

## Legal Series Part 2: You're on Mute

Thursday, February 4, 2021 | 9:00 AM – 1:00 PM | 4 CPD Hours

### Session 1 | 9:10 – 10:25 am How Organizations Can Navigate Remote Work and Its Risks

With the pandemic's shift from office centred work to remote work, employees are making due by using devices and spaces that may not be ideal. There are additional risks that remote work brings to organizations and this session will provide some helpful tips to safely and effectively navigate remote work in your organization.

#### Learning Outcomes:

- Legal considerations
- Employee performance management
- Occupational health and safety considerations
- Family status and accommodation
- Privacy concerns

#### About the presenters:



**Melanie Booth, CPHR** has been practicing law for over 12 years and is part of the Employment & Labour Group at KSW Lawyers.

She also has her CPHR designation for her background in Occupational Health and Safety and Employment/Labour law. She has an interest in assisting employers with risk mitigation, workplace investigations, discriminatory and WorkSafeBC matters. Melanie enjoys helping employers resolve issues and achieve their goals to keep the workplace efficient and enjoyable for staff.



**Alejandra (Ale) Henao** is an associate with Kane Shannon Weiler LLP's Employment and Labour group. Her practice is broad in scope, assisting clients from hiring to firing. She also supports clients seeking advice on WorkSafeBC matters and regulatory investigations. Outside of work, Ale enjoys running, playing fetch with the family's miniature

schnauzer, and taking after her mother's artistic talent in drawing pencil portraits.

### Session 2 | 10:30 – 11:45 am Privacy During COVID-19

This session will explore privacy issues in the workplace during COVID-19, including:

- Privacy, data security, and remote work arrangements;
- Electronic monitoring of your workforce;
- Data collection: vaccinations, test results and medical information.

#### Learning Outcomes:

- How to prepare a privacy compliant remote work policy;
- How to detect and address data security issues;
- The dos and don'ts of electronic monitoring your remote workforce;
- Best practices for collecting COVID-19 related personal information;

#### About the presenter:



**Suzanne M. Kennedy** has built a strong practice in access and privacy law. She advises both public and private sector employers on their responsibilities as they navigate the implications of the Freedom of Information and Protection of Privacy Act (FIPPA), the Personal Information Protection Act (PIPA), the Personal Information Protection and Electronic Documents Act (PIPEDA) and other

related legislation. Suzanne regularly provides one-on-one training to in-house privacy and access coordinators on responding to access requests, conducting internal investigations, and the use of internal system information. In addition to privacy law, Suzanne has extensive experience in education and health law. Suzanne has represented various healthcare and educational professionals and organizations, providing advice in a range of areas including employment, professional regulatory proceedings and compliance, court and administrative tribunal proceedings, procurement, and contract negotiations.

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### Session 3 | 11:50am – 1:05pm Notable Cases from a Pandemic Year

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While the Pandemic was underway, life continued on (after a pause) for the courts and administrative tribunals. The courts, human rights, employment standards and privacy tribunals, as well as arbitrators and labour boards across Canada issued decisions over issues which were percolating pre-Pandemic.

The issues are of interest (or more importantly, of concern!) to employers, but have been pushed aside by more immediate, Pandemic related matters.

Pamela Connolly and Veronica Ukrainetz, both of Ukrainetz Workplace Law Group will, in an interactive format, review notable cases decided in 2020, discuss their practical application, lessons learned and tips to take away.

#### Learning Outcomes:

- How decisions which may appear to be “one-off’s”, do have take-aways for employers and human resource professionals (“We would never do that .... right ...?”
- Why it’s important to understand how a decision from another province or federally may affect decisions around your organization’s employees
- How recent decisions may impact hiring decisions, performance management and your organizations approach to privacy and human rights related issues
- How decisions coming out of the Labour Board and/or of arbitrators may impact your organization, even if your organization is not unionized

#### About the presenters:



**Veronica Ukrainetz** is the principal of Ukrainetz Workplace Law Group, a boutique firm based out of the Okanagan which provides strategic legal and human resources support for employers throughout British Columbia. She has a BA in English literature with a Minor in Law in the Liberal Arts (U of Calgary) and a Law Degree (Dalhousie, Nova Scotia). Veronica has been practicing management side

employment, labour, human rights and privacy law for over 25 years and has also worked as a human resources manager.

Veronica leverages her immersion in workplace law, a preference for practical solutions and a talent for understanding human behaviour to assist her clients in developing and maintaining a productive, accountable and respectful workplace.



**Pamela Connolly** joined Ukrainetz Workplace Law Group in 2017 after practicing employment law in Toronto for 10 years. She is an experienced workplace investigator and speaks and conducts training seminars regularly about the topic. She also has a varied employment and labour law practice that involves assisting employers with issues arising from hiring to terminations and everything in between,

as well as advocating for clients' interests at courts and tribunals.

Pamela is passionate about employment law. Not only is the law interesting and constantly developing, Pamela believes it is meaningful work. She strives to make a positive impact on workplaces by educating and empowering clients, leading to success for both employers and employees.