


Final
May 31, 2017



THE SIX-MINUTE Labour Lawyer 2017

Chairs: **Craig Flood, *Koskie Minsky LLP***
Jodi Gallagher Healy, *Hicks Morley Hamilton Stewart Storie LLP*

June 20, 2017
9:00 a.m. to 12:30 p.m.
Total CPD Hours = 3 h Substantive + 30 m Professionalism 

Donald Lamont Learning Centre
The Law Society of Upper Canada
130 Queen Street West
Toronto, ON

CLE17-0060801



Agenda

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| 9:00 a.m. – 9:05 a.m. | Welcome and Opening Remarks

Craig Flood, <i>Koskie Minsky LLP</i>

Jodi Gallagher Healy, <i>Hicks Morley Hamilton Stewart Storie LLP</i> |
| 9:05 a.m. – 9:13 a.m. | Update from Canada Industrial Relations Board

Graham Clarke, Arbitrator/Mediator |

9:13 a.m. – 9:21 a.m.

Update from the Ontario Labour Relations Board

Gita Anand, Vice-Chair, *Ontario Labour Relations Board*

9:21 a.m. – 9:29 a.m.

Workplace Implications of Legalized Recreational Marijuana

Brian MacDonald, *Filion Wakely Thorup Angeletti LLP*

9:29 a.m. – 9:37 a.m.

Changes to the Ontario College of *Trades and Apprenticeship Act* and their Impact before the Ontario Labour Relations Board

David Francis, *Mathews, Dinsdale & Clark LLP*

9:37 a.m. – 9:43 a.m.

Question & Answer Session

9:43 a.m. – 9:51 a.m.

Pre-Employment, Post-Incident and Random Drug and Alcohol Testing

Mike Biliski, *Koskie Minsky LLP*

9:51 a.m. – 9:59 a.m.

Requesting Medical Information: Balancing the Employee's Right to Privacy v. Employer's Need to Know

Archana Mathew, Grievance Officer, *Ontario Public Service Employees Union*

9:59 a.m. – 10:07 a.m.

Social Media and the Employer's Duty to Protect

Ian Fellows, *Ursel Phillips Fellows Hopkinson LLP*

10:07 a.m. – 10:15 a.m.

Professionalism and Social Media (8 minutes )

Nadine Blum, *Goldblatt Partners LLP*

- 10:15 a.m. – 10:20 a.m. **Question & Answer Session**
- 10:20 a.m. – 10:35 a.m. **Coffee and Networking Break**
- 10:35 a.m. – 10:57 a.m. **Drawing the Line Between Adjudication and Mediation**
(22 minutes 🕒)
- Kim Bernhardt, *Bernhardt Arbitration & Mediation*
- Craig Flood, *Koskie Minsky LLP*
- Jodi Gallagher Healy, *Hicks Morley Hamilton Stewart Storie LLP*
- Matthew Wilson, Vice-Chair, *Ontario Labour Relations Board*; Mediator/Arbitrator
- 10:57 a.m. – 11:02 a.m. **Question & Answer Session**
- 11:02 a.m. – 11:10 a.m. **Update on Family Status Discrimination/Accommodation**
- Kathryn Bird, *Hicks Morley Hamilton Stewart Storie LLP*
- 11:10 a.m. – 11:18 a.m. **Does the OLRB "Day of Application" Test in the Construction Industry Violate the Charter?**
- Yu-Sung Soh, Legal Counsel, *Labourers International Union of North America, Ontario Provincial District Council*
- 11:18 a.m. – 11:26 a.m. **To *Investia* and Beyond! The Evolution of the Scope of Employers' Obligations Surrounding Workplace Harassment Complaints**
- Christopher Edwards, *Templeman, Menninga LLP*

- 11:26 a.m. – 11:34 a.m. **The taint of anti-union animus: A matter of inference**
Debra McKenna, *Paliare Roland Rosenberg Rothstein LLP*
- 11:34 a.m. – 11:42 a.m. **The End of "Shop Talk"? - Discipline for Abusive Behaviour and Speech**
Chris Donovan, *Dewart Gleason LLP*
- 11:42 a.m. – 11:47 a.m. **Question & Answer Session**
- 11:47 a.m. – 11:55 a.m. **Accommodating the Drug Addiction of Medical Workers**
Brian Smeenck, *Fasken Martineau Dumoulin LLP*
- 11:55 a.m. – 12:03 p.m. **Enforceability Last Chance Agreements**
Erin Porter, Counsel, *Revera Inc.*
- 12:03 p.m. – 12:11 p.m. **What Changes Are on the Horizon for the NAFTA Labour Side Agreement?**
Shaheen Hirani, Counsel, *United Steelworkers*
- 12:11 p.m. – 12:27 p.m. **Update on *The Changing Workplaces Review***
C. Michael Mitchell, Arbitrator/ Mediator, *C. Michael Mitchell Dispute Resolution*
- 12:27 p.m. – 12:30 p.m. **Question & Answer Session**
- 12:30 p.m. **Program Ends**