

March 28 - 29, 2023 • Virtual Conference

22nd Annual Conference

Managing Your Duty to Accommodate

Accommodating employees and fostering an effective workplace



YOUR FACULTY CONFIRMED PARTICIPANTS INCLUDE:



Ian D. Hurley
Lecker & Associates

Justin Diggle

Miller Thomson LLP



Seema Matlib
**The Regional
Municipality of
Durham**



Glenn French
**The Canadian
Initiative on
Workplace Violence**



Richard Sharpe
**Ontario Public
Service**

... and more



The Duty to Accommodate is ever changing. From new developments in areas such as mental health and family accommodations, managing workplace accommodations only gets harder. Don't get left behind. Join us at our 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:

- The most recent legislation and legal jurisprudence
- Approaching employees about difficult subjects including mental health and substance abuse
- Dealing with difficult accommodations in the workplace
- Collaborating with employees to create effective accommodation strategies
- How to develop best practices for your unique situation
- Case studies on workplace accommodations and interesting initiatives
- Best practices and strategies for return-to-work programs
- Emerging practices in alternative dispute resolution and workplace restoration

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Managing Your **Duty to Accommodate**

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DAY ONE PROGRAM AGENDA: TUESDAY, MARCH 28, 2023

10:30 - 10:45 EDT



Welcome and Opening Remarks from the Chair

Diane Rudakenga, Project Manager, Directorate of Digital Human Resources-ADM (HR-Civ), Department of National Defence

10:45 - 11:45 EDT



Return to Work: Ensuring Workplace Safety and Accommodations for Equity Seeking Groups

Richard Sharpe, Director, Black Equity Branch, Centre for People, Culture and Talent, Treasury Board Secretariat, Ontario Public Service

How can HR act as ambassadors for promoting workplace diversity, equity, belonging and inclusion?

- Importance of promoting equity, collection of disaggregated EE data, targeted hiring, supporting managers.
- Being a good ally/co-conspirator.

How do you encourage inclusion and diversity in all areas of an organization?

- Understand the importance of lived experience on the HR advice, LRO
- Black Inclusion, Indigenous Reconciliation as a part of the design of how we do our work.

How do you engage different demographics?

- Authentic engagement. What this looks like.

11:45 - 12:45 EDT



Meeting the Duty to Accommodate Based on Gender Identity and Gender Expression in the Workplace - What You Should Know

Rita Samson, Senior Policy Analyst, Ontario Human Rights Commission

Drawing on the Ontario Human Rights Commission's Policy on preventing discrimination because of gender identity and gender expression, participants will learn about:

- Forms of discrimination experienced by trans and gender-diverse people in the workplace;
- Key principles of accommodation
- How to deal with requests for accommodation based on gender identity and gender expression, including:
 - employer and service provider responsibilities in the accommodation process
 - how to determine whether an accommodation is appropriate
- Limits on the duty to accommodate including "undue hardship"

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DAY ONE PROGRAM AGENDA: TUESDAY, MARCH 28, 2023

12:45 - 13:30 EDT Break

13:30 - 14:30 EDT



Accommodation Case Law Update: Notable Newish Cases

Margaret-Marie (Meg) Steele, Senior Legal Counsel and Associate Director of Human Resources, City of Ottawa

14:30 - 15:30 EDT

Accommodation of Religious Beliefs

Justin Diggle, Counsel, Miller Thomson LLP

15:30 - 16:30 EDT



Accommodation of Family Status

Lumi Pungea, Partner, Employment and Disability Law, Samfiru Tumarkin LLP

16:30 EDT



Closing Remarks from the Chair

Diane Rudakenga, Project Manager, Directorate of Digital Human Resources-ADM (HR-Civ), Department of National Defence

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.

