

The leader in labour law education.

# The Progressive Discipline Seminar For Supervisors and Stewards

How to tackle today's most challenging  
discipline cases with skill and confidence

*Discipline?  
Accommodate?  
Excessive absenteeism  
Bad attitude  
Poor performance  
Doctor's note?  
Substance addiction?  
Warning?  
Zero tolerance?*



Winnipeg | June 3, 2015  
Hotel Fort Garry

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



The program has been accredited for 6.5  
CHRP continuing professional development  
hours by the Human Resource Management  
Association of Manitoba.

**ATTENTION LAWYERS:** This conference offers  
Manitoba lawyers a total of 6.25 hours of continuing  
professional development (CPD).

# The Progressive Discipline Seminar For Supervisors and Stewards

**Learn how to put the principles of progressive discipline into action by attending this practical one-day seminar for front-line union and employer representatives.**

**With the help of an experienced labour lawyer, supervisors and stewards will leave this seminar knowing how to tackle today's toughest discipline cases with skill and confidence.**

## PRESENTER:



**Grant Mitchell, Q.C.**  
Partner  
Taylor McCaffrey LLP  
Winnipeg

Grant Mitchell, Q.C. is a labour lawyer and educator with over 30 years of experience representing clients in labour law matters.

Mr. Mitchell has addressed thousands of union and employer representatives across Canada on progressive discipline in the unionized workplace and has earned top ratings for his clear and effective communication style.

He is a partner in the Winnipeg law firm, Taylor McCaffrey LLP.



## **SUPER GROUP RATES AVAILABLE**

### **ATTEND AND LEARN:**

- The fundamental principles of progressive discipline
- How to apply the principles in common discipline situations
- How improper discipline can be challenged

### **WHO SHOULD ATTEND:**

- Front-line supervisors and union stewards from unionized workplaces who need to make informed discipline decisions
- Labour lawyers and inhouse counsel responsible for counselling clients on discipline and discharge

### **SEMINAR BINDER INCLUDES:**

- Full coverage of all seminar topics
- Answers to frequently asked discipline questions
- Summaries of important cases

# Discipline? Accommodate?

**Attend this practical one-day seminar and learn how to tackle today's toughest discipline cases with skill and confidence**

## **The Fundamentals of Progressive Discipline**

Key concepts and underlying principles governing progressive discipline in the unionized workplace:

- Questions to ask before any discipline is imposed
- The key stages of progressive discipline
- Just cause, mitigating factors and culminating incidents
- Effective and ineffective warnings
- When discipline should never be used

## **Discipline and Human Rights**

Accommodation and other human rights protections to consider before discipline is imposed:

- When to discipline, when to accommodate
- Enforceability of automatic-termination clauses
- Enforceability of zero-tolerance policies
- Enforceability of last-chance agreements

## **Drugs, Alcohol and Discipline**

Guidelines for handling cases of misconduct involving drugs or alcohol:

- Distinguishing between substance abuse and dependency
- Handling impairment at work
- Dealing with the employee in denial
- Practical considerations for accommodating substance-dependent employees

## **Poor Performance and Bad Attitude**

What are appropriate standards of employee performance and how should they be measured?

- Appropriate and inappropriate responses to poor performance
- Defining the standards and communicating them to employees
- Performance standards for probationary employees
- Can an employee be disciplined for bad attitude alone?

## **Dealing with Excessive Absenteeism**

What are some legitimate employer responses to excessive innocent absenteeism?

- When is absenteeism considered innocent vs. disciplinary?
- How much absenteeism is considered excessive?
- When does termination become an option?
- When can absenteeism policies be challenged on human rights grounds?

## **Dealing with Pattern Absences**

What options are available to employers when dealing with suspicious absences?

- When do employers have just cause to intervene?
- Appropriate employer responses
- When substance abuse is suspected as the root cause
- Surveillance and other options available to verify suspicious absences

## **Enforcement of Employer Rules**

When are employer rules valid and enforceable, and when are they subject to union challenge?

- The legal requirements for valid employer rules
- The impact of an unreasonable rule
- How should rules be communicated to employees?
- Enforcing rules that have been unevenly enforced

*Bad attitude?  
Poor performance?  
Doctor's note?  
Warning?*

Registration:  
8:00–8:30 a.m.

Seminar:  
8:30–4:30 p.m.

Lunch Break:  
12:00–1:15 p.m.



**HRMAM**  
**CHRP** 6.5

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# 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 IN WINNIPEG  
(204) 956-0515

1-800-665-4411 IN WINNIPEG  
(204) 956-0800

www.LabourLawOnline.ca

- Please register us for The Progressive Discipline Seminar in Winnipeg, June 3, 2015
- I am a lawyer who wishes to receive CPD credits from the Law Society of Manitoba for attending this program.
- I cannot attend but please send me notice of future programs by mail or email below.

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

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Charge to the following credit card:  VISA  MASTERCARD  AmEx  DISCOVER

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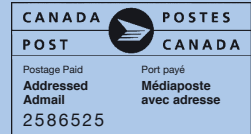
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CENTRE FOR LABOUR-MANAGEMENT DEVELOPMENT

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### CALENDAR

#### The 2015 Accommodation Law Conference

**Ottawa** April 22 & 23  
**Edmonton** April 29 & 30  
**Saskatoon** May 6 & 7  
**Vancouver** May 13 & 14

#### The Progressive Discipline Seminar

**Winnipeg** June 3  
**Regina** June 9  
**Edmonton** June 10  
**Saskatoon** June 18

### 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 \$139 (single/double plus taxes) have been arranged for registrants at the Hotel Fort Garry, 222 Broadway, in downtown Winnipeg.

Please phone Reservations directly at (204) 942-8251 and ask for the group rate for "The Progressive Discipline Seminar."

The Hotel Fort Garry is a unionized hotel.

### TUITION

Includes one-day seminar, binder, Certificate of Attendance, continental breakfast and refreshments. Other meals and guestroom accommodations are not included.

**Individual \$425** (plus \$21.25 GST = \$446.25)  
**Group (3+ each) \$395** (plus \$19.75 GST = \$414.75)  
**Super Group (7+ each) \$365** (plus \$18.25 GST = \$383.25)

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 May 27, 2015 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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