

THE RULES OF THE GAME ARE CHANGING

An Update and Practical Suggestions in Employment & Labour Law

TORONTO December 1, 2010

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Conference Code 110024

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Toronto, December 1, 2010

Early Bird Deadline: (November 1, 2010)

\$1,195 + applicable taxes*

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TO REGISTER:

Call: Toll free 1-877-298-5868 or (416) 298-5141 ext. 5868

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One Corporate Plaza

2075 Kennedy Road, 11th Floor

Toronto, ON M1T 3V4

Attention: Marketing Events

DATES AND VENUES:

TORONTO, ST. ANDREW'S CLUB AND CONFERENCE CENTRE December 1, 2010

St. Andrew's Club and Conference Centre:

150 King Street West, 27th Floor, Toronto, ON M5H 1J9

Phone: (416) 366-4228

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SPECIFICALLY DESIGNED FOR:

- » Vice Presidents, Directors of Human Resources
- » Vice Presidents, Directors of Labour Relations
- » HR Professionals
- » Employee and Labour Relations Consultants
- » In-house Counsel
- » Union Officials, Business Agents, and Stewards
- » Disability Managers
- » Plant Managers
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The law of workplace human rights and accommodation has been evolving at an unprecedented rate. Employee rights continue to grow, yet the Supreme Court of Canada has signalled a restraining influence about which every employer must know. The impact is significant for both union and non-union workplaces. Human resources and labour relations professionals, as well as in-house counsel, would benefit immeasurably from this one-day intensive course. Join the faculty of legal experts from Ogilvy Renault LLP to learn about recent developments in legal principles, as well as practical applications that will help you navigate through the challenges in this unfolding area of employment law.

Course sponsored by

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THE COURSE LEADER

RICHARD CHARNEY, SENIOR PARTNER AND CHAIR OF THE FEDERAL LABOUR AND EMPLOYMENT LAW TEAM, OGILVY RENAULT LLP

SPECIAL GUEST SPEAKERS

SARAH CROSSLEY, PARTNER, OGILVY RENAULT LLP
MICHAEL MCFADDEN, PARTNER, OGILVY RENAULT LLP

COURSE HIGHLIGHTS

- PRE-EMPLOYMENT CONSIDERATIONS
- EMPLOYMENT CONTRACTS
- PERFORMANCE MANAGEMENT
- BRINGING THE EMPLOYMENT RELATIONSHIP TO AN END
- LABOUR RELATIONS AND DEALING WITH A UNION
- POSSIBLE REMEDIES AND RISK MANAGEMENT

REGISTER BEFORE NOVEMBER 1 AND SAVE \$300!

TORONTO, ST. ANDREW'S CLUB AND CONFERENCE CENTRE DECEMBER 1, 2010

For more information or to register, please contact

Lexpert® Events at 1-877-298-5868 or e-mail: register@lexpert.ca

WEBCAST ALSO AVAILABLE!

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program outline

8:15 – 9:00 | REGISTRATION AND BREAKFAST

9:00 – 10:00 | PRE-EMPLOYMENT CONSIDERATIONS: NAVIGATING THE LEGAL MINEFIELD
PRESENTER: MICHAEL MCFADDEN

- » What information can employers ask candidates in applications and the interview process?
- » Allurement, negligent misrepresentation and restrictive covenants, how can this impact an employer?
- » Human rights and privacy considerations

10:00 – 11:00 | EMPLOYMENT CONTRACTS: DON'T GET CAUGHT WITHOUT ONE
PRESENTER: MICHAEL MCFADDEN

- » Important contractual terms
- » Issues of enforceability
- » Protecting an employer's confidential information
- » The latest on independent contractors

11:00 – 11:15 | COFFEE BREAK

11:15 – 12:15 | BRINGING THE EMPLOYMENT RELATIONSHIP TO AN END: MINIMIZING YOUR LEGAL EXPOSURE
PRESENTER: SARAH CROSSLEY

- » Best practices
- » Dismissal for just cause
- » Dismissal without just cause
- » Constructive dismissal
- » A legal update on "damages" claims by employees

12:15 – 1:15 | LUNCH

1:15 – 2:15 | PERFORMANCE MANAGEMENT
PRESENTER: SARAH CROSSLEY

- » Practical tips and suggestions
- » Human rights and health and safety considerations – the brave new world
- » Progressive discipline
- » Attendance management



RICHARD CHARNEY

Richard Charney was called to the Ontario Bar in 1983 after receiving his Bachelor of Laws degree from the University of Western Ontario in London, Ontario, and a Master of Law degree from the University of Cambridge, England. He then served as a solicitor to the Ontario Labour Relations Board and the Ontario Ministry of Labour, after which he has been engaged in private practice primarily representing management in the areas of labour relations, employment and administrative law. Mr. Richard Charney appears before tribunals such as the Ontario Labour Relations Board, the Canada Industrial Relations Board, boards of arbitration and courts, up to and including the Supreme Court of Canada. He has served a range of clients such as universities, transportation undertakings, municipalities, electric power utilities and employers and employers' organizations active in sectors such as manufacturing, construction and arts and entertainment. His practice also includes bargaining on behalf of clients and providing strategic advice.

2:15 – 3:15 | LABOUR RELATIONS AND DEALING WITH A UNION
PRESENTER: RICHARD CHARNEY

- » Union organizing campaigns, successor rights and common employer applications
- » The grievance and arbitration process
- » Duty to be reasonable
- » Practical tips and suggestions

3:15 – 3:30 | COFFEE BREAK

3:30 – 4:00 | POSSIBLE REMEDIES AND RISK MANAGEMENT: A LEGAL UPDATE
PRESENTER: RICHARD CHARNEY

- » Human rights
- » Wrongful dismissal
- » Labour arbitrations
- » Federal adjudicators

4:00 – 4:30 | QUESTIONS & ANSWERS

4:30 | COURSE CONCLUSION



SARAH CROSSLEY

Sarah Crossley practises employment and labour law, advising and representing employers in both federal and provincial jurisdictions. Ms. Crossley advises employers on a variety of employment and labour matters, including terminations, human rights, collective agreement administration, employment agreements, policy development, discipline and discharge. She regularly acts as employer counsel in wrongful dismissal litigation, grievance arbitrations and human rights complaints and frequently provides seminars and training for clients on a variety of matters, including human rights, harassment, discrimination, terminations and effective workplace management. Ms. Crossley has also conducted harassment investigations.



MICHAEL MCFADDEN

Michael McFadden has extensive experience in trade union litigation before the Ontario Labour Relations Board, the Canada Industrial Relations Board, boards of arbitration, human rights boards of inquiry and other employment-related administrative tribunals. He also has significant advocacy experience in individual employment law litigation. This diverse experience has provided opportunities to represent a wide variety of clients in essentially all sectors of the economy. Mr. McFadden often participates in the employment and labour law aspects of complex business transactions, including mergers and acquisitions and business restructurings, both for privately and publicly held companies. He prepares executive employment agreements, negotiates and finalizes employment covenants and indemnities in agreements of purchase and sale, advises on and drafts bonus and/or option plans and supervises due diligence processes. Since joining Ogilvy Renault LLP, Mr. McFadden has practised employment and labour law exclusively on behalf of employers. He brings a unique and invaluable perspective and insight to management-side representation having previously practised exclusively on behalf of trade unions.

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WEBCAST ALSO AVAILABLE!



This program has been accredited by the Law Society of Upper Canada towards the professional development requirement for certification.

Labour Law 5.5 hours