

August 21 – 22, 2018 • Calgary, Alberta

# Managing Your **Duty** to **Accommodate**

## HEAR FROM EXPERIENCED LEADERS



Kelly Nicholson, Partner, Privacy Officer,  
**FIELD LAW**



Ron Beach, Team Lead, Addiction  
Prevention, **ALBERTA HEALTH SERVICES**



Gordana Ivanovic, Associate,  
**MCMILLAN LLP**



Dr. Perry Sirota,  
Clinical and Forensic Psychologist



Jennifer Henker, Vocational  
Rehabilitation Consultant,  
**ALTA REHAB**



Michelle Phaneuf, P.Eng., C.Med.,  
**WORKPLACE FAIRNESS WEST**



Rachel Ries, Associate,  
**MCCARTHY TÉTRAULT LLP**



Sebastien Anderson, Barrister and  
Solicitor, Labour Rights Law Office,  
**S. ANDERSON PROF. LAW CORP.**



Melissa Rodrigue-Krause,  
**SUREHIRE OCCUPATIONAL TESTING**



Wendy Giuffre, Principal Consultant,  
**WENDY ELLEN INC.**



Simon Gillingham, Senior Labour  
Relations Officer, **CITY OF WINNIPEG**



Ermalinda Faria, Director, Disability  
Management Services, **LIFEMARK**

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## Mitigating the Increasing Expense to Organizations for Failing to Accommodate Employees

- ✓ Learn about how to address the work-life balance of employees in accommodation
- ✓ Adopt best practices from recent case studies
- ✓ Investigate return-to-work research; practical strategies from the latest in academia
- ✓ Plan for mental health accommodations in employment
- ✓ Support employees in workplace harassment conflict
- ✓ Contribute to a proactive policy in accommodation
- ✓ Deal with conflicting human rights disputes
- ✓ Dealing with addictions in the workplace
- ✓ Empathize with employees with non-evident cognitive issues of accommodation

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## CONFIRMED SPEAKERS INCLUDE:



### **Sebastien Anderson, Barrister and Solicitor, Labour Rights Law Office, S. Anderson Prof. Law Corp.**

Sebastien is the principal of the "Labour Rights Law Office"—a virtual law firm—practising law primarily in the fields of labour, employment, human rights and administrative law in addition to civil litigation. Sebastien has an active police practice in a broad range of employment issues representing RCMP Members across Canada, in addition to providing legal advice and representation to unionized local and regional police officers in both Alberta and BC.



### **Ron Beach, Team Lead, Addiction Prevention Team, Alberta Health Services**

Ron Beach, BSc, RPN, is the Team Lead with Alberta Health Services Provincial Addiction Prevention Unit. With 28 years of experience he leads the coordination of provincial strategies and initiatives that contribute to the delivery of evidence-based, integrated addiction and mental health prevention services.

### **Ermalinda Faria, Director, Disability Management Services, Lifemark**

Ermalinda Faria is located out the Lifemark Toronto office and manages the national disability team. Her background includes expertise in short and long-term disability and accommodations, integrated employee wellness initiatives, and cost containment strategies for employers. Ermalinda brings more than 20 years of group benefits experience ranging from short and long term disability, WSIB, return to work planning, EAP and wellness programs. She has worked with various organizations of all sizes and in many industries in both the public and non-public sector across Canada creating policies and implementing disability and wellness programs.



### **Simon Gillingham, Senior Labour Relations Officer, Labour Relations and Total Compensation Division, City of Winnipeg**

Simon has a wealth of experience on Human Rights, Respectful Workplace, Labour Relations and Mediation. Simon is employed with the City of Winnipeg and is responsible for investigating all Respectful Workplace Complaints, Human Rights Complaints and managing a Labour Relations portfolio.



### **Wendy Giuffre, Principal Consultant, Wendy Ellen Inc.**

Wendy Giuffre is a Human Resource Professional with 25 years generalist experience. She has practiced in all aspects of HR with a vast breadth of experience starting from solid training at a major oil company to consulting work with many small to mid-size businesses crossing various industry sectors. She has practical hands-on experience clients can benefit from. Wendy's career includes 16 years working for a major Oil and Gas company and consulting as an independent in all areas of HR and group benefits for 9 years. She consults predominantly to companies of sizes from two to 250 employees. Business sectors vary – O&G, High Tech, Non-profit, Mechanical, Engineering, Small Enterprise, Insurance, Retail, Plumbing, Environmental, Hospitality, and others.