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Managing Your **Duty to Accommodate**

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DAY TWO PROGRAM AGENDA: WEDNESDAY, MARCH 29, 2023

10:30 EDT



Welcome and Opening Remarks from the Chair

Diane Rudakenga, Project Manager, Directorate of Digital Human Resources-ADM (HR-Civ), Department of National Defence

10:30 - 11:30 EDT



Accommodation or Discipline: Addressing Workplace Violence

Glenn French, President & CEO, The Canadian Initiative on Workplace Violence

Aggression, whether actual or perceived, are now linked to schools, health care facilities and workplaces we once thought safe. As safety concerns increase, so too must the knowledge and skill of those who, up until now, were not tasked with making judgements about an individual's capacity. This applies to managers, human resource professionals and those who must represent both victims and perpetrators.

One of the most difficult questions, regardless of the setting, is how to make a distinction between those situations where an individual must be accommodated or disciplined. As a labor representative or human resource professionals, we need to have a basic working knowledge of how anger and conflict can escalate into violence, regardless of the source. In this session, special attention will be paid to those difficult situations wherein the organization must decide on how best to respond. Simply put – is this a case for accommodation, progressive discipline, or termination?

Building on what you already know, you can expect to learn more about:

- The anatomy and evolution of violent acts
- The role of psychiatric and other medical conditions
- Prevention and response strategies
- The role of “perceived personal control” when considering a potential threat
- Important considerations when responding to aggressive behavior
- Considerations when deciding if accommodation or discipline is warranted

11:30 - 12:30 EDT



Disability Claims and the Duty to Accommodate

Ian D. Hurley, Partner, Lecker & Associates

- Understanding short-term and long-term disability insurance, as well as other sources of income protection available to employees
- Duties and responsibilities of employers and employees from the initial disability leave to a return to work
- COVID-19 disability claims and accommodation
- Termination of employment and its impact on disability claims

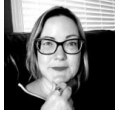
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DAY TWO PROGRAM AGENDA: WEDNESDAY, MARCH 29, 2023

12:30 - 13:15 EDT Break

13:15 - 14:15 EDT



Accommodation and ADHD

Tara Beaton, Workplace Disability & Learning Solutions Specialist, Tarabeaton.com

- ADHD and its impacts
- Common functional differences
- ADHD is different for everyone
- How challenges can manifest at work
- Accommodation ideas

14:15 - 15:15 EDT



The Endpoint of Accommodation: Undue Hardship, Frustration of Contract and Wrongful Dismissal

Joel Smith, Partner, Williams HR Law LLP

- Discuss how far employers must go when accommodating employees
- Examine the legal test for undue hardship, including practical examples
- Explore the practical differences between accommodating to the point of undue hardship and frustration of contract
- Assess the implications and next steps when reaching the points of undue hardship and frustration of contract, including possible wrongful dismissal actions and termination grievances

15:15 - 16:15 EDT



Investigating Allegations of Discrimination, Harassment and Failure to Accommodate

Seema Matlib, Labour Relations Advisor, The Regional Municipality of Durham

- The basis for a workplace investigation: workplace harassment, sexual harassment, workplace violence, discrimination based on a protected Code ground, a failure to accommodate, poisoned work environment, reprisal, retaliation and policy breaches.
- When to investigate? An employer's statutory obligations to investigate discrimination and harassment allegations under the Occupational Health and Safety Act (OHSA) and the Human Rights Code.
- Steps in the Investigation process and summarizing your findings.
- Next steps and options to restore a healthy, respectful, discrimination and harassment free workplace

16:15 EDT



Closing Remarks from the Chair

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Organization _____

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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 March 24
Course for Groups of 3 +	CAD \$ 2,299 each	CAD \$ 2,199 each
Course for Groups of 2	CAD \$ 2,399 each	CAD \$ 2,299 each
Course for 1 Registrant	CAD \$ 2,499	CAD \$ 2,399

** Groups must register together at the same time to be eligible for group savings.*

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VIRTUAL CONFERENCE:

Managing Your Duty to Accommodate will be held as a virtual on-line event. 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 or fax to 1.800.558.6520 **no later than March 14, 2023**. 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 **March 14, 2023**, will not be eligible to receive any credits and are liable for the entire registration fee.

Confirmed registrants who do not cancel by **March 14, 2023** and fail to attend will be liable for the entire registration fee.

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