



## EMPLOYMENT & LABOUR LAW SEMINAR SERIES

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Employers across Ontario are being forced to cope with the effects of the most significant economic and financial crisis that has faced the global economy since the end of World War II. Statistics Canada reports that the unemployment rate reached 8.0% in March 2009, and employment rates have fallen each month in the last five since October 2008. This represents, in percentage terms, the largest decline in a five-month period since the 1982 recession.

Employers today face real world problems. They need common sense solutions. When they need to seek legal advice, they need practical results delivered at a reasonable price. This is what the lawyers at **Shibley Righton LLP** provide. Shibley Righton LLP is **STRONG ON RESULTS**.

The law firm of Shibley Righton LLP was founded in April 1964, and over its 45-year history, now with more than 30 lawyers at its Toronto and Windsor offices, the firm has acquired a well-deserved reputation for its dedication to excellence in client service at affordable rates.

The lawyers at the Windsor office of Shibley Righton LLP have extensive experience in employment and labour law issues. **Brian Nolan, Sheila MacKinnon, Paul Howard and Bryce Chandler** collectively have some 80 years' experience in servicing the legal needs of employer clients, ranging from large institutional clients in the public sector, to sole proprietors, partnerships, and small to medium-sized corporations in the private sector. We know that labour and employment issues can pose significant financial and practical problems for our employer clients.

Now more than ever, our employer clients need to find ways to minimize the costs of their labour and employment issues. And they need to contain their legal costs. We want to give our clients the tools they need to avoid legal pitfalls *before* they occur. With that goal in mind, we are pleased to unveil our Employment & Labour Law Seminar series. Each seminar, as described below, will review a separate workplace-related issue. Our ultimate goal is to help you develop strategies to prevent workplace problems from arising, and to manage and resolve such problems, if they do arise, in a cost-effective manner.

### WHO SHOULD ATTEND?

Drawing on our many years of experience working with our employer clients, we have developed the sessions in our Employment & Labour Law Seminar series to focus on the **management perspective**. The selected topics for the seminars will be of interest to every employer, and range from progressive discipline, termination of the employment relationship, human rights issues in the workplace, to privacy issues and employee surveillance. **Human resources professionals, managers, CEOs, and business owners** interested in learning about current legal issues in employment law should plan on attending these seminars.

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## **SEMINAR DESCRIPTIONS:**

### **Corrective Discipline – A Measured Response**

*Thursday, June 18, 2009, 9 am – 12 pm*

Termination of the employment relationship can no longer be done on a whim. Employers must ensure that they actively address undesirable employee behaviour before it reaches the point where termination is necessary. Speakers will examine such issues as appropriate progressive discipline policies, proper documentation of discipline, and what constitutes a “culminating incident” justifying termination.

### **Staffing Reductions: Termination of the Employment Relationship**

*Thursday, August 13, 2009, 9 am – 12 pm*

Management knowledge of effective strategies for downsizing and restructuring to ensure optimal efficiency is essential in the current economy. This seminar will examine issues such as the difference between contract employees and common-law employees, notice and severance provisions under the Ontario *Employment Standards Act*, reasonable notice requirements imposed by the common law, how to modify terms of employment without constructively dismissing employees, and how to discharge employees without incurring liability for “Wallace damages.”

### **Human Rights in the Workplace**

*Thursday, October 22, 2009, 9 am – 12 pm*

The number and frequency of harassment and discrimination claims have risen exponentially in recent years. Speakers will explain the relevant provisions of the *Human Rights Code* and will review the components of adequate harassment and discrimination policies. Speakers will also review the human rights complaint process, how best to avoid complaints, and what action is needed if a complaint is initiated against the employer and its managers.

### **Extended Leave: An Employer's Right to Medical Information**

*Thursday, December 3, 2009, 9 am – 12 pm*

Access to medical information or an employee's limitations remains a hotly contested issue in workplace-related issues. Speakers will address the medical information to which employers are entitled, independent medical examinations, innocent absenteeism, and the all-too-common vague or incomprehensible doctor's note.

### **Post-Offer of Employment Testing**

*Thursday, February 25, 2010, 9 am – 12 pm*

Ensuring that prospective employees are able to perform the required tasks of any given position is essential in order to allow employers to conduct their businesses in the most efficient manner possible. Speakers will discuss how to implement post-offer employment testing in the workplace.

### **Privacy in the Workplace**

*Thursday, April 15, 2010, 9 am – 12 pm*

Employee surveillance in and outside the workplace environment is another hotly debated employment-related topic. Employers will learn in what circumstances surveillance may be undertaken. Employers will also be advised of applicable privacy legislation considerations and recent arbitration decisions on point.

**All seminars are offered at the Holiday Inn Select, 1855 Huron Church Road, Windsor.** The registration fee of \$70 (\$60 for each additional attendee from the same company) includes a continental breakfast and a CD containing all seminar materials. Registrants who book four seminars will receive the remaining two seminars free-of-charge. Please complete and submit the attached registration form today!