### **Jennifer Henker, Vocational Rehabilitation Consultant, Alta Rehab**

Jennifer is a long standing Registered Rehabilitation Professional (RRP), and is a Certified Vocational Rehabilitation Professional (CVRP). Jennifer is highly skilled in providing disability case management services that involve coordinating and implementing cost-effective rehabilitation plans with a return to work focus. Continuing her education in the field of conflict resolution, she has become an expert in collaborating with all interested parties including physicians and other treatment providers, specialists, employers, labour unions, and insurance companies Canada wide, resulting in successful vocational rehabilitation outcomes.



### **Gordana Ivanovic, Associate, McMillan LLP**

Gordana is a member of the firm's Advocacy and Employment Group practicing in the area of Litigation. Prior to joining McMillan, Gordana spent many years practicing litigation in a civil litigation boutique firm where she gained extensive knowledge and experience litigating in the areas of Corporate and Commercial Law, Contracts, Employment and Labour Disputes, Natural Resources, Leasing and Real Estate, and Insurance. Gordana is passionate about listening to her client's needs and using the Law to achieve the best result for her client. Gordana has prepared documents for all levels of Court in Alberta and appears regularly at the Court of Queen's Bench of Alberta. Gordana is routinely involved in all aspects of the litigation process, including alternate dispute resolutions and has appeared as both co-counsel as well as lead counsel in various trials.



### **Kelly Nicholson, Partner, Privacy Officer, Field Law**

Kelly Nicholson is the firm's Privacy Officer and Chair of the Calgary Labour & Employment Group. He advises private and public-sector clients on all aspects of the employment relationship, including employee recruitment, discipline and termination, wrongful dismissal claims, privacy matters, human rights complaints, disability and insurance issues, interpretation and enforcement of non-competition and confidentiality agreements, contract negotiation, policy development, benefit and incentive plan management, executive compensation, collective agreement interpretation and arbitration, and alcohol and drug testing. Kelly also regularly advises police services and other law-enforcement agencies throughout the province on various matters including policy development and implementation, public complaints, internal investigations, police discipline and termination, collective agreement negotiation, and grievance arbitrations.



### **Michelle Phaneuf, Workplace Fairness West**

Michelle Phaneuf, PEng, is a Chartered Mediator and trained Ombudsman who utilizes interest based tools to bring awareness and empathy to manage conflict situations in a non-confrontational manner. With over 20 years of past and varied experience as a Professional Engineer, energy management consultant, business owner, facilitator and property owner/manager, she has been successful in resolving a wide range of conflicts. Michelle is the Alberta Co-Director of Workplace Fairness and has extensive experience with Employee Assistance Providers (EAP's) and public and private organizations providing conflict management and conflict resolution services.



### **Rachel Ries, Associate, McCarthy Tétraut**

Rachel Ries is an associate in our Labour and Employment Group in Calgary. She assists employers with a variety of labour and employment issues, including wrongful dismissals, human rights, labour arbitrations, employment standards and workplace policies. Rachel received her JD from the University of Calgary in 2013. She was called to the Alberta bar in 2014. Rachel is a member of the Law Society of Alberta, the Canadian Bar Association and the Calgary Bar Association.



### **Dr. Perry Sirota, Clinical and Forensic Psychologist**

Dr. Perry Sirota is a Clinical and Forensic Psychologist, with degrees from McGill University and Queen's University. Recently he completed his Masters in Business Administration at the Calgary campus of the University of Phoenix. He divides his time about equally between providing psychotherapy for a range of issues. Dr. Sirota has advanced training and practice in the areas of workplace bullying, workplace substance use, risk management, risk assessment and prediction, criminal profiling, threat assessment, violence and aggression intervention, and workplace violence. He helps organizations develop internal screening methods, workplace violence and drug policies, bullying and harassment policies and protocols, and how to manage internal crisis situations.

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## DAY ONE PROGRAM AGENDA: TUESDAY, AUGUST 21, 2018

7:30 – 8:30 **Registration and Continental Breakfast**

8:30 – 8:40

### **Welcome and Opening Remarks from the Chair** *Dr. Perry Sirota, Clinical and Forensic Psychologist*

8:40 – 9:40

**CASE STUDY**

### **Lessons from a Duty to Accommodate**

*Sebastien Anderson, Barrister & Solicitor, Labour Rights Law Office, S. Anderson Prof. Law Corp.*

Learn from the duty to accommodate case study with the RCMP Code of Conduct, grievances, and appeals under the RCMP Act and Regulations.

