrial Law Society.

**Jane Russell** is a barrister at Tooks Chambers specialising in employment and discrimination law, acting for both claimants and respondents. She is a legal specialist for the United Nations Development Programme.

**Sean Jones** is a barrister at 11KBW with a particular interest in employment and discrimination law. He is general editor of *Tolley's Employment Handbook* and writes one of its chapters on Discrimination and Equal Opportunities.

**Michael Rubenstein** has edited *Industrial Relations Law Reports* since its inception in 1972 and is now publisher of *Equal Opportunities Review*. He is a vice president of the Industrial Law Society and a board member of the Equal Rights Trust.

# Butterworth's annual two-day labour law conference

has become the premier event in its field. Organised in conjunction with *Industrial Relations Law Reports*, this conference provides an authoritative update from leading experts on the latest case law, new legislation and proposed legislation in eight key areas.

The past year has been another important one for employment law. The Employment Act 2008 came into force, repealing the controversial statutory dismissals and disputes procedures, and the monumental Equality Bill worked its way through Parliament.

The case law continued to flow in 2009 as well, with a cascade of important judgments altering many of the key areas to be discussed at this conference.

**Labour Law 2010 will help to ensure that you understand the implications of these developments for your organisation.**

## Who will you meet?

Past attendees have included:

- Employment Lawyers
  - Partners
  - Associates
  - Solicitors
  - Barristers
- In-House Legal Advisers
- Senior HR Professionals
- Senior Equality and Diversity Professionals

### PLUS post-conference webcast

#### A closer look at whistleblowing litigation tactics – how to win your case

24 March 2010, 09:30 – 10:30 • 1 CPD hour

**Location:** your desk

**Tutor:** Jane Russell, Tooks Chambers

This webcast will review how litigation strategy, in relation to liability and remedy, is affected by recent, important case developments. This will include recent case law concerning key concepts such as identifying protective disclosures, the extent of any protection, good faith, causation and the burden of proof. This webcast is part of the conference fee.

## What delegates said about Labour Law in 2009 and 2008

*"Well prepared and very well presented summary of the key areas of interest in current employment law"*

(Ross Milvenan, Solicitor, Levy & McRae, 2009)

*"First class employment update. Excellent speakers who really know their subject"*

(Innes Clark, Partner, Morton Fraser, 2008)

### Bespoke Training

We can provide tailored training courses for your organisation on this subject and others. Call Sarah Wells on 020 7347 3553 for full details.

## Day One – Thursday 18 March 2010

09.15 Registration and coffee

### 09.45 Unfair dismissal: new developments

- Repeal of the statutory procedures and the new ACAS Code of Practice
- New case law on constructive dismissal: *Bournemouth University Higher Education Corporation v Buckland*
- New case law on fairness: *London Ambulance Service NHS Trust v Small*, *Henderson v Connect (South Tyneside) Ltd*, *West London Mental Health NHS Trust v Sarkar*
- New case law on unfair dismissal compensation: *Stuart Peters Ltd v Bell*

**James Laddie, Matrix Chambers**

11.00 Coffee

### 11.15 TUPE developments

- TUPE 2006 and service provision change: *Metropolitan Resources Ltd v Churchill Dulwich Ltd*
- Automatic transfer and mobility clauses: *Tapere v South London and Maudsley NHS Trust*
- Transfer of collective agreements: *Alemo-Herron v Parkwood Leisure Ltd*
- Duty to inform and consult: *Cable Realisations Ltd v GMB Northern*, *Royal Mail Group v CWU*, *Amicus v City Building (Glasgow) LLP*

**Jennifer Eady QC, Old Square Chambers**

12.30 Lunch

### 13.30 Contractual duties and responsibilities

- New case law on employment status: *Autoclenz Ltd v Belcher*, *Protectacoat Firthglow v Szilagyi*
- Affirming the contract of employment: *Cook v MSHK Ltd*
- Damages for wrongful dismissal: *Edwards v Chesterfield Royal Hospital NHS Foundation Trust*, *Welsh v Cowdenbeath Football Club Ltd*
- Employment rights for agency workers: new legislation

