Is discrimination against irregular staffers legal outside of Europe? Should it be?
Presented by the Discrimination and Equality Law Committee and the Employment and Industrial Relations Law Committee

Law across the EU prohibits discrimination in benefits, pay and terms of employment, against irregular staff such as temporary workers, part-timers and so-called ‘zero-hour’ employees. An EU directive flatly requires that all these irregular employees get (proportionately) everything their regular full-time colleagues get. But other countries are not so accommodating to ‘irregulars’. Bosses in the US, for example, tend to give vacation, paid holidays, insurance and other benefits only to their regular full-timers. US employers are actually accused of hiring part-timers and temps just to save costs. This session will confront the fundamental public policy quandary: do irregular staffers need and deserve special protection that elevates them to a discrete protected class?

The session will explore: how the European protection of irregular staff works in practice; whether jurisdictions beyond Europe have or need similar rules; and alternative legal theories for irregular staffing. The focus will be on what circumstances put a taxpayer practically at risk and how; what steps should be undertaken to assure that a tax authority has developed to tackle tax avoidance, including the specific targeted rules (TAARs) and more general anti-avoidance approaches of substance over form, ignoring inserted steps or steps with no business purpose, the civil law concepts of ‘abus de droit’ and ‘fraus legis’, appeals to the intention of the legislature, and creative judicial interpretation of the facts or construction of the legislation?

Recent developments on unitisation of oil and gas fields: global outlook
Presented by the Oil and Gas Law Committee

The current crisis of the oil and gas industry affects key decisions on oil and gas production milestones including unitisation and abandonment/decommissioning. Unification is the joint development of a hydrocarbon reservoir, which extends across two or more licence or contract areas (if the field is governed by a production sharing contract regime) in order to ensure the efficient production of the reservoir and to maximise the economic recovery of petroleum from such licences of the contract areas. The oil and gas industry anticipates growing activity in well abandonment and platform-decommissioning operations. Although advanced technologies bring new techniques to abandonment/ decommissioning, oil and gas players seek to minimise costs because these expenses are not recouped. In this session the recent legal developments on these two topics will be reviewed, considering not only legal but also technical and business issues.

Speakers
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