9:40 – 10:40

### **Co-ordinating Stakeholders for Optimal Return-to-Work Results**

*Jennifer Henker, Vocational Rehabilitation Consultant, Alta Rehab*

- Why communication holds the key to success
- Steps in preparing for a successful stay at work/return to work
- Collaborative approach to a positive return-to-work outcome
  - what information is needed
  - roles and responsibilities
  - planning with all stakeholders
- Early detection and intervention
- Accommodation measures

10:40 – 11:00

**Networking Break**



11:00 – 12:00

### **Family Status Accommodation and Work-Life Balance**

*Rachel Reis, Associate, McCarthy Tétrault*

- Accommodation process
- Is the employee required to self-accommodate?
- What information employers can require employees to disclose
- Establishing an accommodation plan: what should be included?
- How often should be it reviewed and revised?
- The costs of getting it wrong: damages for breach of the duty to accommodate family status

12:00 – 1:00

**Luncheon Break**

1:00 – 2:00

### **Recommended Practices in Mental Health Accommodations**

*Dr. Perry Sirota, Clinical and Forensic Psychologist*

- Tools for recognizing early warning signs for at-risk behaviour

- Training managers to effectively communicate concerns with employees
- Developing a strategy to support persons with mental health issues
- Examine the legal responsibilities of the employer in recent employment law cases
- Q&A period: get guidance on issues you're facing at work

2:00 – 2:15

**Networking Break**



2:15 – 3:15

### **Workplace Harassment and Its Intersection with Accommodation**

*Wendy Giuffre, Principal Consultant, Wendy Ellen Inc.*

- Incorporating bullying and personal harassment into existing policies
- Implementing investigation protocols and complaint procedures
- Establishing duties of managers, human resources, and employees
- Addressing the root causes and organizational triggers of workplace aggression
- Fostering an environment of respect and setting standards of behaviour

3:15 – 4:15

**CASE STUDY**

### **Building a Return-to-Work (RTW) Plan from Policies to Procedures**

*Melissa Rodrigue-Krause, SureHire Occupational Testing*

- Learn when a return-to-work plan is necessary
- How to make RTW work for you, and your employees
- Hear how to build a RTW plan from the ground up

**CALGARY, ALBERTA**  
**EVENT LOCATION: CALGARY, ALBERTA**

*Managing Your Duty to Accommodate* will be held at a convenient downtown location in Calgary which could include the Delta Calgary South or the International Hotel Calgary. Detailed venue information will be forthcoming as it becomes available.

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## DAY TWO PROGRAM AGENDA: WEDNESDAY, AUGUST 22, 2018

7:30 – 8:30 Continental Breakfast

8:30 – 8:40

### Opening Remarks from the Chair

*Dr. Perry Sirota, Clinical and Forensic Psychologist*

8:40 – 9:40

### Medical Marijuana in the Workplace: A Duty to Accommodate

*Kelly Nicholson, Partner, Privacy Officer, Field Law*

- Review and update on medical cannabis legislation
- What are your accommodation obligations when performance is affected and/or there are safety considerations?
- When failure to accommodate amounts to discrimination
- Duty to accommodate: What is it in practical terms?
- Incorporating useful policies to address medical cannabis in the workplace

9:40 – 10:40

### It's Your Business: Dealing with Substance Abuse in the Workplace

*Ron Beach, Team Lead, Addiction Prevention, Alberta Health Services*

- Impact of substance abuse in the workplace
- Challenges for workplace leaders
- Effective and comprehensive approaches
- Alberta Health Services and community resources

CASE STUDY

10:40 – 11:00

Networking Break



11:00 – 12:00

### New Employment Standards

*Gordana Ivanovic, Associate, McMillan LLP*

- Update on current legislation including Bill 30
- Assessing the vulnerability of disciplinary action
- Impacts from a legal perspective

12:00 – 1:00

Luncheon Break

1:00 – 2:00

### Sexual Harassment and the Duty to Accommodate

*Simon Gillingham, Senior Labour Relations Officer, Labour Relations and Total Compensation Division, City of Winnipeg*

