

31st ANNUAL EMPLOYERS' CONFERENCE AGENDA

November 1st, 2017 ~ Toronto Congress Centre

| 8:00 - 9:0 |)O RF | SISTRA | MOITA | RRFA | KFAST |
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9:00 - 9:10 INTRODUCTORY REMARKS

9:10 – 9:40 BILL 148 - FAIR WORKPLACES, BETTER JOBS ACT – PART ONE - Landon Young

The Ontario government's Bill 148 will bring in the most sweeping changes in employment legislation seen in decades. These changes will make it more expensive to employ people and manage absenteeism. Find out how your organization will be affected and how it can respond.

Learn:

- The background that lead to these changes
- New rules concerning the minimum wage, improved vacation entitlements, and enhanced emergency leave
- How scheduling will become more challenging for employers

9:40 – 10:10 BILL 148 - FAIR WORKPLACES, BETTER JOBS ACT – PART TWO - Jeff Murray

The Ontario government claims that Bill 148 will enhance workplace fairness and improve the working lives of thousands of precarious workers. The law will favour part-time employees, agency workers, and trade unions.

Learn

- New rules requiring equal pay between full-time, part-time, and agency workers
- How your business may be at greater risk of unionization through card cheque certification, the mandatory disclosure of employee lists, and new union successorship rules
- How the Labour Relations Board will have jurisdiction to change existing bargaining units and increase union bargaining power

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10:10 - 10:30 **BREAK/NETWORKING**

10:30 – 11:00 OVERHAUL OF THE WSIB EXPERIENCE RATING SYSTEM -Ryan Conlin

In one of the most significant changes in decades, the WSIB is about to completely overhaul the experience rating system which is used to assess accident costs to employer's accounts. NEER and CAD-7 will soon be things of the past and employers will need to understand an entirely new system.

Learn:

- How employers with a significant accident history will be surcharged under the new system
- The impact of the new accident cost window
- What the greatest risk of cost increases to employers will be under the new system

11:00-11:30 **PAY EQUITY: IT'S BACK!**

- Allison Taylor

The Pay Equity Act was introduced over 30 years ago and is a piece of legislation that many (most) have completely forgotten about in large part because it has not been enforced vigorously. However, like an 80's band that has reformed, the Pay Equity Act is making a comeback. The Pay Equity Office has recently announced new enforcement initiatives. Perhaps more importantly, though, the new Bill 148 amendments, if passed, will introduce the concept of pay equity into the Employment Standards Act, 2000, which could increase the number of complaints employers receive.

Learn:

- What you need to do to comply with the Pay Equity Act
- The details about the new Pay Equity Office initiatives
- How the Bill 148 amendments might be applied to employers

11:30 - 12:00 Q&A

Attendees will have an opportunity to ask their questions of the presenters related to the morning's topics.



12:00- 1:15 LUNCH

1:15 - 1:45 **FAMILY STATUS – THE MORE THINGS CHANGE, THE MORE THEY STAY THE SAME**- **Amanda Boyce**

After the Human Rights Tribunal of Ontario released its decision in *Misetich v Value Village Stores Inc,* many employers were left wondering whether everything they knew about family status accommodation should be thrown out the window. The Tribunal explicitly distanced itself from decisions from the courts, and purported to change the analysis that it had been applying in the past. Unfortunately, the Tribunal did not provide clear guidance on how the practical realities of family status accommodation would change going forward.

Learn:

- What the test for family status discrimination looks like in Ontario after Misetich
- How to recognize a possible family status issue in the workplace
- What to do when an employee approaches you with a difficult family status accommodation request

1:45 - 2:15 **REPRISALS: THE FORBIDDEN TERMINATION**

- Frank Portman

One of the most important aspects of many employment law statutes is the protection for employees against "reprisals." These protections have expanded considerably over the last decade and are regularly invoked by employees who disagree with actions taken by their employers. Employers who are found guilty of committing a reprisal can face significant economic and even quasi-criminal liability.

Learn:

- What constitutes a "reprisal" under the law and the penalties that can be imposed
- Best practices to minimize the risk of unfounded reprisal complaints
- How to respond to an allegation or complaint of reprisal

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2:15 - 2:45 **HIGH TIMES: LEGALIZING MARIJUANA AND WORKPLACE SUBSTANCE ABUSE**- Jeremy Schwartz

As legalization of marijuana looms, the question remains: what are the implications for the workplace? Recent jurisprudence sheds light on how the OH&S and human rights paradigms may shift. Staying current on this topic is more important than ever before.

Learn:

- How to prepare and apply a substance abuse policy to address OH&S and human rights considerations;
- When the duty to accommodate arises and how to address it head on; and
- When drug testing may be permitted

2:45 – 3:00 **BREAK/NETWORKING**

3:00 - 3:30 **LEGAL ROUNDUP**

In this session, we provide concise summaries of some of the most significant legal developments affecting employers from the past year.

Topics:

- AODA compliance reporting obligations and deadline
- Workplace harassment law update
- Changes to the Canada Labour Code for federally regulated employers
- Significant recent wrongful dismissal damages awards

3:30 - 4:00 Q&A

Attendees will have an opportunity to ask their questions of the presenters related to the afternoon's topics.

4:05 **CONFERENCE ENDS**