

Registration Information

Location

OBA Conference Centre, Suite 200 – 20 Toronto St., Toronto (just north of the King Edward Hotel). Wheelchair access via 33 Victoria Street (between Adelaide and King street).

Registration Policy

Registrations must be prepaid. Registrations will be accepted by FAX at (416) 642-0424 and at the Ontario Bar Association address shown on the Registration Form. A credit card number must accompany all faxed registrations. Walk-in registrations will be accommodated only if accompanied by credit card or cheque. Seating and meal preference, if applicable, will be given to prepaid registrants.

Refunds and Cancellations

Course fee is refundable (less \$50.00 plus \$2.50 GST) **if notice is received in writing five business days before the course.** We reserve the right to cancel or reschedule courses, refuse admission, or change speakers, location or content at any time. No refunds will be made if notification is received after November 27, 2008. Please note that a CBA member in the same category may attend in your place. If the delegate is not a CBA member s/he will be required to pay the difference in fee. The OBA GST registration number is R100760495.

Fee Categories

CBA Member - A member in good standing of the Canadian Bar Association

CBA Student Member - CBA Law Student OR Articling and Bar Admission Candidate

Non-Member

CAN'T ATTEND THE PROGRAM?

ORDER THE PUBLICATION

Materials for CLE courses are available either in binder format or electronic format (downloadable).



Registration

When Health Law and
Labour/Employment Law Collide

Thursday, December 4, 2008 - 9:00 a.m. to 1:00 p.m.

Name: _____

CBA #: _____

Firm: _____

Address: _____

City: _____

Postal Code: _____

Bus. Tel. #: () _____

Fax #: () _____

E-mail: _____

REGISTRATION *Please circle fee category.*

Live Program (includes course materials)*	CBA Member	CBA Student Member	Non-Member
<input type="checkbox"/> In person	\$180	\$90	\$270

I am unable to attend the program. Please send me:

EDUCATIONAL MATERIALS ONLY

Available 3-4 weeks post-program

Publication	CBA Member	Non- Member
<input type="checkbox"/> Publication (binder)	\$75	\$120
<input type="checkbox"/> Publication (download)		

Sub Total: _____ Add GST (5%): _____ Total: _____

Payment (registrations must be prepaid)

Cheque (payable to Ontario Bar Association) or please charge
 Visa Mastercard

Credit Card #: _____

Exp. Date: _____

Signature: _____

CONTACT INFORMATION CONSENT

The OBA's programs may be supported by preferred suppliers, sponsors and exhibitors. Subject to the following paragraph, I understand that the provision of contact information on this registration form constitutes my consent to such information being disclosed to the preferred suppliers, sponsors, exhibitors, speakers or attendees of this program. For further information about the CBA's and OBA's treatment of contact information, see Members Privacy Policy at www.cba.org or www.oba.org.

By checking this box , I do not wish my contact information disclosed to the preferred suppliers, sponsors, exhibitors, speakers or attendees of this program.

www.oba.org

**Can't Make
the course?**

**Order the
course material!**

Order the course material! Concise, practical and well-focused course materials and/or precedents written by the faculty. (topic may vary slightly from presentation.)

www.oba.org/pd

Co-Chairs:



Lisa Corrente,
Torkin Manes
Cohen Arbus LLP



Lisa L. Stam,
Baker & McKenzie
LLP

OBA Professional Development

When Health Law and Labour/ Employment Law Collide

Thursday, December 4, 2008
9:00 a.m. to 1:00 p.m.

OBA Conference Centre
200 - 20 Toronto St., Toronto



Focus: The intersection between health law and labour/employment law

Highlights will include:

- How to navigate through pressing health sector labour and employment issues
- A critical update of recent legislative, regulatory and case law developments

Sponsored By:



ONTARIO
BAR ASSOCIATION
A Branch of the CANADIAN BAR ASSOCIATION



ONTARIO
BAR ASSOCIATION
A Branch of the CANADIAN BAR ASSOCIATION

08HEA1204C

When Health Law and Labour/ Employment Law Collide

Thursday, December 4, 2008 - 9:00 a.m. to 1:00 p.m.

While the health care sector continues to grow, so do the corresponding employment and labour law issues in the health care system. The traditional employment relationship in our hospitals, clinics and broader health care sector faces increasing costs and challenges. What recent legislative and board governance developments meet these demands? Who are the key stakeholders and players and how do they differ from your non-health care employment relationship? How are the new disclosure and mandatory reporting requirements affecting the employment relationship? How is the increase in private services impacting bargaining and dispute resolution in the public health sector? This unique program will appeal to both health and labour/employment lawyers whose day to day practice intersects with the broader health care sector.

Co-Chairs: **Lisa Corrente**, Torkin Manes Cohen Arbus LLP
Lisa L. Stam, Baker & McKenzie LLP

9:00 a.m. Introductory comments

9:05 a.m. **Health Sector Employers**

- Special considerations for employers in the health sector, including issues related to:
- Requiring employees to work during epidemics
- Disclosure of employee medical information at hiring and post-hiring
- Employee assistance and wellness programs (e.g.) mandatory flu shots, addiction counselling
- The end of mandatory retirement in Ontario

Jennifer Crawford,
Gowling Lafleur Henderson LLP - Vancouver

Janina A. Fogels,
Cavalluzzo Hayes Shilton McIntyre & Cornish LLP

Philip Wolfenden, Gowling Lafleur Henderson LLP

10:00 a.m. **Disclosure and Mandatory Reporting Obligations**

- *Public Hospitals Act*: Reporting Adverse Events
- Other Mandatory Reporting Obligations
- Limitations arising from the *Quality of Care Information Protection Act*

David C. Rosenbaum, Fasken Martineau DuMoulin LLP
Lonny J. Rosen, Gardiner Roberts LLP

10:45 a.m. Break

11:00 a.m. **Managing Physician Issues in Hospitals**

- Physician health issues
- Disruptive physicians
- Processes under the *Public Hospitals Act*
- Aftermath of the Dupont/Daniel inquest

John J. Morris, Borden Ladner Gervais LLP
Kate Dewhirst, Barrister & Solicitor

11:45 a.m. **Collective Bargaining and Contracting Out**

- Labour Relations Issues for Private Health Services Providers
- A discussion of the legal framework for the transfer of bargaining rights from hospitals to private companies in health services integrations and contracting out arrangements
- *HLDA* and bargaining in the health care sector

Sarah A. Eves, Hicks Morley Hamilton Stewart Storie LLP
Mark E. Geiger, Blaney McMurtry LLP

12:30 p.m. **Care and Staffing Levels in Health Care Institutions - Guidance from Recent Rights and Interest Arbitration Awards in Ontario**

- Are meeting requirements in collective agreements conditions precedent to permit layoffs?
- Should disclosure requirements be implied and does refusal to meet disclosure requests void the layoffs *ab initio*?
- What are the appropriate roles of the Employer, the Government and the Union in the determination of care/staffing levels in long term care homes?

Shalom Schachter, Canadian Union of Public Employees, Ontario, formerly of Ontario Nurses' Association
Lisa Corrente, Torkin Manes Cohen Arbus LLP

1:00 p.m. Program Concludes

This program has been accredited by the Law Society of Upper Canada towards the professional development requirement for certification.
Health Law - 3.5 hours and Labour Law - 3.5 hours

