

## Annual Update on Human Rights

*Administrative Law / Constitutional, Civil Liberties & Human Rights / Labour & Employment Law*



webcast

**Date:** Wednesday, May 20, 2020 | 9:00 am to 4:30 pm

**Location:** Via Webcast Only

**Program Chairs:** **Megan Mah**, WeirFoulds LLP  
**Justin Tetreault**, Grosman Gale Fletcher Hopkins LLP  
**Rachel Weiner**, ARCH Disability Law Centre



This program is eligible for up to 6 hr 30 m  
Substantive Hours

Annual Update on Human Rights returns again this year to get you up to speed on substantive and procedural trends and developments in this challenging legal area. Regardless your client base, if your practice touches on human rights, this program is a must-attend event for you. Our exceptional faculty will share valuable insights and helpful strategies for you to take away and implement in your practice.

9:00 am Welcome and Opening Remarks

9:05 am **What's New at the Human Rights Tribunal of Ontario?**  
**Esi Codjoe**, Turnpenney Milne LLP  
Get up-to-date on recent practical and substantive developments.

9:35 am **Exploring Protected Grounds**  
**Moderator: Giovanna Di Sauro**, Filion Wakely Thorup Angeletti LLP

**Fatphobia: Should Size Discrimination Be a Protected Ground?**

**Krista Kais-Prial**, Israel Foulon LLP

- Understanding the issue – size discrimination in employment, housing and services
- Creative strategies for helping clients who have experienced discrimination based on weight and size
- How are other jurisdictions addressing size discrimination?
- What is the impact of the body positivity and fat activism movement?

**Developments in Gender Identity and Gender Expression Related Claims**

**Sarah Molyneaux**, Molyneaux Law Professional Corporation

- Recognizing discrimination on the basis of gender identity or gender expression
- How has the law evolved since the grounds were added to the *Code*?
- Overcoming common evidentiary issues

**Engaging in a Constructive Dialogue around Competing Rights and Interests**

**Antonella Ceddia**, City of Toronto, Legal Services

- Insights on the Ontario Human Rights Commission's Policy on Competing rights
- Practical advice for dealing with rights-based disputes and competing rights

10:45 am Break

11:00 am **Critical Developments in Damages and Remedies**

**Fathima Cader**, Cader Law

**Mika Imai**, Karimjee Law

**Najma Jamaldin**, Barrister & Solicitor

**Melissa Mark**, Human Rights Legal Support Centre

**Moderator: Megan Mah**, WeirFoulds LLP

- The latest trends in damages and remedies
- Code Claims in Court: Trends and Strategies
- Making sense of the expanding overlap between human rights and civil damages for breach of *Charter* rights
- PLUS: Get your essential Remedies Chart

12:15 pm Lunch

1:15 pm **Priorities and Updates from the Ontario Human Rights Commission**

**Raj Dhir**, Executive Director and Chief Legal Counsel, Ontario Human Rights Commission

- Hear about the OHRC's recent and ongoing initiatives, and top priorities.

1:45 pm **Unraveling Sexual Harassment Claims and Investigations**

**Frank Portman**, Wilton Martin Litigation Lawyers

**Nabila Khan**, Ryan Edmonds Workplace Counsel

**Anne Lemay**, Gowling WLG (Canada) LLP

**Alison Renton**, Bernardi Human Resource Law

**Moderator: Hannah Shaikh**, Barrister & Solicitor

- Court versus HRTO: strategic considerations in selecting the best forum, and the implications of that choice
- How have employer liability and damages changed since #MeToo?
- Best practices for dealing with sexual harassment investigations
- Interim measures

2:55 pm Break

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

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

3:10 pm **Proactive Approaches to Human Rights in the Workplace**  
**Moderator:** [Patricia Harper](#), Keel Cottrelle LLP

**Challenging Mental Health Stigma in the Workplace**  
[Marty Rabinovitch](#), Devry Smith Frank LLP

- Why should employers care about challenging stigmas around mental health?
- Breaking down barriers to discussing mental health
- Opportunities to tackle mental health stigma

**Cutting Back: Managing Accommodation and Part-Time Status**

[Cristina Tomaino](#), Crawford Chondon & Partners LLP  
[Angela Wiggins](#), Royal Victoria Regional Health Centre

- Insights from *City of Toronto v. CUPE Local 79*
- Navigating the particulars of transitioning an employee to part-time status

**Workplace Initiatives for Dealing with Family Status-Based Issues**

[Christine Kilby](#), Kilby Mediation

- Best practices for distinguishing “choice” and “obligation” in accommodation policies
- How to respectfully communicate about caregiving obligations, the need for flexibility and requests for accommodation

4:20pm Questions and Concluding Remarks

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)