

Employment Regulation Post-Pandemic: New Perspectives?

2pm - 6pm, Wednesday 13th July 2022,
Institute of Advanced Legal Studies, Charles Clore House,
17 Russell Square, London WC1B 5DR.

Recent years have been traumatic for work and employment relations. COVID-19 intensified precarious work and magnified existing inequalities, but also highlighted the critical role of health and safety law at work. The proliferation of homeworking and teleworking combined with the ubiquitous presence of algorithmic technology resulted in intensification of work practices and distancing of decision-making from the physical workplace. The post-1945 settlement of full employment and the 'rights-driven welfare state' has been increasingly exposed as threadbare. More radical regulatory options need to be explored if we are to achieve a 'decent' or 'fairer' work agenda.

This Symposium aims to explore the nature of employment regulation, especially its priorities, methods and enforcement. The research data indicates that many work-related problems such as the gender pay gap, insecure work, and occupational accidents and diseases appear stubbornly resistant to legal interventions.

We will examine the reasons for current failure and assess scenarios for the future of work by exposing underlying problems and assessing future opportunities. What is the role and nature of regulation in the employment context? What do we know about the effectiveness of current frameworks? What is the role of contract, tort and 'hard' and 'soft' legislation? Why did the gang-masters, agency workers and temporary workers legislation fail? Why has the HSE so sadly failed to enforce health and safety in a deadly pandemic? Are there better ways to regulate the world of work? Would a human- rights approach be more effective? Can the criminal law provide a more robust strategy? How critical is it that international regulation works? And has 'non-litigious' enforcement such as 'naming and shaming' proved more effective? The conference aims to debate the policy options and set out a coherent platform for the future of work post-pandemic.

Symposium Chair

Sir Patrick Elias, former Appeal Court Judge, England and Wales

Symposium Organisers

Professor Patricia Leighton, Employment Law Exchange
Professor Michael Wynn, Kingston University

TIME	SESSION	SPEAKER(S)
14.00-14.05	Welcome	Professor Patricia Leighton Professor Michael Wynn
14.05-14.35	What is Employment Regulation For? Origins and Challenges: The origins and nature of employment regulation Emerging challenges for employment regulation digitalisation, control and the undermining of the notion of employment relationships	Professor Simon Deakin, Cambridge University and editor of <i>The Industrial Law Journal</i> Professor Ursula Huws, Analytical Research Ltd
14.35-15.45	What do we know about the Effectiveness of Employment Regulation? Introduction and overview Health and Safety Regulation after the pandemic? Tort law and work standards: the case of vicarious liability Equality legislation in the UK: a failed model?	Patricia Leighton & Michael Wynn Professor Paul Almond, University of Leicester Dr Peter Mctigue, Nottingham Trent University Amanda Viviri, www.live.co.uk

15.45-16.00	BREAK	
16.00-17.15	<p>Are there Better Ways to Improve Work Standards?</p> <p>The role of criminal law in employment regulation</p> <p>Whistleblowing: a more effective way to deal with wrong-doers?</p> <p>The impact of reputational damage</p> <p>Effective international regulation</p>	<p>Professor Alan Bogg, Bristol University</p> <p>Elizabeth Gardiner, CEO, Protect: the whistleblowing charity</p> <p>Professor Charlotte Villiers, Bristol University</p> <p>Tim de Meyer, Standards Policy Advisor, International Labour Organisation</p>
17.15-18.00	Reflections and debate	
18.00	Drinks Reception	

This event is to celebrate the 10th Conference of GELP - the Group for Employment Law and Policy, Kingston University,

and to mark the publication of:

'Work in Challenging and Uncertain Times' (2020): Patricia Leighton and Tui McKeown, Routledge.