

## 14th Annual Current Issues in Employment Law

### Labour & Employment Law



In-Person



Webcast

**Date:** Thursday, May 5, 2016 | 9:00 am to 4:30 pm  
**Location:** Twenty Toronto Street Conferences and Events  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto

**Program Chairs:** **Jonathan Dye**, Filion Wakely Thorup Angeletti LLP  
**Nancy Shapiro**, Koskie Minsky LLP



This program contains 1.5 Professionalism Hours  
This program is eligible for up to 5 Substantive Hours

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.

How has the law developed since the Supreme Court of Canada's seminal decisions in essential employment topics?

Reinforce your knowledge of the impact and evolution of these pivotal cases in today's employment environment. Gain a comprehensive understanding of the core principles, key cases and current trends to help you stay on top of your field, and ensure you have the expertise to confidently advise your employer and employee clients on critical employment law issues.

8:00 am	Registration and Coffee	1:00 pm	<b>The Impact of <i>Hryniak</i> on Summary Judgment in Employment Cases</b> <b>Rachel Turnpenney</b> , Turnpenney Milne LLP <ul style="list-style-type: none"> <li>How to determine if your case is appropriate for summary judgment</li> <li>Putting your best foot forward: evidence on summary judgment motions</li> <li>Do summary judgement and just cause mix?</li> </ul>
9:00 am	Welcome and Opening Remarks	1:40 pm	<b>Revisiting Punitive, Aggravated and Human Rights Damages: <i>Keays</i> 10 Years Later</b> <b>Hugh Scher</b> , Scher Law Professional Corporation <ul style="list-style-type: none"> <li>Key guidance on pursuing and defending aggravated and punitive and human rights damages claims in Court</li> <li>Unraveling conduct that may give rise to these damages</li> </ul>
9:05 am	<b>Just Cause is Not a Lost Cause: Summary Dismissal since <i>McKinley</i></b> <b>Stuart Rudner</b> , Rudner MacDonald LLP <b>Richa Sandill</b> , Articling Student, Rudner MacDonald LLP <ul style="list-style-type: none"> <li>Making sense of judicial concerns about "the capital punishment of employment law"</li> <li>How to build the just cause wall brick by brick</li> <li>When is a single instance of misconduct sufficient?</li> <li>Dealing with performance concerns and off-duty conduct</li> <li>The consequences of false allegations of cause: extraordinary damages</li> </ul>	2:20 pm	Networking Break
9:45 am	<b>Enforceability of Employment Contracts since <i>Machtiger</i></b> <b>Jodi Gallagher Healy</b> , Hicks Morley Hamilton Stewart Storie LLP (London) <ul style="list-style-type: none"> <li>Practical advice on how to draft, enforce and challenge termination clauses in light of evolving caselaw</li> <li>How recent developments may impact your drafting and the advice you provide: from early termination of fixed term contracts, to severability and probationary clauses and more</li> </ul>	2:30 pm	<b>Where We Stand on Restrictive Covenants</b> <b>Matthew Certosimo</b> , Borden Ladner Gervais LLP <ul style="list-style-type: none"> <li>The latest on post-termination competition, solicitation and confidentiality since <i>RBC</i>, <i>Shafraon</i> and <i>Payette</i></li> <li>The lasting limitations in <i>Lyons</i></li> <li>Exploring the enforceability of hybrid covenants</li> <li>Is geography "boxed in" by a dated view of territorial limitations?</li> </ul>
10:25 am	Networking Break	3:10 pm	<b>Enhance Your Ability to Tackle Ethical Challenges</b> <b>Jonathan Dye</b> , Filion Wakely Thorup Angeletti LLP <b>Chris Foulon</b> , Israel Foulon LLP <b>Darryl Hiscocks</b> , Torsys LLP <b>Loreta Zubas</b> , Zubas and Associates <b>Nancy Shapiro</b> , Koskie Minsky LLP (moderator) <ul style="list-style-type: none"> <li>Mistakes happen: How to handle them</li> <li>Responding to client dishonesty: What are your obligations?</li> <li>Best practices for dealing with emotional clients</li> </ul>
10:40 am	<b>When are Workplace Investigations Protected by Privilege?</b> <b>Mark Crestohl</b> , Senior Counsel, Labour and Employment Law Canada, Accenture Inc. <b>Adrian Jakibchuk</b> , Littler LLP <b>Janice Rubin</b> , Rubin Thomlinson LLP <b>Nancy Shapiro</b> , Koskie Minsky LLP <b>Jonathan Dye</b> , Filion Wakely Thorup Angeletti LLP (moderator) <ul style="list-style-type: none"> <li>Strategies for preserving privilege</li> <li>How to challenge privilege claims</li> <li>The interplay between solicitor-client privilege and your professional confidentiality obligations</li> <li>Getting ready for Bill 132</li> </ul>	4:20 pm	Questions and Concluding Remarks
12:00 pm	Networking Lunch	4:30 pm	Program Concludes

**PROGRAM REGISTRATION IS ONLINE** [www.oba.org/pd](http://www.oba.org/pd)

Questions? [pd@oba.org](mailto:pd@oba.org)