

June 9 - 10, 2020 • Virtual Conference

Our 19th Annual Event!

# Managing Your Duty to Accommodate



## YOUR FACULTY CONFIRMED PARTICIPANTS INCLUDE:



**Meg Steele**  
City of Ottawa



**Liz Horvath**  
Mental Health  
Commission of  
Canada

**Michael Sherrard**  
Sherrard Kuzz LLP



**Glenn French**  
Canadian Initiative  
on Workplace  
Violence

... and more

The Duty to Accommodate is ever changing. From new developments in areas such as family status and mental health, to the increasingly global workplace, managing workplace accommodations only gets harder. Don't get left behind. Join us at our 19th annual event on Managing Your Duty to Accommodate so that you can stay up-to-date for your workforce!

### Get expert advice and case studies on:

- Covid -19 and workplace accommodation
- The most recent legislation and legal cases
- Addressing absenteeism and extended leave
- Dealing with difficult accommodations in the workplace
- Collaborating with employees to create effective accommodation strategies
- How to develop best practices for your unique situation
- Accommodating remote and international employees
- How to address work-life balance

### ***New Featured Session!***

*COVID-19 and Workplace Accommodation*  
*Michael Sherrard, Sherrard Kuzz LLP*



**REGISTER TODAY!**

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# Managing Your **Duty to Accommodate**

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## DAY ONE PROGRAM AGENDA: TUESDAY, JUNE 9, 2020

08:30 - 08:40 EDT **Welcome and Opening Remarks from the Chair**

08:40 - 09:40 EDT



### **Challenging Accommodation Requests: Exploring Recent Trends and Unusual Cases**

**Martin Thompson, Partner, McMillan LLP**

**Kyle Lambert, Partner, McMillan LLP**



**Marie-Eve Jean, Associate, McMillan LLP**

- An exploration of recent case studies, from the most common to the unusual
- A look into the future of the duty to accommodate
- How the duty to accommodate reflects the modern workplace
- What are the cases pushing the boundaries of reasonable accommodations?
- Where are there gaps in recent jurisprudence?



09:40 - 10:40 EDT

### **Covid-19 and Workplace Accommodation**

**Michael Sherrard, Sherrard Kuzz LLP**

- Return to work - coming back from Covid-19
- Employment standards - requests for continuing leave
- Human Rights based accommodation
- Protective Physical Equipment
- Transportation to and from work
- Workers who are more susceptible or care for others who are more susceptible
- Screening protocols
- Privacy issues
- Health and safety issues
- Work refusals

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10:40 - 11:00 EDT **Break**

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# Managing Your **Duty to Accommodate**

June 9 - 10, 2020 • Virtual Conference

## DAY ONE PROGRAM AGENDA: TUESDAY, JUNE 9, 2020

11:00 - 12:30 EDT



### **Harassment in the Workplace: Addressing Prevention and Workplace Culture**

**Liz Horvath, Manager, Workplace Mental Health, Opening Minds, Mental Health Commission of Canada**

Effective prevention and management of workplace harassment is not focused on legal compliance. It requires more than training, reporting, investigation and mitigation. Underlying and systemic issues in the workplace that can enable and even perpetuate workplace harassment need to be addressed to build a workplace culture where harassment is unlikely and not tolerated. In this session, you will learn how proactive management of psychological health and safety in the workplace can be used as an effective method for preventing and addressing workplace harassment.

Learning objectives:

- Understanding the true impact of workplace harassment
- What to do when an employee is being harassed
- Effectiveness of reactive measures versus preventive measures
- How to address workplace factors to building and restoring trust
- How incorporating a framework like the National Standard of Canada on Psychological Health and Safety in the Workplace can help to address systemic and underlying issues

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12:30 - 13:30 EDT    Break

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13:30 - 14:30 EDT



### **Update on Family Status Accommodations**

**Caroline Richard, Partner, Bird Richard LLP**

- An overview of recent developments in family status accommodation matters
- The employer's and employee's role in finding work-life balance
- Drawing the line on necessary accommodations
- Addressing the concerns of recent family status accommodation requests
- Will family status accommodation requests continue to increase?

# Managing Your **Duty to Accommodate**

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## DAY ONE PROGRAM AGENDA: TUESDAY, JUNE 9, 2020

14:30 - 15:20 EDT



### **Addressing Mental Health: Coping and Staying at the Workplace**

**Martine Oliveira, Director, AGS Rehab Solutions Inc.**

- Developing effective strategies to address mental health challenges in the workplace
- Recognizing the early signs that an employee is struggling and initiating meaningful conversation in a respectful and supportive manner
- Encouraging employees to stay at work through effective attendance management strategies and to return to work if they need to be off due to mental health concerns
- Redirecting employees that appear to be in need to appropriate care/services such as EAP and other community based services

15:20 - 15:40 EDT      Break

15:40 - 16:30 EDT



### **When it All Goes Wrong: Top Accommodation Mistakes and How to Avoid Them**

**Meg Steele, Senior Counsel, City of Ottawa**

**Alex Miculan, Counsel, City of Ottawa**

- Exploring common pitfalls in the accommodation process
- Employers that act too quickly or take too long to address accommodation issues
- Are you asking too few questions or too many? Join us to discuss real mistakes and how to avoid them

16:30 EDT

**End of Day One**

### **SPONSORSHIP AND EXHIBITION OPPORTUNITIES**

Increase your visibility with senior business strategy, technology, analytics, and business intelligence 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 416.507.4202, or by email at [sponsorship@infonex.com](mailto:sponsorship@infonex.com).

