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**JEWITT MCLUCKIE & ASSOCIATES
LLP**

March 26 – 27, 2019 • Ottawa, Ontario

Managing Your **Duty** to **Accommodate**

Finding true balance between inclusivity and undue hardship

With a focus on jurisprudence, hear recent cases and stories concerning:

- Cannabis use in the Canadian workplace
- Gender identity in the workplace
- Precedent setting cases from the last year
- Undue hardship in the face of mental health
- Calculating when an employment contract becomes frustrated
- Educating your workforce for traumatic return to work situations
- The RCMP's new approaches to disability management
- The evolving definition of workplace violence
- Accommodating employees who have threatened violence
- Accommodating sexual harassment victims

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Managing Your **Duty to Accommodate**

March 26-27, 2019 • Ottawa, Ontario

DAY ONE PROGRAM AGENDA: TUESDAY, MARCH 26, 2019

7:30 – 8:30 Registration and Continental Breakfast

8:30 – 8:40

Welcome and Opening Remarks from the Chair
Meg Steele, Senior Legal Counsel, City of Ottawa

8:40 – 9:40

Cannabis in the Workplace after Legalisation
Martin Thompson, Partner, McMillan LLP

- History and impact of cannabis use in the Canadian workplace
- How cannabis use affects employee performance
- How to manage claims of medical cannabis use
- Edibles and how they differ
- How to manage concerns regarding safety
- When does habitual use become an ‘addiction’
- Balancing an employee’s right to use with workplace safety
- How does cannabis use differ from other substances in the workplace?

9:40 – 10:00

Networking Break



10:00 – 11:00

Accommodating Gender Identity and Expression
Brittany Taylor, Associate Lawyer, Rudner Law

- Understanding the role of gender identity in the workplace
- Understanding the gender spectrum
- How to collaborate with employees requiring accommodation
- Key elements to consider when accommodating transgender employees
- Inclusion of gender identity into your code of conduct
- How to acclimate your workforce respectfully

11:00 – 12:00

Pivotal Cases in Human Rights and Employment Law

Richa Sandill, Barrister & Solicitor

- Precedent setting cases from the last year
- Landmark cases and their impact
- Current trends
- Which industrial sectors are most vulnerable to Human Rights challenges
- Lessons learned from the errors and omissions of others

12:00 – 1:15

Luncheon Break

1:15 – 2:15

Understanding Mental Health Accommodation in the Workplace

Denis Pogrebinski, Labour Relations Expert, Parliamentary Protective Service

- Recognizing warning signs that an employee may need support
- Best practices for inquiring
- Finding public aid for your in-need employee
- Short-term (acute) vs. long-term (chronic)
- Accommodating learning disabilities
- Managing individuals with personality disorders
- Undue hardship in the face of mental health
- Mental health accommodation successes

2:15 – 2:30

Networking Break



2:30 – 3:30

Employee Non-Compliance: How to Ensure an Employee’s Participation in their own Accommodation

Stuart Wright, Health and Safety Manager, Treasury Board of Canada Secretariat

- Mistakes employees make in not inquiring
- Understanding how the duty to inquire affects the role of undue hardship
- Importance of keeping records concerning employee inquiries
- How to identify potential discriminatory problem areas via employee inquiries
- Instilling change on behalf of employees to avoid litigation
- Two-way streets and effective communication

3:30 – 4:30

Age Discrimination in the Workplace

Fiona Campbell, Partner, Goldblatt Partners

- Does mandatory retirement still exist in Canada?
- What is ageism and age discrimination?
- Workplace policies/practices – when are they discriminatory because of age?
- Intersectionality of age discrimination with other grounds such as disability
- Pension and Benefit issues – recent case law
- Damages/Remedies in age discrimination cases

4:30

End of Day One

OTTAWA, ONTARIO
EVENT LOCATION: OTTAWA, ONTARIO

Duty to Accommodate will be held at a convenient downtown location in Ottawa, Ontario. Detailed venue information will be forthcoming as it becomes available.