**Clive Sheldon, 11KBW**

14.45 Tea

### 15.00 Protecting the business

- Restrictive covenants and springboard injunctions: *Tullet Prebon v BGC*
- Duty of fidelity and fiduciary duties: *Fish v Dresdner Kleinwort Ltd*
- Confidential information: latest case law
- Negligent misrepresentation: Implications of *Cheltenham Borough Council v Laird*

**Paul Goulding QC, Blackstone Chambers**

### 16.15 Delegate reception: an opportunity to network over drinks

There will be a welcome from **HH Jeremy McMullen QC, Senior Judge, Employment Appeal Tribunal**

17.00 End of Day One

## Day Two – Friday 19 March 2010

09.00 Registration and coffee

### 09.30 Working time issues

- Sick leave and annual leave: Implications of the ECJ decision in *HM Revenue and Customs v Stringer*
- Rolling over holidays: ECJ decision in *Pereda*
- Timing of holidays: *Craig v Transocean International Resources Ltd*
- Daily rest break: *Corps of Commissionaires Management Ltd v Hughes*

**Caspar Glyn, Cloisters Chambers**

10.45 Coffee

### 11.00 Whistleblowing: latest case law

- What “disclosures” are protected? *Cavendish Munro Professional Risks Management Ltd v Geduld*
- Is “worker” status necessary to make a protected disclosure: *BP plc v Elstone*
- The “good faith” requirement
- Government’s consultation on proposals to enable employment tribunals to pass on details about whistleblowing cases to industry regulators

**Jane Russell, Toops Chambers**

12.15 Lunch

### 13.15 New discrimination case law

- New case law on proving direct and indirect discrimination: *Amnesty International v Ahmed*, *Somerset County Council v Pike*
- New case on discrimination on grounds of religion or belief: *Ladele v London Borough of Islington*, *Grainger plc v Nicholson*
- New case law on age discrimination: *London Borough of Tower Hamlets v Wooster*, *Pulham v London Borough of Barking & Dagenham*, *Seldon v Clarkson Wright & Jakes*
- Compensation for discrimination: implications of *Chagger v Abbey National plc*

**Sean Jones, 11KBW**

14.30 Tea

### 14.45 The Equality Bill: key points

- New definitions of discrimination
  - Changes to the law on disability discrimination and equal pay
  - Positive action: how the new law will work
  - The new single public sector equality duty
- Michael Rubenstein, Equal Opportunities Review**

16.00 Close of conference

## Book Today

Tel: +44(0)20 7347 3573 Fax: +44(0)20 7347 3576 Email: [registrations@lexisnexis.co.uk](mailto:registrations@lexisnexis.co.uk)

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# Registration

## Labour Law 2010

Thursday 18 and Friday 19 March 2010

Radisson Mountbatten, London

Your priority booking code is:

ENQ

You will need to quote this code to claim your early booking discount\*

\*The early booking discounts are only available when you register by the dates stated below.

**How to book** Bookings and enquiries: 020 7347 3573. Lines open from 8.30am to 5pm, Monday to Friday | Fax: 020 7347 3576

| Post: LexisNexis Conferences, Halsbury House, 35 Chancery Lane, London WC2A 1EL | Email: registrations@lexisnexis.co.uk

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### Payment details

£899 + VAT\* per delegate for bookings received by 29 January 2010 – **SAVE £100!**

£999 + VAT\* per delegate

£399 (zero VAT) documentation only

\* VAT will be charged at the appropriate VAT rate as at the time of bookings

\* Please note: discounts cannot be used in conjunction with one another. You will need to quote your booking code to claim your discount

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Card No.

