

# Education Labour Relations and Human Resources Symposium



ONTARIO PUBLIC  
SCHOOL BOARDS'  
ASSOCIATION

Leading Education's Advocates

## Building Strong Foundations for a Successful Future

April 30 – May 1, 2020 - Sheraton Centre Hotel

**Sessions:** A combination of workshops and plenary sessions.

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<p><b>THURSDAY 30 April</b> 12:15 p.m.</p>	<p><b>Registration</b></p>
<p>1:00 p.m. <b>Plenary Sessions</b></p>	<p><b>Minister of Education</b> (invited)</p> <p><b>Keynote Address: Howie Bender</b> Senior Director, Government and External Relations at D2L</p>
<p>2:30 p.m.</p>	<p><b>Refreshment Break</b></p>
<p>2:45 p.m.</p> <p><b>Upper Canada District School Board</b></p> <ul style="list-style-type: none"> <li>Wendy Lampkie, Human Resources Manager</li> <li>Jeremy Hobbs, Superintendent of Business Operations</li> </ul>	<p><b>1 Case Management Solution for Labour Relations</b></p> <p>A significant portion of the work performed by the Labour Relations department involves handling cases of employee misconduct and the attendant consequences of that misconduct. Accurate tracking of grievances, investigations and settlements is important to supporting employees and effective use of management time. Upper Canada District School Board are centrally managing labour relations through one slick platform and have eliminated spreadsheets for the collection of data in Labour Relations!</p>
<p><b>Hicks Morley LLP</b></p> <ul style="list-style-type: none"> <li>Simon Mortimer, Partner</li> <li>Julia Nanos, Associate</li> </ul>	<p><b>2 Coping With Labour Disruptions</b></p> <p>This workshop provides a comprehensive summary of the possible stages that boards may encounter in local (or central) labour disputes. It will first summarize the overall framework established by legislation - the statutory freeze, conciliation, the "no board report" and the waiting period. It will then outline the legal rules concerning union actions such as the possible politicization of the schools through expressive activities, work to rule campaigns and strikes, and picketing. This workshop will explore the available board responses.</p>
<p><b>Miller Thomson LLP</b></p> <ul style="list-style-type: none"> <li>Gillian Tuck Kutarna, Partner</li> <li>Nadya Tymochenko, Partner</li> </ul>	<p><b>3 Responding to Violence in Schools</b></p> <p>Students have a right to attend school and have meaningful access to educational services, in a safe environment. School Board staff have a right to a workplace free of violence. Parents have the right to be consulted regarding accommodations of their children's learning needs. Staff and students have a right to privacy. This presentation will discuss the source and scope of these rights, and provide a legal framework for responding to competing rights which impose conflicting responsibilities on school boards.</p>

<p><b>3:45 p.m.</b></p> <p><b>Hamilton-Wentworth District School Board</b></p> <ul style="list-style-type: none"> <li>• Bailey Seward, Employee Support and Wellness Officer</li> <li>• Monica Curtis, Employee Support and Wellness Specialist</li> </ul>	<p><b>1</b></p> <p><b>Early Intervention and Best Practices in Attendance Management</b></p> <p>This presentation will look at components of a strategic plan for addressing absenteeism and high use of “personal illness” time. It will provide examples of an “Early Intervention Model” for connecting with employees who are away from work sooner and strategies to use while implementing and/or to include in a pre-existing Attendance Program.</p>
<ul style="list-style-type: none"> <li>• Jacqueline Luksha, Associate, Hicks Morley LLP</li> <li>• Joy Noonan LL.B., LL.M.(ADR), C.Med Workplace Mediator, Aptus Conflict Solutions</li> </ul>	<p><b>2</b></p> <p><b>The Role of Mindful Management in Labour Relations</b></p> <p>The focus of this session will be on mindfulness and how it can affect communication, respect in the workplace, leadership outcomes and, ultimately, student welfare and student success. It will include both legal perspectives and that of an expert workplace mediator.</p>
<p><b>Sibley Righton LLP</b></p> <ul style="list-style-type: none"> <li>• Sheila MacKinnon, Partner</li> <li>• Jessica Koper, Associate</li> </ul>	<p><b>3</b></p> <p><b>What’s New in Statute and Case Law</b></p> <p>This workshop will focus on the most current arbitration, court and tribunal decisions that have an impact on school boards. The workshop will also review recent and pending legislative changes that may affect school boards from a labour relations/ human resources perspective.</p>
<p><b>4:45 – 6:30 p.m.</b></p>	<p><b>Networking Reception</b></p> <p>Sponsored in part by Hicks Morley LLP</p>
<p><b>FRIDAY 1 May</b></p> <p><b>8:00 – 8:45 a.m.</b></p>	<p><b>Breakfast</b></p>
<p><b>9:00 a.m.</b></p> <p><b>Plenary Session</b></p> <ul style="list-style-type: none"> <li>• Andrew Gold, Executive Superintendent Employee Services, Toronto District School Board</li> <li>• Tracy Dottori, Superintendent of Business, Conseil scolaire public du Nord-Est de l’Ontario</li> <li>• Michelle Lamarche, Superintendent of Human Resources, Algonquin and Lakeshore Catholic District School Board</li> </ul> <p>Moderated by Michael Barrett, OPSBA 1st Vice President and past President of OPSBA</p>	<p><b>Practitioners Panel Discussion</b></p> <p>In this moderated discussion, Senior School Board Officials from all publicly funded education sectors will reflect on local bargaining under the School Boards Collective Bargaining Act.</p>
<p><b>9:50 a.m.</b></p> <p><b>Persaud Employment Law</b></p> <ul style="list-style-type: none"> <li>• Dorian Persaud, Principal</li> <li>• Garrett Irvin, Associate</li> </ul>	<p><b>1</b></p> <p><b>Working with Unions during a Workplace Investigation</b></p> <p>Some workplaces are taking a cooperative approach when conducting an investigation in a unionized workplace. Learn how some organizations are making this work.</p>
<p><b>Hicks Morley LLP</b></p> <ul style="list-style-type: none"> <li>• Stephanie Kalinowski, Partner</li> <li>• Sukhvinder Dulay, Associate</li> </ul>	<p><b>2</b></p> <p><b>New and Evolving EI Rules: The Intersection Between EI and Statutory Leaves</b></p> <p>Using School Board case studies, this workshop will focus on recent changes to Employment Insurance (“EI”) benefits. In particular, the workshop will focus on EI pregnancy and parental benefits and the complicated intersection of these benefits with various statutory leaves. EI parental benefits have become available to biological and adoptive parents sooner and for longer periods, additional changes to EI parental benefits were introduced in 2019.</p>

