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GET A BIRD'S EYE VIEW

7TH ANNUAL EMPLOYMENT LAW CONFERENCE 2010

SATURDAY, 15TH MAY, 2010 (9.00 AM TO 1.30 PM)

THE LAW LIBRARY, DISTILLERY BUILDING, 145-151 CHURCH STREET, DUBLIN 7

Chairman: The Hon. Mr. Justice Roderick Murphy, The High Court

Cliona Kimber B.L. – Pensions and Discrimination. **Dermot Casserly, Solicitor and Partner, Beauchamps Solicitors** – Redundancy Law Review. **Marguerite Bolger S.C.** – The Impact of Employment Law on a Changing Industrial Relations Landscape. **Tom Mallon B.L.** – Employment Injunctions: An Update.

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EMPLOYMENT LAW AND INDUSTRIAL RELATIONS IS MORE TOPICAL THAN EVER. IT IS VERY IMPORTANT TO KEEP UP TO DATE ON KEY DEVELOPMENTS.

"The ESRI said there would be further job losses, particularly in the financial sector and the public sector."

"Ten former workers with Waterford Crystal have brought a legal action against the State which has significant implications for the pension entitlements of all workers in circumstances of employer insolvency. They claim the Pension Insolvency Payments Scheme (Pips), which came into effect here last month, fails to meet the State's obligations under the European "insolvency directive" to protect workers in insolvency situations."

The Irish Times – April 2010

ALSO IN ASSOCIATION WITH BEAUCHAMPS SOLICITORS

IRISH EMPLOYMENT LAW PRECEDENTS

Authors: Dermot Casserly, Dairine Walsh

Includes:

- Correspondence such as job offer letters to prospective employees, dismissal letters and TUPE notifications letters.
- Various agreements such as contracts of employment for general staff, middle and senior management, directors, fixed-term and part-time workers; consultancy agreements and settlement agreements.
- Employment policies such as sick leave, maternity leave, parental leave, bullying and harassment and disciplinary and grievance, health and safety and policies relating to conditions of employment.

AVAILABLE OCTOBER 2010

CONFERENCE PROGRAMME

Saturday, 15th May, 2010

The Law Library, Distillery Building, 145-151 Church Street, Dublin

9.00 am – 9.30 am Registration

9.30 am – 9.45 am Opening Address: The Hon. Mr. Justice Roderick Murphy, The High Court

9.45 am – 10.30 am Pensions and Discrimination

Cliona Kimber B.L.

This paper will consider discrimination in the area of pension schemes. This subject is highly relevant given the difficulties which have arisen with compulsory retirement ages and the interlinking of pensions and retirement ages. It will also consider discrimination on the other grounds as it affects pensions. The paper will look at the following areas:

- Pensions versus Occupational Benefit
- Pensions Act or Employment Equality Act
- Discrimination in access to schemes
- Discrimination in terms of schemes
- Age discrimination and pension schemes
- Forum for litigation

10.30 am – 11.00 am Redundancy Law Review

Dermot Casserly, Solicitor and Partner, Beauchamps Solicitors

- Grounds for Redundancy
- Alternatives to Redundancy
- Consultation Requirements
- Recent EAT Decisions
- Compromise Agreements
- Redundancy and Transfer of Undertaking Regulations

11.00 am – 11.15 am Questions and Answers Session

11.15 am – 11.45 am Break

ABOUT ROUND HALL AND THOMSON REUTERS

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ABOUT THE SPEAKERS

11.45 am – 12.30 pm **The Impact of Employment Law on a Changing Industrial Relations Landscape**

Marguerite Bolger S.C.

- After many years of relative industrial peace, the workplace has become a place of conflict between management and unions. Practitioners are, once again, having to address issues of industrial action, work to rule, withdrawal of labour and picketing. The Industrial Relations Acts 1990 has been resurrected in employment litigation.
- The law may also have a role to play in traditional industrial relations negotiations, particularly in relation to attempts to impose or possibly avoid or reduce large scale redundancies.
- The law on Registered Employment Agreements will also be examined in the light of recent attempts to judicially review The Labour Court in its approach to these potentially far reaching agreements.

12.30 am – 1.15 pm **Employment Injunctions: An Update**

Tom Mallon B.L.

The paper will review the most recent decisions in the area and seek to put order on the many varied and seemingly conflicting decisions. Recent cases will be examined in detail, including the following cases:

- *Cahill v. DCU* (Supreme Court)
- *Carroll v. Bus Atha Cliath* (High Court)
- *Nolan v. EMO Oil Services Ltd* (High Court)
- *Stokus v. Goode Concrete* (High Court)
- *Bergin v. Galway Clinic* (High Court)

1.15 pm – 1.30 pm **Questions and Answers Session**

1.30 pm **Conference closes**

CLIONA KIMBER B.L. is a barrister specialising in Employment and Equality Law and appears regularly before the Circuit Court and High Court as well as at the Employment Appeals Tribunal, Equality Tribunal, Labour Court and Rights Commissioner. She is editor of the *Employment Law Reports* and the *Irish Employment Law Journal*. She is currently working on the second edition of *Employment Equality Law* with Marguerite Bolger and Clare Bruton.

MARGUERITE BOLGER S.C. is a practicing barrister specialising in employment law. She has appeared in many key bullying and harassment cases before the High Court, Circuit Court, EAT and the Equality Tribunal. Marguerite is a co-author of *Sex Discrimination and the Law* (Round Hall). She is an external examiner in employment law at the Honourable Society of the Kings Inns and the University of Ireland.

TOM MALLON B.L. is a practicing barrister who specialises in employment law.

DERMOT CASSERLY is a solicitor and partner at Beauchamps Solicitors and is head of the Employment and Benefits Group. Dermot advises on all legal issues arising out of the employment relationship. Dermot has extensive experience in relation to redundancy issues, changing terms and conditions of employment and advising on the Transfer of Undertakings Regulations. He is the co-author of *Irish Employment Law Precedents* (forthcoming Round Hall, 2010).

ABOUT BEAUCHAMPS SOLICITORS

Beauchamps is one of Ireland's leading law firms. With 24 partners and a total staff of 115, it is among the ten largest law firms in Ireland, providing comprehensive legal service and focused on achieving the best results for clients. Clients include Irish and international companies, owner managed businesses, government and public bodies and regulatory authorities.

Beauchamps Employment and Benefits Group, provides practical and effective employment law advice and support to clients, in particular, in relation to change management and implementing redundancies. The Employment and Benefits Group advises and represents leading companies, public bodies and owner managed businesses in all aspects of the employer/employee relationship.

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REGISTRATION FORM

7TH ANNUAL EMPLOYMENT LAW CONFERENCE 2010

Saturday, 15th May, 2010 (9.00 am to 1.30 pm). The Law Library, Distillery Building, 145-151 Church Street, Dublin 7

Registration fee: €325.00 per delegate

Price includes attendance at the conference, your comprehensive conference folder (containing papers relating to the conference sessions, which serve as a useful reference and as an aide-memoire afterwards), coffee/tea on arrival.

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