Expiry date     Security code (CV2)

### 1st delegate details

Name

Job title

Email

(Please note we may need to send you information on venue changes by email)

Tel

Additional requirements

### 2nd delegate details

Name

Job title

Email

(Please note we may need to send you information on venue changes by email)

Tel

Additional requirements

### Address details

Company

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Postcode

### Booking contact / invoice address

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Address (if different from above)

I understand that this booking is subject to the cancellation terms set out on this registration form.

Authorised Signature

(all bookings must be signed)

Please return to: LexisNexis Conferences, Halsbury House, 35 Chancery Lane, London WC2A 1EL. VAT No: 730 8595 20

### Important dates for your diary!

Should you require any further information on any of the events below, please tick the appropriate box and return to LexisNexis.

**Discrimination Law in 2010**, 29 January 2010, Millennium Knightsbridge Hotel, London

**Insolvency and Employment Law**, 4 February 2010, Millennium Knightsbridge Hotel, London

**Trade Unions and Employment Law**, 11 February 2010, Radisson Mountbatten, London

**Equal Pay Law and Practice**, 4 March 2010, Millennium Knightsbridge Hotel, London

**Equality Act**, 15 April 2010, Central London

**TUPE**, 7 May 2010, Central London

### Sponsorship and exhibition opportunities

#### Enforce your brand and meet new clients

Take this excellent opportunity to position your organisation at the forefront of the market. This conference will provide an excellent platform to raise your organisation's profile in front of key industry participants and showcase your expertise and services as the pre-eminent organisation in the field.

To find out more about the range of opportunities available, please contact Sarah Wells on 020 7347 3553 or email sarah.wells@lexisnexis.co.uk

### You can still benefit from the day's event if you can't make it!

Naturally, nothing matches the experience of coming to the conference, but if you really can't make it, you can still benefit by ordering a set of course papers. Available for £399, this will give you a permanent record of the subjects covered, which you can share with your colleagues.

To order call on 020 7347 3573 or return the booking form.

## Administration

#### VENUE

Radisson Edwardian Mountbatten Hotel, Seven Dials, Covent Garden, WC2H 9HD Tel. 020 7836 4300

#### FEE

Your one-day fee includes attendance, refreshments, lunch and course documentation. Full payment, including VAT must be received prior to the conference. Please post a cheque for the full amount with your completed registration form or complete the credit card payment details. Once payment has been received a VAT invoice/receipt will be issued.

#### OUR CONFIRMATION OF YOUR BOOKING

All bookings will be acknowledged in writing within five working days of receipt and joining instructions (final conference details and a venue location map) will be emailed to delegates approximately two weeks before the event. Please telephone the Bookings Enquiries line immediately:

- if you have not received written acknowledgement of your booking within 7 days of sending it by fax, post or email or
- if you have not received your joining instructions five days before the event

#### HOTEL ACCOMMODATION

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Fax: 01722 500 729  
Email: lexisnexis@venuehunt.co.uk  
Quote the code VHLEX at the time of booking.

#### ADDITIONAL REQUIREMENTS

LexisNexis Conferences would like to ensure that all delegates can participate fully at our events. If you have any additional requirements, eg, wheelchair access, large print documentation or an induction loop, or if you have any particular dietary requirements please let us know on the adjacent form.

Please call me to discuss my requirements in more detail.

#### CERTIFICATE OF ATTENDANCE

A certificate of attendance is available on request, following your attendance at this conference, as a record of your training and development.

#### DOCUMENTATION SALE

Your notes will be dispatched within five working days after the event. Please call us if you do not receive your notes by two weeks after the event.

#### CANCELLATIONS

A refund of fees will be made only for cancellations received in writing at least 14 days before the event (less a 25% cancellation fee to cover administration costs). No refunds will be made for cancellations received within 14 days of the event and failure to attend after confirming a booking will be subject to the same terms. We regret that the transfer of a booking to another event cannot be made but a substitute delegate will be accepted at any time before the event.

This programme is correct at the time of going to press. However, we reserve the right to alter or cancel the programme due to circumstances beyond our control.

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