Managing Your **Duty to Accommodate**

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DAY TWO PROGRAM AGENDA: WEDNESDAY, MARCH 27, 2019

7:30 – 8:30 Registration and Continental Breakfast

8:30 – 8:40

Welcome and Opening Remarks from the Chair

Meg Steele, Senior Legal Counsel, City of Ottawa

8:40 – 9:40

Disability Management: The Intersection of Protected Grounds

Jennifer Swinwood, Corporate Disability Management & Accommodation Advisor, Royal Canadian Mounted Police

Maria Panuccio, Manager, Corporate Disability Management and Accommodation Program, Royal Canadian Mounted Police

- Permanent versus temporary disability accommodation practises
- The RCMP's approach to disability management and DTA: a unique perspective from within the federal government
- Facilitating a collaborative approach to the disability management/DTA process: engaging multiple stakeholders and maintaining productive relationships
- Working with a nationwide mobile workforce: impact on permanent accommodations, family status requests, etc...
- Requests related to other prohibited grounds i.e. religion, gender expression & identity

9:40 – 10:00

Networking Break



10:00 – 11:00

Management of Employees involved in Substance Misuse: An Accommodation Journey

Dania Versailles, Director of Clinical Services, Canadian Mental Health Association

- The complex nature of co-occurring addiction and mental health conditions: fraught with red-flags or opportunities?
- Cannabis, Alcohol, Opioids... what's the difference?
- Effective interventions that don't alienate employees [that employees actually appreciate]
- How prepared are you and your organization for the accommodation journey?

11:00 – 12:00

Accommodation Concerns of Violence in the Workplace

Glenn French, President, Canadian Initiative on Workplace Violence

- Evolving definition of workplace violence
- Investigating potential threats
- Importance of 'Perceived Personal Control' and workplace violence
- How to screen for potential threats
- Accommodating employees who have threatened violence
- Impact of violent threats on the workforce

12:00 – 1:15

Luncheon Break

1:15 – 2:15

Harassment in Canadian Workplaces: What Can We Learn from the 2016 Canadian General Social Survey?

Darcy Hango, Senior Research Analyst, Statistics Canada

- Prevalence rates of various forms of workplace harassment
- Identifying the most common perpetrators of workplace harassment
- Who is most likely to report harassment?
- Workplace harassment and issues related to workplace well-being such as job satisfaction, sense of belonging to one's organization, and likelihood of leaving one's job

2:15 – 2:30

Networking Break



2:30 – 3:30

Family ties: What's Next for Family Status Accommodation

Meg Steele, Senior Legal Counsel, City of Ottawa

Samantha Lamb, Partner, Jewitt McLuckie & Associates LLP

- What is the legal test?
- What is meant by "family"?
- Do employees have to self-accommodate?
- What happens when Family Status also involves other protected grounds?

3:30 – 4:30

Building and Maintaining a Truly Equitable Workspace

Mojdeh Cox, National Director, Anti Racism & Human Rights Department, Canadian Labour Congress

- Importance of physical space for employee wellbeing
- Importance of workplace processes
- How to engage and leverage employee input
- What inclusive design looks like
- Policies, procedures, and practises that instill equity
- Inclusive design strategies; what you need to consider

4:30

End of Conference

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Managing Your **Duty to Accommodate**

March 26-27, 2019 • Ottawa, Ontario

THREE KEY BENEFITS OF ATTENDING THIS EVENT:

- 1) The event pushes for up-to-date, and in-depth coverage of real cases from the last year
- 2) The broad scope, which covers a plethora of protected grounds, will ensure clarity where intersectionality reigns
- 3) The culmination of perspectives given from both private and public sectors guarantees a spectrum of applicable approaches

REGISTER BY PHONE, ON-LINE, OR IN THESE 3 EASY STEPS!

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LOCATION:

Duty to Accommodate will be held at a convenient location in Ottawa, Ontario. Detailed venue information will be forthcoming as it becomes available.

YOUR REGISTRATION INCLUDES:

Registration fees include all course materials, continental breakfast, lunch, and refreshments. **Parking and accommodation are not included.**

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