

The Progressive Discipline Seminar

For Supervisors and Stewards

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

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



Winnipeg

May 30, 2017
Hotel Fort Garry

Brandon

June 13, 2017
Victoria Inn



labour law online.ca
CENTRE FOR LABOUR-MANAGEMENT DEVELOPMENT

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

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



PRESENTER:

Grant Mitchell, Q.C.
Labour Arbitrator & Mediator
Winnipeg

4 easy ways to register

- 1. by mail** Centre For Labour-Management Development
141 Bannatyne Ave., Suite 250, Winnipeg, MB R3B 0R3
- 2. toll-free fax** 1-800-665-5990
- 3. toll-free phone** 1-800-665-4411
- 4. online** www.LabourLawOnline.ca

- Please register us for the The Progressive Discipline Seminar in
 WINNIPEG, MAY 30, 2017 BRANDON, JUNE 13, 2017
- 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

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

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PROGRAMS

The Progressive Discipline Seminar for Supervisors and Stewards

Winnipeg	May 30
Brandon	June 13
Regina	June 1
Saskatoon	June 7
Edmonton	June 8
Vancouver	June 28

The 23rd Annual Manitoba Labour Law Review

Winnipeg Fall 2017, TBA

TUITION

Tuition includes one-day program, conference binder, Certificate of Attendance, continental breakfast and refreshments. Accommodations and other meals are not included.

Individual \$425 (plus \$21.25GST = \$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 at the same time.

Individuals registering separately will not qualify for group rates.

CANCELLATIONS must be in writing and received by **May 23** (Winnipeg) and **June 6** (Brandon) 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.

GST No. 122060569

CPHR



CPHR: This program has been accredited by CPHR Manitoba for 8 CPD hours.

LAWYERS



ATTENTION LAWYERS:

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