

The leader in labour law education.

THE 2010 ACCOMMODATION LAW CONFERENCE

New legal breakthroughs in the duty to accommodate and their impact
on union and employer representatives in Canada



Ottawa

February 24 & 25, 2010
Fairmont Chateau Laurier



labour law online.ca
CENTRE FOR LABOUR-MANAGEMENT DEVELOPMENT

THE 2010 ACCOMMODATION LAW CONFERENCE

New legal breakthroughs in the duty to accommodate and their impact on union and employer representatives in Canada

Learn what it takes to make informed accommodation decisions based on the latest developments in the law. Attend this state-of-the-law conference—for union representatives, employer representatives and lawyers—and stay on top of the latest legal breakthroughs in the duty to accommodate and their impact on unionized workplaces in Canada.

WEDNESDAY, FEBRUARY 24
Registration: 8:30 - 9:00 a.m.

MORNING SESSION - 9:00 a.m. to 12:00 p.m.
Sean McGee and Steven Williams

Accommodation roles: They are a-changin'

How are the traditional accommodation responsibilities of employers, employees and unions evolving? What new trends are becoming apparent? New cases clarify roles and responsibilities.

Update: Misconduct and disability

Recent cases on disabled employees who engage in workplace misconduct.

Update: Medical privacy

Recent cases on the medical privacy rights of disabled employees and the employer's right to medical information.

Update: Accommodating family status

Recent cases on the duty to accommodate an employee's "family status."

Update: Accommodating substance addiction

Recent cases on accommodating employees with drug or alcohol dependencies.

AFTERNOON SESSION - 1:15 to 4:30 p.m.
Stephen Bird and Steve Waller

**Attendance-management programs:
Navigating the accommodation minefield**

When do attendance-management programs run afoul of the duty to accommodate? What are arbitrators saying? When can they be struck down?

**Developing an accommodation process:
New directives from arbitrators**

Why is it necessary to develop a process for accommodating employees? What are the benefits? What are arbitrators and human rights tribunals saying about the procedural side of accommodation obligations?

Proving substance addiction: What arbitrators look for

Whether a substance-dependency exists is increasingly the subject of debate in accommodation cases. Why is it necessary to determine whether an addiction exists? What test is used by arbitrators? When is using drugs/ alcohol not considered an addiction?



THURSDAY, FEBRUARY 25

MORNING SESSION - 8:30 a.m. to 12:00 p.m.
Paul Champ and Charles Hurdon

Accommodating mental disabilities: Emerging trends

New cases are expanding the interpretation of mental disability. How are mental disabilities being defined? What accommodation challenges are associated with mental disability?

Using the grievance process to resolve accommodation disputes

A privileged dialogue between the union and the employer, the grievance process is an often-overlooked forum for resolving accommodation disputes concerning return to work, access to medical information, alternative work and viable accommodation options.

Expert witnesses: Maximizing their role in accommodation cases

What types of experts are used in accommodation cases and what are their roles? When are they most useful? Specific examples and recent cases where experts played a pivotal role.

Getting the most from healthcare professionals

How do you get what you need from doctors, specialists, occupational therapists, addictions counsellors and other healthcare professionals? What should be their terms of engagement?

AFTERNOON SESSION - 1:15 to 3:00 p.m.
Sydney Baxter (Chair), Peter Engelmann and Mary Gleason

Accommodation Q&A

A labour arbitrator, union counsel and management counsel answer your questions on the duty to accommodate.

