

About the conference

The Enterprise and Regulatory Reform Act (ERRA) was given Royal Assent on 25th April 2013. This followed a period of consultation during which a number of organisations including the Institute, the TUC, various trade unions, individuals, politicians and peers all pointed out that the Bill would make work more dangerous and unfair for employees, as it included proposals to 'overhaul' the employment tribunal system, reduce state inspections of workplaces and make it easier to repeal regulations.

Most of the employment-related proposals with the ERRA were part of the Coalition's Employment Law Review – the aims of which closely mirrored a report by venture capitalist and owner of payday loan company Wonga, Adrian Beecroft.

The Department for Business, Innovation and Skills stated that the Review aimed "to make evolutionary improvements to the labour market so it retains a flexibility and dynamism that benefits individuals, employers and the economy", but it benefits mostly employers, is detrimental to workers, and – in some cases – seems to advantage nobody at all.

This conference will analyse the implications and effects of the ERRA on workers' individual and collective rights. There are several issues of concern: changes to employment tribunals including the introduction of fees; the reduction of compensatory awards; the ability of judges to sit alone without the presence of lay members and an increased role for ACAS without any increase in their resources.

There is also a new duty for workers to prove that disclosure (whistleblowing) is in the public interest. And, various changes to health and safety law and regulation, including the abolition of the long-standing civil liability of employers for their staff's health and safety in the workplace. This means that workers who are injured at work – and the families of the deceased, killed at work – will have to prove that their employer was in breach of health and safety regulations. Currently, the burden of proof falls on the employer to prove they were not negligent and the accident was unavoidable.

The conference will provide the latest and most up to date information on the law, and its interpretation and will consider the implications and effects of the new legislation, and most importantly, what workers and trade unions can do to continue to protect workers' rights and freedoms.

Programme

- 9.30 Registration
- 9.50 Welcome from Chair
Carolyn Jones, Director of IER
- 10.00 ACAS in wonderland: making sense of nonsense
Roger Seifert, Professor of Human Resource Management and Industrial Relations
- 10.30 Early conciliation: an opportunity or a threat?
Rakesh Patel, Thompsons Solicitors
- 11.00 Questions and discussion
- 11.15 BREAK
- 11.30 Settlement Agreements and the impact of ERRA on unfair dismissal claims
Elizabeth Stephenson, Pattinson and Brewer
- 12:00 ETs: making claims 'tribunal friendly'
Simon Cheetham, Old Square Chambers
- 12:30 Questions and discussion
- 12:45 LUNCH
- 1.45 The relentless reform of health and safety
Steve Tombs, The Open University
- 2:15 Whistleblowing reforms: are whistleblowers better protected?
Catherine Hobby, University of East London
- 2:45 Reform and regulation: an overview from the TUC
Hannah Reed, TUC
- 3:15 Questions and Discussion
- 3:30 Close