- Recognizing signs and identifying sexual harassment
- Handling allegations and commencing the investigation process
- Maintaining confidentiality and protecting the privacy of parties involved
- Conducting difficult conversations with complainant and respondent

- Addressing concerns of both parties during the process
- The decision to involve a third-party investigator
- Evaluating results and defining next steps

2:00 – 2:15

Networking Break



2:15 – 3:15

### Having Difficult Conversations about Accommodation

*Michelle Phaneuf, PEng, CMed, Workplace Fairness West*

- Explore a framework for successful conversations
- Learn how to prepare and determine what's important for you and the other
- Approach transparency and confidentiality successfully
- Engage in a meaningful collaborative way with proven skills and tools
- Develop options that have staying power

3:15 – 4:15

### Protecting Your Business with a Return-to-Work Strategy

*Ermalinda Faria, Director, Disability Management Services, Lifemark*

- How stakeholders can identify or develop accommodations for workers trying to return to the labour force
- How workplaces and employers can support the use of workplace accommodations
- Providing supervisors with tools to improve their response and ability to accommodate

### WHO SHOULD ATTEND THIS EVENT

- Human Resources Managers
- Employment Assistance Providers
- Human Resources Generalists
- Return-to-Work Managers and Coordinators
- Human Resources Officers
- Accommodation Managers
- Disability Managers
- Disability Management Consultants
- Employee Assistance Program (EAP) Managers
- Compensation and Benefits Managers
- HR Consultants
- Health Directors

### SPONSORSHIP AND EXHIBITION OPPORTUNITIES

If you would like to increase your visibility with human resources professionals at *Managing Your Duty to Accommodate*. A limited number of sponsorship options are available.

For more information or to check availability, contact our sponsorship department by telephone at 1.800.474.4829, ext. 224, or by email at [sponsorship@infonex.ca](mailto:sponsorship@infonex.ca).

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## THREE KEY BENEFITS OF ATTENDING THIS EVENT:

- 1) Learn effective strategies for accommodating stress and mental health and identifying other hidden disabilities
- 2) Get the latest legal updates and case studies from leading labour and employment lawyers
- 3) Find out how to implement an effective return-to-work program in your company

## REGISTER BY PHONE, ON-LINE, OR IN THESE 3 EASY STEPS!

### 1 PRINT YOUR NAME AND CONTACT INFORMATION

Mr./Ms./Mrs. \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

Name of Approving Manager \_\_\_\_\_ Title \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ Province \_\_\_\_\_ Postal Code \_\_\_\_\_

Telephone ( ) \_\_\_\_\_ Ext \_\_\_\_\_ Fax ( ) \_\_\_\_\_

Email address \_\_\_\_\_

Company's main line of business \_\_\_\_\_ Number of Employees: \_\_\_\_\_

### 2 SELECT YOUR PREFERRED PAYMENT METHOD

Prices subject to HST.	FULL PRICE	Register by July 20
Course for Groups of 3 +	\$2,199 each	<b>\$1,999 each</b>
Course for Groups of 2	\$2,299 each	<b>\$2,099 each</b>
Course for 1 Registrant	\$2,399	<b>\$2,199</b>



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## LOCATION:

*Managing Your Duty to Accommodate* will be held at a convenient downtown location in Calgary which could include the Delta Calgary South or the International Hotel Calgary.

## YOUR REGISTRATION INCLUDES:

Registration fees include all course materials, continental breakfast, lunch, and refreshments. **Parking and accommodation are not included.**

## SPONSORSHIP, EXHIBITION, AND PROMOTIONAL OPPORTUNITIES:

Increase your visibility with human resources professionals at *Managing Your Duty to Accommodate*. A limited number of sponsorship options are available.

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## CANCELLATION POLICY:

Substitutions may be made at any time. If you are unable to attend, please make cancellations in writing and email to register@infonex.ca or fax to 1-800-558-6520 **no later than August 7, 2018**. A credit voucher will be issued to you for the full amount, redeemable against any other INFONEX course and which is valid for twelve months (one year) from the date of issue.

Registrants who cancel after **August 7, 2018**, will not be eligible to receive any credits and are liable for the entire registration fee.

Confirmed registrants who do not cancel **by August 7, 2018**, and fail to attend will be liable for the entire registration fee.

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