



OBA CPD WEBCAST REPLAYS

ESSENTIAL SESSIONS REBROADCAST – WITH LIVE CHAT



OBA CPD

Unraveling Good Faith in the Employment Relationship

Date: March 15, 2019

Original Program Chairs:

Bethan Dinning, Borden Ladner Gervais LLP

Adrian Ishak, Senior Corporate Counsel, Global Labour and Employment, Salesforce

Original program was held on February 7, 2019

AGENDA

Welcome and Opening Remarks from the Program Chairs

Unraveling the Concept of Good Faith

Professor Bruce Curran, University of Manitoba

- What does good faith mean in the common law context?
- How has our understanding of good faith evolved?
- What can we learn from jurisprudence in Quebec, which has a long history of good faith requirements?

Exploring the Application of *Bhasin* in the Workplace

Jack Braithwaite, Weaver, Simmons LLP

Elaine Newman, Newman Arbitrations Inc.

- The law *pre-Bhasin* and *Honda*
- Critical court and arbitral decisions on aggravated and punitive damages post-Bhasin and Honda
- Implications for your practice

Break (15 Minutes)



Substantive Hours: This program contains 3h 00m



OBA CPD **WEBCAST REPLAYS**

ESSENTIAL SESSIONS REBROADCAST – WITH LIVE CHAT



OBA CPD

Practical Strategies and Helpful Advice for Seeking and Defending against Bad Faith Damages

Natalie MacDonald, MacDonald & Associates

Hugh Scher, Scher Law

- When and how to plead/respond to bad faith claims
- Evidentiary burden on plaintiff and challenges/opportunities for defence
- Potential repercussions when claims are unsubstantiated
- Conduct of discovery in bad faith claims
- Impact of bad faith claims on settlement negotiations
- Pre and post termination behaviour: lessons learned from *Galea v. Wal-Mart*

Closing Remarks



Substantive Hours: This program contains 3h 00m