<p><b>3</b></p> <ul style="list-style-type: none"> <li>• Isabelle Girard, Executive Director, ACÉPO</li> <li>• Janine Griffore, Executive Director (Acting), AFOCSC</li> <li>• Nick Milanetti, Executive Director, OCSTA</li> <li>• W. R. (Rusty) Hick, Executive Director, OPSBA</li> </ul> <p>Moderated by Laurie French, President of the Canadian School Board Association and past President of OPSBA.</p>	<p><b>Dealing with the Ambiguity of the School Boards Collective Bargaining Act</b></p> <p>The Executive Directors of the four Trustee Associations (ACÉPO, AFOCSC, OCSTA, OPSBA) will discuss dealing with the ambiguity of both shared and differentiated goals.</p>
<p><b>10:50 a.m.</b></p>	<p><b>Refreshment Break</b></p>
<p><b>11:10 a.m.</b></p> <p><b>Rainbow District School Board</b></p> <ul style="list-style-type: none"> <li>• Tiffany Hayes, Manager of Human Resources</li> </ul>	<p><b>1</b></p> <p><b>Welcome to the Education Sector</b></p> <p>Human Resources should be relatively the same in a different sector, right? Not always the case! This session will provide some ideas on how to transition to a different sector and still maintain the love of your HR career.</p>
<p><b>2</b></p> <p><b>Ontario Public School Boards' Association</b></p> <ul style="list-style-type: none"> <li>• Penny Mustin, Director, Labour Relations</li> <li>• Janet Edwards, Associate Director, Labour Relations</li> <li>• David Warner, Senior Manager of Employee Services, Trillium Lakelands District School Board</li> </ul>	<p><b>A Trustee Guide to Collective Bargaining Under the School Board Collective Bargaining Act</b></p> <p>This presentation is designed to support Trustee's by exploring the framework in which Collective Bargaining occurs both centrally and locally under the SBCBA. Since the introduction of the legislation in 2014, what are the lessons learned? What can be expected in subsequent rounds of bargaining?</p>
<p><b>3</b></p> <p><b>Filion Wakely Thorup Angeletti LLP</b></p> <ul style="list-style-type: none"> <li>• Melanie McNaught, Partner</li> <li>• Giovanna Di Sauro, Associate</li> </ul>	<p><b>Outside the Classroom: Educators and Off-Duty Conduct</b></p> <p>Teaching is a public profession. Teachers are held to a higher standard of conduct and the erosion of such standards can lead to a loss of confidence in the public school system. At the same time, school boards have collective agreement obligations regulating the discipline of teachers. This session will provide attendees with the knowledge and tools to effectively navigate scenarios in which competing rights and obligations may arise.</p>
<p><b>12:15 p.m.</b></p> <p><b>Hicks Morley LLP</b></p> <ul style="list-style-type: none"> <li>• Lauri Reesor, Partner</li> <li>• Hossein Moghtaderi, Associate</li> </ul>	<p><b>1</b></p> <p><b>Workplace Harassment and Chronic Mental Stress Claims: One Claim, Where to Adjudicate?</b></p> <p>This presentation will acquaint labour practitioners with issues relating to the concept of Chronic Mental Stress (CMS) claims (including workplace harassment). It will address key strategic considerations involving the proper forum for such claims (WSIB, HRTO, arbitration and the courts). It will also address the legal principles and review some recent cases where these issues were considered.</p>

<p><b>Hamilton-Wentworth District School Board</b></p> <ul style="list-style-type: none"> <li>• Kristin Roy, Manager, Professional Development</li> <li>• Sarah Tracz, Professional Development Officer</li> </ul>	<p style="text-align: right;"><b>2</b></p> <p><b>Launching a Dynamic New Employee Onboarding Program</b></p> <p>This interactive workshop will focus on sharing the story of our onboarding program development at Hamilton-Wentworth District School Board and invite all participants to brainstorm and share creative thinking. It will address how to successfully welcome new employees into an organization, set them up for success and help them to feel connected and committed from day one.</p>
<p><b>Sibley Righton LLP</b></p> <ul style="list-style-type: none"> <li>• Sheila MacKinnon, Partner</li> <li>• Jessica Koper, Associate</li> </ul>	<p style="text-align: right;"><b>3</b></p> <p><b>A Refresher on Human Rights for Educators</b></p> <p>School boards have a duty to accommodate both employees and students under the Ontario Human Rights Code. This presentation will provide an overview of the foundational principles underlying human rights and the obligations of school boards both as an employer and as a provider of the service of education. Relevant areas will be examined such as service dogs, family status and transgender rights.</p>
<p><b>1:15 - 1:45 p.m.</b></p>	<p><b>Lunch, Closing Remarks and Prizes!</b></p>