

Back by popular demand,  
Victory Square Law Office LLP Presents:



## VICTORY AT ARBITRATION IV

*Using the law to protect the rights of unions and workers*

Seminar for clients and friends of  
Victory Square Law Office LLP:  
Friday, September 10, 2010

*Maritime Labour Centre  
1880 Triumph Street, Vancouver*

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

- Putting your best case forward at the Labour Relations Board
- What unions need to know about access to information and privacy legislation
  - Tools to address personal harassment
- Structuring the grievance and conduct during the grievance procedure
  - Representing employees suspected of misconduct
- 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 fourth 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 \$33,000 from the registration fees.

Please join us on Friday, September 10, 2010 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](http://www.vslo.ca)

# SCHEDULE

8:00am – 8:45am	<b>Registration</b>
8:45am – 9:30am	<b>Grievances - Structure and Conduct</b> <i>Presenters: John Rogers, Q.C. and Jitesh Mistry</i>
9:30am – 10:15am	<b>Issues in Pensions and Benefits</b> <i>Presenters: David Blair and Steve Rogers</i>
10:15am – 10:30am	<b>Break</b>
10:30am – 11:15am	<b>Representing employees suspected of misconduct</b> <i>Presenters: Craig Bavis and Colin Gusikoski</i>
11:15am – 12pm	<b>Access to Information and Privacy Legislation</b> <i>Presenters: Sebastien Anderson and Stefanie Quelch</i>
12:00pm - 1:15pm	<b>Lunch</b>
1:15pm - 2:00pm	<b>Personal Harassment</b> <i>Presenters: Marjorie Brown and Allison Tremblay</i>
2:00pm – 2:30pm	<b>Partners in the Horn of Africa</b> <i>Presenter: John Baigent</i>
2:30pm – 2:45pm	<b>Break</b>
2:45pm – 3:30pm	<b>Presenting cases at the Labour Relations Board</b> <i>Presenters: John Hodgins and Stephanie Drake</i>
3:30pm – 4:00pm	<b>Legal Update - Recent developments important to unions</b>
4pm – 7:00pm	<b>Reception</b> <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

## Conduct during the Grievance Procedure

- Defining and structuring the grievance – pitfalls and processes
- Do's and don't's in preparing for arbitration: controlling costs, investigating early, correcting the grievance and other issues
  - Disclosure and access to information during the grievance steps and afterwards:  
obtaining information from the “problem employer” and limiting the scope of union disclosure of information.
  - Enforcement of settlements and arbitration awards

Presenters: *John Rogers, Q.C. and Jitesh Mistry*

## Pensions and Benefits

Issues arising out of the administration and delivery of pension, health & welfare and disability benefits effect every union as these benefits continue to be an important part of employee compensation. Issues we will discuss this year include:

- The accommodated disabled - The intersection of Long-Term Disability benefits and accommodation
- Pension and benefits issues arising from settlement agreements and arbitration awards
- More reasons, and ways, to get control of your benefit plans

Presenters: *David Blair and Steven Rogers*

## Investigations of Employees

How an employee reacts and responds to employer investigations over suspected misconduct plays a critical role in an employer's decision to discipline, the severity of the discipline, and the evidence at arbitration. Effective representation of employees raises many issues, including:

- Does an employee have right to remain silent or to refuse to incriminate other employees during an investigation?
  - What is the employer's obligation to disclose information and investigation results?
  - What are the rights of roles of stewards in the investigation process?
- How and when should issues of accommodation, addiction, mental health issues be raised?

Presenters: *Craig Bavis and Colin Gusikoski*

## Labour Relations Board

Do's and don'ts for Labour Board practitioners from the adjudicator's perspective - Presented by guest panelist Mark J. Brown, former Vice-Chair, Mediator, Registrar, and Associate Chair Mediation at the Labour Board.

How to run an effective case at the Labour Board, including the application stage, informal resolution options, documents, witnesses, evidence and argument.

Presenters: *John Hodgins, Stephanie Drake and Mark J. Brown, Arbitrator and Mediator*

## Access to Information and Privacy Legislation

- Do unions require their members' consent to collect “personal information?”
  - What “personal information” in a union's possession is subject to production?
    - What “personal information” can a union refuse to produce?
  - How should a union respond to a member's request to produce “personal information?”
- Claims of privilege a union must consider when faced with a member's demand to produce “personal information.”
  - Important cases of which both unions and their representatives need to be aware.

Presenters: *Sebastien Anderson. and Stefanie Quelch*

## Personal Harassment

- What is personal harassment and why every union should care
- Prohibited grounds revisited - should we recognize other grounds?
- When brothers and sisters fight - addressing member-to-member conflict
  - Drafting language you can use

Presenters: *Marjorie Brown and Allison Tremblay*



# VICTORY AT ARBITRATION IV

## Seminar for VSLO Clients and Friends

When: September 10, 2010  
Where: Maritime Labour Centre  
1880 Triumph Street, Vancouver  
MAP (<http://tinyurl.com/pknj4d>)

### ***Register now to receive the Early Bird discount!***

Register before June 30, 2010: \$125/pp  
Registration on after July 1, 2010: \$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 - 100 West Pender Street, Vancouver, B.C., V6B 1R8  
Facsimile: 604-684-8427 • Email: [vsloconference@vslo.ca](mailto: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