

Yukon Legal Symposium 2018

November 1 & 2, 2018 | Westmark Whitehorse Hotel & Conference Center, 201 Wood Street, Whitehorse

Thursday, November 1, 2018

12:30-1:00	Registration
1:00-1:15 pm	Welcome & Mindful Moments for Mental Wellbeing, MHAY
1:15 – 4:45 pm	Invisible Disabilities: Duty to Accommodate Substance Abuse and Mental Health Issues • <i>Jennifer Wiegele, Mathews, Dinsdale & Clark LLP</i>
4:45 – 5:00 pm	CPHR and Your Profession • <i>Susan Ryan, FCPHR, Chair, CPHR BC & Yukon Board of Directors</i>
5:00 pm	Closing of Day One

Friday, November 2, 2018

8:30 - 9:00 am	Registration and Breakfast
9:00 - 10:15 am	Gender in the Workplace: A Dialogue on Today's Challenges for a More Inclusive Tomorrow • <i>Erin Brandt, Kent Employment Law, Reach Legal</i> • <i>Heidi Eaves, Project House Boutique Business Solutions Inc.</i>
10:15 - 10:30 am	Mindful Moments for Mental Wellbeing, MHAY
10:30 – 11:45 am	The Latest and Greatest from the World of Employment and Labour Law: A Review of Recent Key Decisions and Must-Knows for HR Professionals • <i>James Kondopoulos, Roper Greyell LLP</i>
11:45 am - 1:00 pm	Networking Lunch
1:00 – 1:15 pm	Mindful Moments for Mental Wellbeing, MHAY
1:15 - 2:30 pm	Workplace Investigations - From Finish to Start and Back • <i>Andrea Zwack, Gall Legge Grant Zwack LLP</i>
2:30 – 2:45 pm	Mindful Moments for Mental Wellbeing, MHAY
2:45 – 4:00 pm	Panel Discussion: I thought I Had Seen Everything - What our Legal Experts Can Teach us About Employment Law's Impact on the Workforce Panelists: <i>Erin Brandt, James Kondopoulos & Andrea Zwack</i> Moderator: <i>Susan Ryan, FCPHR</i>
4:00 – 4:15 pm	Thank You & Closing

Receive 10 CPD hours for attending this Symposium

For further enquiries, please contact:

Rita Koeller, Member Relations Manager, Yukon | Email: rkoeller@cphrbc.ca | Phone: (867) 332-4102

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Day One: Thursday, November 1, 2018

12:30 - 1:00 pm Registration
1:00 - 1:15 pm Welcome & MHAY

1:15 - 5:00 pm
**Invisible Disabilities: Duty to Accommodate
Substance Abuse and Mental Health Issues**

Managing and accommodating employee mental health and/or substances issues present an increasing challenge in the contemporary workplace. Given the stigma surrounding such issues, it can be challenging to know when employees are struggling with mental health or substance issues and how to best manage and/or assist such employees. We will discuss the steps an employer should take when it suspects that, or is advised that, an employee has a mental health or substance abuse issue. We will learn what steps should be taken if an issue of accommodation or performance management arises and discuss traditional and contemporary approaches to addressing these issues in the workplace.

Learning Outcomes:

- Identify invisible disabilities and understand employer obligations such as the Duty to Enquire and the Duty to Accommodate;
- How to prepare requests for medical information and how to identify when you may require further medical information;
- To implement effective return to work arrangements, including drafting return to work agreements; and
- Skills and tools to effectively support and manage an employee in recovery once he or she returns to work.

About the Presenter:



Jennifer Wiegele is a Partner at Mathews Dinsdale & Clark LLP. She practices in all areas of labour and employment law. She has extensive experience advising employers in labour relations matters and on all aspects of the employment relationship.

A significant part of Jennifer's practice involves acting for and advising First Nations governments, economic development corporations, and First Nations-owned entities and business and assisting with their policy development and training, as well as governance.

In her practice, Jennifer represents and advises employers on a wide variety of workplace issues, including workplace accommodation, human rights, illness and disability, drug and alcohol testing, occupational health and safety, terminations and severance packages, constructive dismissals, post-employment issues, including non-competition, non-solicitation and fiduciary issues, employment contracts and workplace policies, harassment and bullying, disciplinary matters, employment standards, and privacy and personal information. Jennifer has appeared before most courts and employment tribunals in British Columbia.

