

27TH ANNUAL EMPLOYERS' CONFERENCE AGENDA

November 7, 2013, Toronto Congress Centre

8:00 - 9:00 **REGISTRATION & BREAKFAST**

9:00 - 9:15 **INTRODUCTORY REMARKS**

9:15 - 9:45 **USING CONTRACTS TO PREVENT WRONGFUL DISMISSAL LAWSUITS**

Landon Young

Wrongful dismissal awards from the courts have become increasingly generous and unpredictable. The best way to prevent your organization from being hit with one is to have employment contracts in place that define an employee's rights on termination. However, in recent cases the courts have subjected such contracts to close scrutiny to find them unenforceable.

LEARN:

- What can and cannot be contracted out of in regard to employee termination rights,
- How to avoid drafting pitfalls that can render your contract void, and
- Best practices for entering into employment contracts so that they will stand up in court.

9:45 - 10:15 **WORKPLACE ALCOHOL AND DRUG TESTING**

Jeff Murray & Ryan Conlin

The Supreme Court of Canada decision in *Irving Oil* regarding the rights of employers and employees when it comes to drug and alcohol testing has stirred a national debate. Find out what the implications of this decision are for your organization.

LEARN:

- In what circumstances random screening may be lawful,
- What types of drug and alcohol testing are permissible, and
- To what extent the rules differ between union and non-union workplaces.

10:15 - 10:35 BREAK/NETWORKING

10:35 - 11:30 DEMONSTRATION: CONDUCTING A WORKPLACE ACCIDENT INVESTIGATION

Ryan Conlin and Jeremy Schwartz

Coordinating and conducting an effective workplace accident investigation is essential for implementing enforceable discipline, keeping as much as possible privileged and confidential, and preparing to defend any OHS charges that may result. In this session, you will observe a mock post-accident interview followed by a discussion of common mistakes and best practices.

11:30 - 12:00 Q&A

12:00 - 1:20 LUNCH with SPECIAL KEYNOTE SPEAKER: TBA

1:20 - 1:50 AODA's EMPLOYMENT STANDARD – WILL YOU BE READY?

Jessica Young & Jeremy Schwartz

The Employment Standard under the *Accessibility for Ontarians with Disabilities Act* (AODA) will soon be applicable to all employers in Ontario. The requirements are broad and the penalties for non-compliance are significant.

LEARN:

- What the AODA Employment Standard requires, from recruitment, to return-to-work, accommodation and even succession and redeployment planning,
- What deadlines apply to your organization, and
- Practical strategies for meeting your obligations.

1:50 - 2:30 FAMILY STATUS ACCOMMODATION

Allison Taylor

The duty to accommodate “family status” under human rights law has been receiving greater attention from the courts and tribunal lately. Despite the inclusion of the ground in various human rights statutes for more than 20 years, it remains a somewhat nebulous concept. So how can employers know what is required?

LEARN:

- What human rights tribunals and arbitrators are saying about the scope of employers’ obligations to accommodate “family status”,
- Which circumstances engage legal protection for family status, and
- Practical strategies to lawfully manage accommodation requests.

2:30 - 2:50 BREAK/NETWORKING

2:40 - 3:40 LEGAL ROUNDUP

In this session we will provide concise, ten minute summaries of some of the most significant legal developments affecting employers from the past year.

LEARN ABOUT:

- **Accommodation of disabled employees (Allison Taylor)**
- **Just cause for employee dismissals (Landon Young)**
- **WSIB Claims Management (Ryan Conlin)**
- **Tightening Business Immigration Rules (Jessica Young)**
- **Forum Shopping for Human Rights Complaints (Jeremy Schwartz)**
- **Collective Bargaining Trends (Jeff Murray)**

3:40 - 4:30 Q&A

4:30 CONFERENCE ADJOURNS