



Current Issues in Workplace Safety and Insurance Law: Diagnosis, Analysis, and Resolution



Webcast

Date: Wednesday, July 10, 2013 | 9:00 am to 4:45 pm**Location:** Live Webcast Replay of program originally aired on May 23, 2013**Summer Institute Facilitators:** **Stephen C. Roberts**, *McTague Law Firm LLP – Windsor*
Dan Revington, *General Counsel, WSIAT*4.5 Substantive Hours
1.75 Professionalism Hours**Note:** New members may apply any program that contains a minimum of **0.5 Professionalism Hours** toward the annual CPD requirement.

Stay on top of the latest changes in Workplace Safety and Insurance Appeals and Policy. Attend this unique CLE program, featuring a faculty of leading counsel who will give you insight, background and tools you need to provide superior representation for your clients at the WSIB and WSIAT. You will walk away with: practical tips for dealing with the new WSIB adjudication process; a clear understanding of medical tests and terminology; expert advice on obtaining and using medical evidence; a guide to properly using surveillance, privacy and social media in the workplace safety and insurance context; best practices for ethical advocacy under the Rules and Code of Conduct; & updates in WSIB Policy and WSIAT Decisions.

Register now to take advantage of this opportunity to get up to date on your CPD hours!

9:00 am Opening Remarks

12:15 pm Break for Lunch

9:05 am Live Medical Examination - Explanation of Common Medical Examination Techniques

- Explanation of common medical examination techniques
- Demonstration of medical tests
- Interpreting the significance of findings

Dr. Michel Lacerte, Associate Professor, Schulich School of Medicine, Western University**1:15 pm New WSIB Appeals System**

- Highlights of important new changes and practical tips
- How to prepare effective written submissions
- Oral vs. Written hearings
- Duties and responsibilities of advocates
- Ethical red flags for advocates

Robert Boswell, Crawford Chondon & Partners LLP - Barrie
Maryth Yachnin, Industrial Accident Victims' Group of Ontario**9:40 am Understanding and Using Medical Evidence**

- Practices and pitfalls: How to deal with medical experts to obtain effective reports
- Selecting medical experts
- What makes a good medical report
- Challenging the medical evidence
- Privacy issues

Jim Dimovski, Dimovski Law**Dr. Michel Lacerte****John McKinnon**, Injured Workers' Consultants

2:25 pm Break

2:35 pm Practice and Professionalism in Hearings

- Review of relevant WSIAT decisions on professionalism issues
- Review of WSIB and WSIAT Code of Conduct for Representatives
- Understanding the relevant LSUC Rules of Conduct
- Ethical red flags at hearings

Michael Green, Barrister and Solicitor**John Russell**, John Russell Law Offices - Kanata

10:20 am Break

10:30 am WSIB Policy Update: What's New and What's on the Horizon

- Mandatory coverage in the construction industry (Bill 119)
- Accommodating learning disabilities, and policy revisions in response to HRTO decision *Frankson v. WSIB*
- Jim Thomas Benefits Policy Review: Recurrences, work disruptions, permanent impairments, and aggravation basis
- Douglas Stanley Rate Framework Consultation: Review of rate group structure, rate setting & incentive programs
- Practical strategies for representatives: How to use the new policies to your client's best advantage

Danielle Allen, formerly of Sherrard Kuzz LLP**Christie Harper**, Office of the Worker Adviser**3:05 pm WSIAT Case Law Update**

- Review of recent important WSIAT decisions
- Review of judicial review decisions

Madeleine Loewenberg, Norton Rose LLP**Joel Schwartz**, Industrial Accident Victims' Group of Ontario**11:10 am Surveillance, Privacy & Social Media Issues**

- Striking a balance: Admitting surveillance evidence and protecting privacy
- When must surveillance evidence be disclosed
- WSIB and WSIAT policies and decisions
- Liability for those conducting surveillance

Michael Johnston, Workplace Safety and Insurance Board**Ken Stuebing**, CaleyWray, Labour and Employment Lawyers**Don Jarvis**, Filion Wakely Thorup Angeletti LLP**3:45 pm Current WSIB Adjudication Approach and Decision Making**

- What should an advocate do with a decision that does not provide adequate reasons?
- How do I get the decision maker to consider my evidence and avoid making unreasonable findings of fact?
- What should an advocate do with decisions that don't follow the Act or Board Policy?
- Managing the file that keeps disappearing before it goes to Appeals
- What issues are of concern specifically to employers?
- What issues are of concern specifically to workers?

Gary Newhouse, Barrister and Solicitor**William LeMay**, Hicks Morley Hamilton Stewart Storie LLP

11:50 am Live Q & A

4:20 pm Live Q & A

4:45 pm Program Concludes

* All times are approximate.

PROGRAM REGISTRATION IS ONLINE www.oba.org/pdQuestions? pd@oba.org