She also conducts workplace investigations, frequently in relation to matters involving harassment, bullying, and interpersonal conflict.

5:00 pm
Closing of Day 1

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Day Two: Friday, November 2, 2018

8:30 – 9:00 am
Registration and Breakfast

9:00 - 10:15 am
Gender in the Workplace: A Dialogue on Today's Challenges for a More Inclusive Tomorrow

Please join us for an interactive discussion around some common questions and issues we find in today's workplace, including:

- Today's legal landscape
- How to discover issues in your workplace
- Tips to creating an inclusive, open, and fair workplace, including policies and practices

We don't have all the answers, so please come ready to share your questions, views, and experience.

Learning Outcomes:

- Some current gender-related case law and trending topics
- How to identify issues and questions in your workplace
- Interviewing and hiring
- Providing feedback
- Thoughtful and fair policies

About the Presenters:



Erin Brandt is what Malcolm Gladwell calls a connector. Strong community roots, genuine curiosity and a deep caring for others make her a true "people person". She is forward-thinking, and combines a millennial mindset with legal creativity to create impact and change in her clients' lives. Her core values are fairness and innovation, values

which serve Erin well when advising players in emerging industries, as well as more established businesses who want to "do right".

Erin's status as a community leader is reflected in her active participation in Beth Israel Synagogue, where she

sits as a member of the Young Adult Committee. Her give-back extends to the legal profession itself where Erin mentors the next generation of lawyers in BC through her role as supervising lawyer at UBC's Law Students' Legal Advice Program. In addition, she is a regular presenter at the annual CLE Employment Law Conference in Vancouver, having spoken on topics such as directors' and officers' liability (2016), and disability and workplace accommodation (2017) and family status accommodation (2018).

Erin is also a frequent contributor to the Kent Employment Law blog, with a special emphasis on topical issues and workplace human rights. And, as a four-time speaker at Vancouver Startup Week, she is the voice of employment law for local new business.



Heidi Eaves is the principal of Project House - a trusted Vancouver consulting company specializing in creating workplace environments that maximize team productivity and employee engagement.

Heidi is a senior Chartered Professional in Human Resources, with over 20 years of experience

in the software development/video games/biotech industries in HR, product development, project management, and team leadership. She understands that, in order to do great things, people need to feel challenged, motivated, creative, and rewarded.

Heidi and the Project House team partner with clients to create a consistent and positive employee experience throughout the lifecycle of their employment, with a focus on engagement and success. Heidi is passionate about training and supporting managers to help them balance quality, innovation, and deadlines with kindness and respect.

10:15 – 10:30 am
Mindful Moments for Mental Wellbeing, MHAY

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10:30 - 11:45 am

The Latest and Greatest from the World of Employment and Labour Law: A Review of Recent Key Decisions and Must-Knows for HR Professionals

The world of employment and labour law is constantly evolving.

Join James D. Kondopulos of the Vancouver-based employment and labour law boutique of Roper Greyell LLP as he reviews recent key decisions and must-knows for HR professionals.

Known for his engaging and straightforward presentation style, James will deliver interesting, practical content which is highly recommended for anyone who wishes to have an update on the most significant developments in workplace law over the last 12 to 18 months or so.

Learning Outcomes:

- Update on the most significant developments in employment and labour law over the last 12 to 18 months or so.

About the Presenter:



James Kondopulos is a founding member and partner* of Vancouver-based employment and labour law boutique, Roper Greyell LLP. He has represented employers and senior employees before all levels of court and a wide range of workplace-related administrative tribunals in British Columbia. He is frequently recommended as a strong advocate who provides capable representation

and pragmatic advice.

In 2013, James was named one of Canada's leading lawyers under 40 when he received Lexpert's *Rising Stars: Leading Lawyers Under 40* award. He was also recognized by Lexpert as a "Litigation Lawyer to Watch" in its *Guide to the Leading US/Canada Cross-Border Litigation Lawyers in Canada (US Guide - Litigation)*. For a number of years, James has been recognized by his peers as a leading lawyer in employment and labour law

and listed in Best Lawyers International, Canada. He has also been repeatedly recognized in the Canadian Legal Lexpert Directory and an international publication called *Who's Who Legal, Labour, Employment and Benefits*.

