

Employment Law Fundamentals

Labour and Employment Law & Young Lawyers Division



In-Person



Webcast

Date: Friday, October 13, 2017 | 9:00 am to 1:00 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chair: **Bethan Dinning**, Borden Ladner Gervais LLP



Substantive Hours: This program is eligible for up to **4h 00m**

You have just received your first employment law file. What do you do next? Be sure you are prepared with this helpful program. Gain an essential overview of the most common issues in employment law from both employee and employer perspectives, to help you be confident and develop your employment law knowledge.

Our faculty of experienced employee and employer counsel will share step-by-step expert guidance starting with the initiation of an employment relationship, determining whether there is “just cause”, and dealing with issues surrounding termination.

Register now to secure your spot. We look forward to seeing you there!

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **COMMENCING THE EMPLOYMENT RELATIONSHIP**
Ruben Goulart, Bernardi Human Resource Law LLP
Stephanie Lewis, Nelligan O’Brien Payne LLP (Ottawa)
Moderator: Krista Kais-Prial, Israel Foulon LLP

- What are the advantages of written employment agreements?
- Maximizing enforceability of agreements and drafting best practices
- Key terms of the agreement and their implications
- Differentiating between employees and independent contractors
- Common *Employment Standards Act* issues to watch out for

9:55 am **MANAGING THE EMPLOYMENT RELATIONSHIP**
Neena Gupta, Gowling WLG (Waterloo)
Rachel Turnpenney, Turnpenney Milne LLP
Moderator: Ryan Campbell, DLA Piper (Canada) LLP

- What are the obligations of employers and employees?
- Critical issues in workplace violence and harassment
- Need-to-know investigations advice
- Clarifying the duty to accommodate
- Disability, parental and other kinds of leave

10:50 am Networking Break

TERMINATING THE EMPLOYMENT RELATIONSHIP

11:05 am **Defining Just Cause**
Lisa Cabel, Norton Rose Fulbright Canada LLP

- When does an employer have just cause to terminate employment relationship?
- What is the effect of termination with and without just cause?
- Making out the defence of condonation
- How to effectively use progressive discipline
- After-acquired cause: can an employer rely on grounds discovered after termination?

11:30 am **What is Constructive Dismissal?**

Lisa Stam, Spring Law

- What changes can employers introduce without triggering constructive dismissal?
- The duty to mitigate in constructive dismissal cases
- Helpful recent decisions you should know

12:00 pm **Navigating Termination: Perspectives from Both Sides**

Leslie Frattolin, DLA Piper (Canada) LLP

Jennifer Zdriluk, Ross & McBride LLP

Moderator: Justin Tetreault, Grosman Gale Fletcher Hopkins LLP

Hear practical guidance from employer and employee counsel on dealing with key termination issues, including:

- How to estimate notice
- Best practices for drafting termination letters and carrying out a termination
- Important considerations in assessing severance packages for employee counsel
- What obligations continue during the notice period?

12:40 pm Questions and Closing Remarks

1:00 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org