

Victory Square Law Office LLP Presents:



VICTORY AT ARBITRATION V

Using the law to protect the rights of unions and workers

**Seminar for clients and friends of
Victory Square Law Office LLP:
Friday, September 16, 2011**

*Maritime Labour Centre
1880 Triumph Street, Vancouver*

*Join us once again for a special educational seminar from our
panel of experienced labour lawyers, explaining:*

- The boundaries of a collective agreement and the legal principles that determine its composition and application
- How to negotiate termination agreements to protect the interests of both the grievor and the union
- Recent changes to the interpretation of the Charter of Rights and Freedoms that matter to workers
- The good, bad and ugly issues relating to social media and the workplace
- Legal issues and practical problems with pension and disability benefits

All proceeds of the Seminar will be donated to Partners in the Horn of Africa

Over the past three decades the lawyers at Victory Square Law Office have represented unions at arbitration, the Labour Relations Board and all levels of court.

This is the fifth year we have hosted Victory at Arbitration, a unique continuing legal education seminar specially designed for union representatives and members. Lawyers from our office volunteer their time to prepare and present this conference. As in the past, proceeds from this seminar will go to the charity Partners in the Horn of Africa. So far we have been able to donate over \$40,000 from the registration fees.

Please join us on Friday, September 16, 2011 for this special union-only seminar, covering issues at the forefront of the organized workplace.

Dedicated to protecting the rights of unions and workers • www.vslo.ca

SCHEDULE

8:00am – 8:45am	Registration
8:45am – 9:45am	What is the Collective Agreement? <i>Presenters: John Hodgins and Colin Gusikoski</i>
9:45am – 10:45am	Issues in Pensions and Benefits <i>Presenters: David Blair and Allison Tremblay</i>
10:45am – 11:00am	Break
11:00am – 12:00pm	Ending the Employment Relationship <i>Presenters: Craig Bavis and Stephanie Drake</i>
12:00pm - 1:30pm	Lunch & Presentation by Partners in the Horn of Africa
1:30pm - 2:30pm	Unions and the Charter of Rights and Freedoms <i>Presenters: John Rogers, Q.C., Marjorie Brown and Steven Rogers</i>
2:30pm – 2:45pm	Break
2:45pm – 3:45pm	Social Media and the Workplace <i>Presenters: Sebastien Anderson and Stefanie Quelch</i> <i>Special Guest: Derek Blackadder, CUPE National</i>
3:45pm – 4:15pm	Question & Answer Session with John Rogers Q.C.
4:15pm – 7:00pm	Reception <i>Join us after the seminar for drinks and appetizers</i>

All proceeds of the VSLO Seminar will be donated to Partners in the Horn of Africa

Partners in the Horn of Africa is a Canadian charitable organization which undertakes aid projects in the Horn of Africa. It is run by Canadian volunteers and works in partnership with indigenous volunteer groups in Africa. Partners' projects include construction of elementary and high school facilities, medical information centres, footbridges and operation of a group home for HIV orphans.

For more information on Partners, visit:

<http://www.partnersinthehorn.com/>



SEMINAR PRESENTATIONS

What is a Collective Agreement?

A Union's rights, obligations and entitlements are shaped and founded upon the collective agreement.

The existence and content of a collective agreement can vary with time and factual circumstance. For example:

- How and when does a side agreement become part of the collective agreement?
- How far back in time can a union claim damages for breaches of successive collective agreements?
- What are the effects of a continuation clause during a strike?

Whether the contract applies is often the crucial determining factor to questions such as these. This session will explore the boundaries of a collective agreement and outline the legal principles which determine the composition and application of a contract.

Presenters: *John Hodgins* and *Colin Gusikoski*

Pensions and Benefits

Issues arising out of the administration and delivery of pension, health & welfare and disability benefits affect every union as these benefits continue to be an important part of employee compensation. This panel will review the important legal developments

of the past year in the area of pension and benefits and will explore the issues that every union should understand to protect its members' benefit entitlement under the collective agreement, including the following topics:

- Use the money for benefits, not expenses – keeping administration efficient.
- Old designs, new issues – the importance of accommodation and protecting the benefits of the accommodated disabled.
- Would you like to be a trustee? The privileges and pitfalls of service.
- A word about negotiating defined contribution (DC) plans – Don't do it.

Presenters: *David Blair* and *Allison Tremblay*

Ending the Employment Relationship

Often in a termination cases, the employer and the grievor agree that the best resolution is to end the employment relationship. However, care must be taken in negotiating termination agreements

to protect the interests of the grievor and the union. This session will canvass some of the issue that may arise, including:

- Drafting releases and settlement terms
- Maximizing payments to the grievor
- Dealing with references and employer information
- Considering potential human rights issues
- Meeting the duty of fair representation

Presenters: *Craig Bavis* and *Stephanie Drake*

Unions and the Charter

There have been a number of recent decisions rendered by the Supreme Court of Canada and lower courts which have altered the interpretation of the Charter in ways that matter to unions and their members. This panel will look at the following issues arising from these decisions:

- Does freedom of association really protect collective bargaining? Does it include a right to strike?
- Does the right to workplace organization and protective bargaining also fall within s. 15 (equality rights) or s.7 (right to life, liberty and security of the person)
- What remedies can the Labour Relations Board or an Arbitrator provide for a Charter breach?

Presenters: *John Rogers, Q.C.*, *Marjorie Brown* and *Steven Rogers*

Social Media

Our Social Media panel will include a special guest. Derek Blackadder, a CUPE National Representative, author, correspondent and renowned social activist, will share his experience advocating for unions and progressive organizations and, in particular, utilizing social media tools such as Unionbook, Facebook, and Twitter. We will explore the good, the bad and the ugly issues relating to social media, including:

- Employers' use of social media to regulate or terminate employment
- Regulation of social media
- Social media as an organizing tool for social and political purposes

Presenters: *Sebastien Anderson*, *Stefanie Quelch* and *Derek Blackadder*



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Seminar for VSLO Clients and Friends

When: September 16, 2011
Where: Maritime Labour Centre
1880 Triumph Street, Vancouver
MAP (<http://tinyurl.com/pknj4d>)

Register now to receive the Early Bird discount!

Register before July 15, 2011: \$125/pp
Registration on after July 16, 2011: \$150/pp

Price includes the full day seminar, coffee and tea and snacks, a full buffet lunch (vegetarian and vegan available) and drinks and appetizers at the reception.

To register, fill out this form and fax, email, or mail it to:

**Victory at Arbitration
500 - 128 West Pender Street, Vancouver, B.C., V6B 1R8
Facsimile: 604-684-8427 • Email: vsloconference@vslo.ca**

Name(s): _____

Organization: _____

Mailing address: _____

Phone Number: _____

Fax Number: _____

Email: _____

Cheque for _____ Enclosed In the mail I am planning on attending the reception