James spends most of his time outside work with his wife and their three children. He also sits as a Director of the children's charity, Make-A-Wish BC & Yukon. He is currently the Vice-Chair of the Board.

**Practising through a law corporation.*

11:45 am – 1:00 pm

Networking Lunch

1:00 – 1:15 pm

Mindful Moments for Mental Wellbeing, MHAY

1:15 - 2:30 pm

Workplace Investigations - From Finish to Start and Back

Learning Outcomes:

- Planning a Workplace Investigation - the importance of starting with the end point.
- Knowing when you need to conduct an investigation and who should conduct it
- Deciding what you want the investigator to decide
- Dealing with confidentiality issues
- Determining who gets the results of the investigation
- Understanding legal privilege, and when and how does it apply to investigation outcomes and materials
- The top 5 do's and don'ts of conducting an investigation.

About the Presenter:



Andrea Zwack advises and represents private and public sector employers on issues relating to unionization, collective agreement negotiation and administration, privacy, disability, harassment and other human rights issues, drug testing, and general employment law. She also practices administrative and constitutional law. She has appeared

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relations worker compensation and arbitration tribunals in BC, Alberta and Manitoba as well as federally. Andrea was law clerk to the Honourable Mr. Justice John Sopinka of the Supreme Court of Canada in 1992-93, and completed her Masters of Law at Harvard University in 1995-96. She has been an adjunct professor at the Allard School of Law at UBC for many years, teaching Law and the Modern Workplace.

2:30 – 2:45 pm

Mindful Moments for Mental Wellbeing, MHAY

2:45 - 4:00 pm

Panel Discussion:

I Thought I Saw Everything:

What our Legal Experts Can Teach us About Employment Law's Impact on the Workforce

Have you ever been curious about the stories an employment lawyer has in their pocket? Just when you thought you've seen everything in your workplace, you can bet that your lawyer has seen more. We let our curiosity drive the design of this panel by bringing together our speakers for a chance to: ask, learn, be amazed and make space for perspective shifting through their wildest cases.

Join us for this dynamic close to the day in a panel that promises to leave you educated and entertained all at the same time.

About the Panelists:



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About the Moderator:



Combining a strong background in finance and human resources management **Susan Ryan, FCPHR** holds both the CMA, CPA and the Certified Human Resources Professional (CPHR) designations—and has been a driving force in both professions.

Holding that the two professions are not only complementary, but inextricably tied, Susan has spent

much of her career in senior management roles within the Yukon Government and the non-profit sector. She was the VP & CFO for the Yukon Workers' Compensation Health & Safety Board, and managed the Finance and Administration portfolios with the Department of Justice for over a decade. Since moving to the beautiful Cowichan Valley on Vancouver Island in 2003, Susan has managed the administration, HR and finances alike as the Chief Financial Officer for the Nanaimo & District Hospital Foundation.

In addition to holding executive positions within the government and non-profit sectors for the past 25 years, she and her husband ran a successful service station for 10 years in the Yukon and she is also a partner in a real estate investment company.

Having served as the President of the CMA Society in the Yukon and as Treasurer for CPHR Canada (formerly CCHRA), Susan also served as a member of the CPHR Canada NKE Construction Committee. Since stepping onto the CPHR BC & Yukon Board in 2013 and becoming Chair in 2017, she has remained steadfast in the shared pursuit of acquiring Tier-One recognition of the HR profession. In honour of her outstanding efforts, Susan was recognized herself with the Fellow CPHR in 2018.

As a strong believer in giving back, Susan has volunteered most of her adult life as a Board member for various Boards, most notably as a Governor for Queen Margaret's School on Vancouver Island, a Board member for the Institute of Public Administration of Canada, and as a Board member for the Society of Management Accountants

of Canada (CMA). She was also recently appointed to the Credit Counselling Society Board of Canada.

With CPHR BC & Yukon, Susan has participated in the mentorship program, led study and review groups—and still finds time to volunteer as Treasurer for the Encore Women's Choir, which allows her to nourish her love of singing.

4:00 – 4:15 pm
Thank You & Closing