PRESENTERS

Sydney Baxter
Labour Arbitrator and Mediator
Ottawa

Stephen Bird
Employer Counsel
Bird Richard
Ottawa

Paul Champ
Union Counsel
Champ & Associates
Ottawa

Peter Engelmann
Union Counsel
Sack Goldblatt Mitchell
Ottawa

Mary Gleason
Employer Counsel
Ogilvy Renault
Ottawa

Charles Hurdon
Employer Counsel
Ogilvy Renault
Ottawa

Sean McGee
Union Counsel
Nelligan O'Brien Payne
Ottawa

Steve Waller
Union Counsel
Nelligan O'Brien Payne
Ottawa

Steven Williams
Employer Counsel
Emond Harnden
Ottawa



4 easy ways to register

- 1. by mail
- 2. toll-free fax
- 3. toll-free phone
- 4. online

Centre For Labour-Management Development
141 Bannatyne Ave., Suite 250,
Winnipeg, Manitoba R3B 0R3

1-800-665-5990

1-800-665-4411

www.LabourLawOnline.ca

- Please register us for the 2010 Accommodation Law Conference in Ottawa, February 24 & 25, 2010
- I cannot attend, but please send me notice of future programs by mail or E-mail

Name and organization will appear on name tag. (Please print clearly)

1. _____
2. _____
3. _____
4. _____

Organization _____

Address _____

City/Town _____

Province _____ Postal Code _____

Area Code _____ Tel _____ Fax _____

E-mail _____

Payment is due prior to the program:

- Cheque enclosed payable to: Centre For Labour-Management Development Inc.
- Invoice my organization attn: _____
- GST exempt, Registration No. _____
- Purchase Order No. is attached

Charge to the following credit card: VISA MASTERCARD AmEx DISCOVER

Card # _____ 3-digit code _____

Cardholder _____ Expiry Date ____/____

Cardholder Signature _____

Incorrect address? Receiving duplicates?

Please E-MAIL Info@LabourLawOnline.ca or
FAX toll-free 1-800-665-5990 or PHONE toll-free 1-800-665-4411

Mail Room Personnel: If undeliverable, please reroute to your organization's Human Resources Manager or Business Agent



labour law online.ca
CENTRE FOR LABOUR-MANAGEMENT DEVELOPMENT

141 Bannatyne Ave., Suite 250
Winnipeg, Manitoba R3B 0R3
Phone (204) 956-0800 Fax (204) 956-0515
Info@LabourLawOnline.ca

SEMINARS

The 2010 Accommodation Law Conference

Ottawa	February 24 & 25
Winnipeg	Spring TBA
Regina	Spring TBA
Edmonton	Spring TBA
Vancouver	Spring TBA

Progressive Discipline for Supervisors and Stewards

Saskatoon	June TBA
Winnipeg	June TBA

The Duty to Accommodate for Supervisors and Stewards

Toronto	June TBA
Halifax	June TBA
Fredericton	June TBA

AUDIO

Please see our selection of live and prerecorded audio conferences: www.LabourLawOnline.ca

For more information on programs and schedules please visit LabourLawOnline.ca

ONSITE

Ask us about arranging an inhouse course at a time and location suitable for you:

- Progressive Discipline For Supervisors and Stewards
- The Duty to Accommodate in the Unionized Workplace

ACCOMMODATIONS

Special guestroom rates starting at \$149 (standard, single/double plus taxes) have been arranged for registrants at the Fairmont Chateau Laurier, 1 Rideau Street, in downtown Ottawa.

Phone hotel reservation directly at (613) 241-1414 and ask for the group rate for "Centre For Labour-Management Development." Reserve early as availability is limited.

The Fairmont Chateau Laurier is a unionized hotel.

TUITION

Includes two-day conference, conference binder, Certificate of Attendance, continental breakfasts and refreshments. Other meals and guestrooms are not included.

Individual: \$795 (plus \$39.75 GST = \$834.75)

Group (3+ each): \$745 (plus \$37.25 GST = \$782.25)

Super Group (7+ each): \$695 (plus \$34.75 GST = \$729.75)

To qualify for group rates, registrants must be from the same organization, or union local, and register together.

CANCELLATIONS must be in writing and received by February 17, 2010 in order to qualify for a full refund less a \$50 administration fee. Non-compliance will result in liability for the entire tuition.

SUBSTITUTIONS may be made at any time.

PRESENTERS are confirmed at the time of publication, but are subject to change in emergencies.