# Managing Your **Duty to Accommodate**

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## DAY TWO PROGRAM AGENDA: WEDNESDAY, JUNE 10, 2020

08:30 - 08:40 EDT **Welcome and Opening Remarks from the Chair**

08:40 - 09:40 EDT

### **Conflicting Workplace Accommodations: Balancing Needs and Undue Hardship**

**Jill Lewis, Lawyer, Nelligan O'Brien Payne LLP**

- How to manage workplace accommodations when they conflict
- What are the steps an employer must take before claiming undue hardship?
- What are the legal obligations when addressing multiple employees with valid claims?
- Addressing the potential for conflicting rights
- Case studies that show what happens in practice

09:40 - 10:40 EDT



### **Accommodating Difficult Employees: Violence in the Workplace**

**Glenn French, President, Canadian Initiative on Workplace Violence**

- Considerations when accommodating a difficult/potentially aggressive employee
- Managing external caregivers/medical professionals: asking the right questions
- Managing the impact on the workplace and when to consider termination
- Safety considerations when terminating an employee of concern
- The evolving definition of workplace violence; screening for potential threats
- Importance of 'Perceived Personal Control' and workplace violence

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10:40 - 11:00 EDT Break

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11:00 - 12:00 EDT

### **Accommodating Disability in Providing Digital Services to Employees - What Are the Standards in The Accessible Canada Act and Elsewhere?**

**David MacDonald, President, CanAdapt**

- Accessible Canada Act, update, status and overview
- What are the implications of this legislation in the context of digital government services?
- The relationship between the Standard on Web Accessibility, the Accessible Canada Act, and WCAG
- Integrating the Web Content Accessibility Guidelines (WCAG)
- Questions and Answers: bring those hard questions to an 18 year veteran of the WCAG

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12:00 - 13:00 EDT Break

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# Managing Your **Duty to Accommodate**

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## DAY TWO PROGRAM AGENDA: WEDNESDAY, JUNE 10, 2020

13:00 - 13:50 EDT



### **The Remote Workplace: Managing Employees That Telework**

**Stephanie Lewis, Counsel, Dentons**

- Does the employer have any obligations with respect to the employee's workspace? When does the Occupational Health and Safety Act apply?
- Managing remote employees with confidential information
- Appropriate methods of communication
- Temporary situations and returning-to-work
- At what point is the employer being asked to exceed their duty?

13:50 - 14:50 EDT



### **Leadership Throughout the Accommodation Process**

**Barry Pitcher, Training and Staffing Officer (retired), RCMP**

- Engaging management in the process
- Putting the human element back in accommodation
- Showing support right from the top

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14:50 - 15:10 EDT      Break

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15:10 - 16:00 EDT



### **Cannabis in the Workplace**

**Alex Lucifero, Partner, Samfiru Tumarkin LLP**

**Samara Belitzky, Associate, Samfiru Tumarkin LLP**



- An overview of recent developments on medical/recreational marijuana
- Accommodation obligations with medical marijuana
- Addressing concerns in a practical manner through policy
- The impact of edibles on the workplace
- How has the impact of marijuana in the workplace been in reality?

16:00 EDT

**End of Day Two**

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

### 1 PRINT YOUR NAME AND CONTACT INFORMATION

Full Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

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

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

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

Address \_\_\_\_\_

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

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

### 2 SELECT YOUR PREFERRED PAYMENT METHOD

Prices subject to GST / HST	Full Price	Register by February 28
Course for 1 Registrant	\$ 2,399	<b>\$ 2,199</b>



**Method of Payment:**  VISA  MasterCard  Cheque enclosed, payable to INFONEX Inc.

Cardholders Name: \_\_\_\_\_

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Please check box if you are GST / HST exempt Exemption # \_\_\_\_\_

### 3 SEND US YOUR REGISTRATION

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#### VIRTUAL CONFERENCE:

*Managing Your Duty to Accommodate* will be held as a virtual on-line conference. Details on how to access and participate in the event will be sent to all confirmed delegates prior to run date.

#### SPONSORSHIP, EXHIBITION, AND PROMOTIONAL OPPORTUNITIES:

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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.com](mailto:register@infonex.com) or fax to 1.800.558.6520 **no later than May 26, 2020**. 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 **May 26, 2020**, will not be eligible to receive any credits and are liable for the entire registration fee.

Confirmed registrants who do not cancel by **May 26, 2020** and fail to attend will be liable for the entire registration fee.

**DISCOUNT CODE: 1346-LC**

