

The leader in labour law education.

THE 2011 ACCOMMODATION LAW CONFERENCE

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



Ottawa

March 9 & 10, 2011
Fairmont Chateau Laurier



labour law online.ca
CENTRE FOR LABOUR-MANAGEMENT DEVELOPMENT



ATTENTION LAWYERS: This program consists of 10.75 hours of Continuing Professional Development (CPD) 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).

THE 2011 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, MARCH 9

Registration: 8:30 - 9:00 a.m.

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

Paul Champ and Charles Hurdon

Accommodation Update

A review of the newest and most important accommodation cases in Canada in areas ranging from drugs and alcohol, non-culpable theft and mental disability to medical privacy.

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

Dan Palayew and Julie Skinner

Using standard medical forms:

The good, the bad and the invasive

Standard medical forms may be popular, but there are pitfalls associated with them when they demand too much medical information. Arbitrators offer clear guidelines as to when using a standard medical form can violate medical privacy.

Proving discrimination: The arbitral test

Proving the existence of discrimination is a legal requirement in every accommodation case. Understand the test for discrimination used by arbitrators: Is there a protected ground? Is there an adverse effect? Is there interference with a workplace right? Is the interference substantial?

From shoulder injury to stress:

The evolving definition of disability

Defining “disability” under human rights legislation is not always easy. With emphasis on factors considered by arbitrators, we examine recent arbitration awards that help the parties understand what is and is not considered a disability.

Accommodating pregnant employees:

Avoiding common mistakes

A rarely discussed topic, the accommodation of pregnant employees touches most workplaces. Yet mistakes in accommodating them are common. Learn the proactive steps to take early in the pregnancy to ensure a smooth and productive accommodation of pregnant employees.



Ottawa

March 9 & 10, 2011
Fairmont Chateau Laurier

THURSDAY, MARCH 10

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

Sean McGee and JD Sharp

When accommodation affects coworkers:

The rights and duties of affected employees

Accommodation inevitably affects other employees in the workplace. An exploration of the wide range of “side effects” of accommodation on coworkers, including safety, bumping rights, job postings, the saturation effect and displacement of co-workers.

Accommodating family status:

Where arbitrators draw the line

Where do arbitrators draw the line between work and family obligations? What family obligations need to be accommodated? New cases shed light on where the law is headed.

Religious accommodation:

The evolving balance between work and faith

The duty to accommodate creed and religion continues to be challenging as employers are required to recognize a broad range of spiritual and religious beliefs. An examination of important cases that set out key guidelines for unions and employers.

Ongoing accommodation: How long does the duty continue?

When does the duty to accommodate end? Does it need to change over time as circumstances change? Can it resurface years after it appears to have been satisfied? Recent cases address the long-term implications of the duty.

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

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

Dan Palayew

Employer Counsel
Heenan Blaikie
Ottawa

JD Sharp

Employer Counsel
Emond Harnden
Ottawa

Julie Skinner

Union Counsel
Nelligan O'Brien Payne
Ottawa



ATTENTION LAWYERS: This program consists of 10.75 hours of Continuing Professional Development (CPD) 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).

4 easy ways to register

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

1. by mail
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 2011 Accommodation Law Conference in Ottawa, March 9 & 10, 2011
- I cannot attend, but please send me notice of future programs by mail or E-mail
- I am a lawyer who wishes to claim continuing professional development credits from the Law Society of Upper Canada.

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

PROGRAMS

The 2011 Accommodation Law Conference

Ottawa - March 9 & 10 Edmonton - April TBA
Regina - April TBA Winnipeg - April TBA

Progressive Discipline for Supervisors and Stewards

Vancouver - June TBA Saskatoon - June TBA
Edmonton - June TBA Winnipeg - 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 "The Accommodation Law Conference." 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 \$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)

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 March 2, 2011 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

Attention Lawyers: This program consists of 10.75 hours of Continuing Professional Development (CPD) 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).