
39th ANNUAL EMPLOYERS' CONFERENCE AGENDA May 21, 2026

9:00–9:05 INTRODUCTORY REMARKS

9:05–9:45 PROTECTING YOUR ORGANIZATION FROM DEPARTING EMPLOYEES



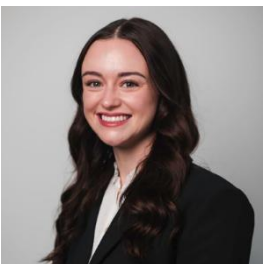
Jeremy Schwartz

You are about to terminate a long-service sales manager who has never signed a written contract or any confidentiality or non-competition agreements. He has had intimate access to confidential proprietary information, your margins, R&D, marketing strategy, and close contact with your key customers and personnel. The competition would love to find out your secrets.

Learn:

- What Ontario's "ban" on non-competition agreements really means;
- Strategies for obtaining enforceable confidentiality, non-competition and non-solicitation agreements, whether at hiring, during employment, or at termination; and
- What the courts have recently said about the duties of departing employees and the enforceability of these agreements.

9:45–10:15 SAYING GOODBYE TO REMOTE WORK



Sarah O'Flaherty

What began as a pandemic necessity has become one of the most contentious workplace issues facing employers today. As organizations push to rebalance flexibility, productivity, and culture, many employees are insisting on staying fully remote and legal issues to try to stay at home. Employers who allow employees to work from home are facing challenges with managing those employees and administering the employment relationship.

Learn:

- The hidden WSIB risks and obligations that come with remote workers;
- How to lawfully and effectively mandate a return to the office;
- When and how you can enforce "camera-on" expectations in virtual work environments;
- Best practices for handling work-from-home accommodation requests; and
- Where the line exists between a legitimate management decision and constructive dismissal

10:15–10:45 **A NEW ERA OF BOLD HEALTH & SAFETY ENFORCEMENT**



Ryan Conlin

The Ontario government has amended the OHS Act several times recently to crack down on workplace safety contraventions. The OHS Act now includes a new Administrative Penalty System (APS) which imposes fines on employers outside the court system.

Learn:

- The new APS system and how to appeal APSs;
- Recent sky-high fines;
- Trends in criminal prosecutions; and
- The Ministry's position on "creative sentencing".

10:45–11:00 **MORNING BREAK**

11:00–11:30 **LEGISLATIVE UPDATE**



Natalie Cabellero

New employer obligations have been imposed over the last year by the Working for Workers Seven Act and other pieces of legislation. Find out what your organization needs to be doing to stay compliant.

Learn:

- The new job posting requirements;
- What information employers now must provide employees upon hiring;
- How new rules for mass terminations may apply to a restructuring;
- When employees are entitled to the new long-term illness leave; and
- Review of new health and safety requirements under the Working for Workers Seven Act;

11:30–12:00 **Q&A**

12:00–1:00 **LUNCH BREAK**

1:00–1:30 ADDICTION, ACCOMMODATION, AND TERMINATION



Jeffrey Murray

Substance abuse and addiction are common in Ontario workplaces, creating challenges for employers balancing safety, accommodation, and discipline. This session will help employers respond to suspected addiction, conduct appropriate inquiries, and make defensible decisions to address performance, attendance, and employee misconduct.

Learn:

- When substance use is treated as a disability under the *Human Rights Code*;
- When the duty to accommodate arises and how to respond to suspected addiction or impairment;
- What medical information employers are entitled to request; and
- When termination may be justified despite addiction, and how to reduce legal risk.

1:30–2:15 TERMINATION CLAUSE UPDATE



Allison Taylor

The last year has seen much litigation around the enforceability of termination clauses with cases from the Courts reaching seemingly conflicting results. This session will review these cases and what they may mean for employers going forward.

Learn:

- What the Courts are saying about what makes termination clauses unenforceable;
- How to identify whether your organization's termination clauses may be at risk of not being enforced; and
- How to manage uncertainty in your termination clauses going forward;

2:15–2:30 BREAK

2:30–3:00 IN NEED OF REPAIR: UPDATE ON THE COURT SYSTEM



Landon Young

How the courts function has a direct impact on employers and employees, including the length of time it takes to resolve disputes and the cost of litigation. The courts are currently struggling with a massive backlog of cases that has some calling the system “broken.” Sweeping reforms to the court system are expected to take effect within the next year, with the goal of streamlining litigation.

Learn:

- About recent changes to the Court system including to the Small Claims Court limit and the extension of mandatory mediation across Ontario;
- How the delays in litigation are impacting employment cases;
- What employers can expect from the planned reforms to the Ontario Superior Court of Justice civil litigation system; and
- Why employers may wish to consider using arbitration clauses in their agreements to avoid the Courts altogether.

3:00–3:30 LIGHTNING LEGAL ROUNDUP

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

Topics:

- The latest cases on what constitutes “bad faith” employer conduct when dismissing employees and the trend to higher damages awards;
- When terminated employees are entitled to receive bonuses;
- Notable notice period awards; and
- Recent trends in collective bargaining.

3:30–4:00 AFTERNOON Q&A

4:00 CONFERENCE ENDS