

The leader in labour law education.

The 2012 Ontario Labour Law Review

The Year's Top Labour Law Developments Affecting
Unions and Employers in Ontario



Ottawa

November 14 & 15, 2012
Fairmont Chateau Laurier

 **labour law online.ca**
CENTRE FOR LABOUR-MANAGEMENT DEVELOPMENT



ATTENTION LAWYERS: This conference consists of 10.75 hours of Continuing Professional Development (CPD) credits and can be applied towards 9 of the 12 hours of annual CPD required by the Law Society of Upper Canada (not the New Member Requirement).



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Attend the **2012 Ontario Labour Law Review** and catch up on the year's top labour law developments and their impact on unions and employers in Ontario.

At this state-of-the-law conference, experienced union and management counsel will help you understand new developments in labour law and their impact on the unionized workplace.



CAN'T ATTEND?

Conference Binder available for

\$195.00 PLUS HST

ATTEND AND LEARN:

- The latest arbitration awards
- The latest human rights cases
- The impact on Ontario unions and employers

WHO SHOULD ATTEND:

- Ontario labour relations professionals who need to stay on top of new legal developments
- Union representatives (shop stewards, business agents, officers)
- Employer representatives (supervisors, labour relations managers)
- Labour lawyers and inhouse counsel

YOUR REGISTRATION INCLUDES:

- Two-day program
- Conference binder
- Certificate of Attendance

PRESENTERS

Judith Allen

Labour Arbitrator
Arbitration Investigation
Mediation (AIM)
Ottawa

James Cameron

Union Counsel
Raven Cameron
Ballantyne & Yazbeck
Ottawa

Paul Champ

Union Counsel
Champ & Associates
Ottawa

Peter Engelmann

Union Counsel
Sack Goldblatt Mitchell
Ottawa

Charles Hurdon

Employer Counsel
Norton Rose
Ottawa

Laurel Johnson

Counsel, Public &
Labour Law Office
of the Legal Advisor
for National Defence
and the Canadian Forces
Ottawa

Kecia Podetz

Employer Counsel
Emond Harnden
Ottawa

JD Sharp

Employer Counsel
Emond Harnden
Ottawa

Steve Waller

Union Counsel
Nelligan O'Brien Payne
Ottawa

Ottawa

November 14 & 15, 2012
Fairmont Chateau Laurier

Registration: 8:30 – 9:00 a.m.

WEDNESDAY, NOVEMBER 14

Registration: 8:30 – 9:00 a.m.

MORNING SESSION - 9:00 a.m. to 12:00 p.m.

JD Sharp and Steve Waller

Ontario Labour Arbitration Update

The year's top labour arbitration awards from Ontario and their impact on union and employer representatives.

Ontario Labour Relations Board Update

The year's top decisions of the Ontario Labour Relations Board and their impact on union and employer representatives.

AFTERNOON SESSION - 1:15 to 4:30 p.m.

Peter Engelmann and Charles Hurdon

Seniority: Can you take it with you when you're transferred?

Historically, seniority was a collective agreement right that was considered sacrosanct. However, recent cases have put those traditional principles aside to protect an individual employee's human rights. A review of recent cases where seniority was an issue in transfers to both union and non-union positions in the course of an accommodation.

Getting Harassment Investigations Right

A harassment investigation can be a lengthy and time-consuming process. If it is not done with precision, the consequences can be severe for the parties affected. A review of best practices on conducting harassment investigations, including bullying and both personal and sexual harassment. Recent legislative changes across Canada will also be reviewed.

Cell-phone Use, Parking Records and Hand Prints: New Frontiers of Employee Monitoring

You may be surprised to learn that your parking records, handprint and cell phone records may be used against you. Recent cases have affirmed that employers have access to a certain set of tools to monitor employee performance and activity in the workplace, including parking records, Internet use, biometric scanning and cell phones, and shed light on how these new powers must be balanced with employee privacy rights, including the recently recognized common-law right to privacy.

Carelessness, Negligence and Incompetence at Work: Appropriate Employer Responses

Distinguishing between carelessness, incompetence, negligence and general misconduct can be difficult. How do arbitrators categorize these workplace issues? What do they say about when discipline should and should not be used?

THURSDAY, NOVEMBER 15

MORNING SESSION - 8:30 a.m. to 12:00 p.m.

Paul Champ and Laurel Johnson

Accommodation and Human Rights Update

A review of the year's top accommodation and other human rights cases from across Canada and their impact on union and employer representatives in Ontario.

AFTERNOON SESSION - 1:15 to 3:00 p.m.

Arbitrator Judith Allen (Chair), James Cameron and Kecia Podetz

Addressing Drug and Alcohol Misconduct in the Workplace

The use and possession of drugs and alcohol in the workplace is almost always considered a serious workplace offence. Some cases result in automatic discharge, while other cases have mitigating factors that reduce the penalty. Recent arbitration awards shed light on when discipline is warranted, and when discipline is not the appropriate response.

Drug and Alcohol Q&A

Panel members answer your questions on drugs and alcohol in the workplace.



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

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- Please register us for the The 2012 Ontario Labour Law Review in Ottawa, November 14 & 15, 2012
- I cannot attend, but please send me _____ (insert quantity) conference binders at \$195 plus \$25.35 HST = \$220.35 each
- I am a lawyer who wishes to receive CLE credits from my Law Society for attending this conference.
- I cannot attend, but please send me notice of future programs by mail or E-mail

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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

PROGRAMS

The 2012 Labour Law Review

Saskatoon	October 25 & 26
Winnipeg	November 7 & 8
Ottawa	November 14 & 15
Edmonton	November 21 & 22
Vancouver	December 4 & 5

Droit du travail 2012 (French)

Montreal	November 27
Quebec	November 28

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

A special guestroom rate of \$209 (standard, single/double plus taxes) has been arranged for attendees at the Fairmont Chateau Laurier, 1 Rideau St. in downtown Ottawa.

Phone Reservations directly at (613) 241-1414 and ask for the group rate for "The Ontario Labour Law Review." Reserve early as availability is limited.

The Chateau Laurier is a unionized hotel.

TUITION

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

Individual \$795 (plus \$103.35 HST = \$898.35)
Group (3 + each) \$745 (plus \$96.85 HST = \$841.85)
Super Group (7 + each) \$695 (plus \$90.35 HST = \$785.35)
Binder Only (each) \$195 (plus \$25.35 HST = \$220.35)

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

CANCELLATIONS must be in writing and received by November 7, 2012 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.

GST No. 122060569

LEGAL CREDITS

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