

## Westminster Employment Forum Keynote Seminar:

### The future for employment rights and tribunals: EU withdrawal, modernisation and fees

Timing: Morning, Thursday, 20<sup>th</sup> October 2016

Venue: Glaziers Hall, 9 Montague Close, London SE1 9DD

Draft agenda subject to change

8.30 - 9.00 Registration and coffee

9.00 - 9.10 **Chair's opening remarks**  
**Melanie Onn MP**

9.10 - 9.40 **Employment tribunals - challenges on modernisation**  
**The Hon Mrs Justice Simler**, President, Employment Appeal Tribunal  
Questions and comments from the floor

9.40 - 9.50 **The employment tribunal system - state of play and international comparisons**  
**Professor Susan Corby**, Professor of Employment Relations, University of Greenwich

9.50 - 10.40 **What does Brexit mean for Employment law? Implications, potential changes and priorities for policymakers**  
*With the possibility of new legislative freedoms arising from Brexit, what are the options for reforming employment rights in the UK? Should Government seek to liberalise employment law in light of changes to Britain's economic circumstances, in order to make Britain a more attractive location for employers or to promote growth for SMEs? If so, what areas of employment law should Government prioritise, e.g. laws surrounding unfair dismissal, and how warranted are concerns voiced by trade unions and the Leader of the Opposition that this might lead to a 'race to the bottom'? Should the Government introduce legislation to guarantee those employment rights that are currently underpinned by EU law only, such as those originating from the Working Time Directive? What will be the likely impact of Brexit on case law - what relevance should European Court of Justice judgments, both past and future, have on the interpretation of employment law in the UK, for laws with an EU origin?*  
**Robert Bourns**, President 2016-2017, Law Society  
**Hannah Reed**, Senior Employment Rights Officer, TUC  
**Omar Khalil**, Head of Legal, EEF  
**Marc Long**, Partner, Clarke Willmott  
Questions and comments from the floor with **Professor Susan Corby**, Professor of Employment Relations, University of Greenwich

10.40 - 11.05 **Impact so far of mandatory Early Conciliation and the future for Alternative Dispute Resolution**  
**Gill McCarthy**, Director of Operational Policy and Performance, ACAS  
Questions and comments from the floor

11.05 - 11.10 **Chair's closing remarks**  
**Melanie Onn MP**

11.10 - 11.35 Coffee

11.35 - 11.40 **Chair's opening remarks**  
**Dawn Butler MP**

11.40 - 12.30 **The future for the employment tribunal fees regime**  
*What has been the impact of the fees structure on the number and type of cases brought to tribunal? Following concerns expressed by trade unions, does the Government need to give particular attention to the impact of the fees on cases involving pregnancy and maternity? Has the introduction been successful in reducing the proportion of weak or vexatious claims being brought? How can Government alleviate fears that the introduction of fees has removed an important deterrent to rogue employers against treating their employees unfairly? What is the latest thinking on the appropriate level of any fees so as to avoid barriers to justice, and how might these be determined going forward; should the level of fees in future be linked in some way to the value of the claim being brought? Are there alternative approaches, aside from fees, that could be introduced to reduce the burden of vexatious claims being brought on employers, while maintaining access to justice for employees? What steps can be taken to ensure that the remissions service is working effectively, following concerns raised by MPs; in what ways can such changes be made without offering a 'no-cost' option that can be used against employers? How should Government address concerns, expressed by some small businesses, that it is often cheaper to settle a weak claim than contest it in a tribunal?*  
**Emma Wilkinson**, Senior Employment Expert, Citizens Advice  
**Philip Landau**, Employment Lawyer, Landau Law Solicitors  
**Shantha David**, Legal Officer, UNISON  
**Michael Mealing**, Chairman, Employment Policy Unit, Federation of Small Businesses  
Questions and comments from the floor

12.30 - 12.55 **Policy priorities for the employment tribunal system**  
**Robert Neill MP**, Chair, Justice Select Committee  
Questions and comments from the floor

12.55 - 13.00 **Chair's and Westminster Employment Forum closing remarks**  
**Dawn Butler MP**  
**Tom Overend**, Forum Lead, Westminster Employment Forum

