

About the Conference

The Annual Mel Myers Labour Conference is Manitoba's premier forum for bringing together Union leaders and Union-side lawyers to discuss concerns and explore solutions to issues within the unionized workplace.

In a "management-free" environment, knowledgeable individuals within their respective fields will lead informative, hands-on sessions providing attendees with the necessary 'know-how' and skills to help them deal with the diverse challenges facing the workplace today.

The conference is held annually as a non-profit event with proceeds donated to a charitable organization which espouses goals of economic and social justice.

Since 2002, the Mel Myers Labour Conference has generated over \$185,000 in proceeds that have been donated to various Manitoba organizations. The recipient will be the 1919 Winnipeg General Strike Centennial Anniversary Committee, supported by Manitoba's Unions.

Conference Agenda

Thursday March 14, 2019

7:30am – 8:30am	Registration and Hot Breakfast
8:30am – 8:45am	Conference Opening and Welcome
8:45am – 10:15am	Plenary: The 1919 Winnipeg General Strike – 100 Years On
10:15am – 10:30am	Refreshment Break
10:30am – 12:00pm	Session A: A1, A2, A3, A4
12:00pm – 1:15pm	Lunch
1:15pm – 2:45pm	Session B: B1, B2, B3, B4
2:45pm – 3:00pm	Refreshment Break
3:00pm – 4:30pm	Session C: C1, C2, C3, C4
4:30pm – 6:30pm	Wine and Cheese Reception

Friday March 15, 2019

7:45am – 8:45am	Registration and Hot Breakfast
8:45am – 10:15am	Plenary: Workplace Implications for the Legalization of Cannabis
10:15am – 10:30am	Refreshment Break
10:30am – 12:00pm	Session D: D1, D2, D3, D4
12:00pm – 1:15pm	Lunch
1:15pm – 2:45pm	Plenary: Top Cases of 2018
2:45pm	Conference Concludes

Conference Fees and Registration Information

Early Bird Registration Fee:
\$350 plus GST (GST# 122246929)
Deadline: Friday February 22, 2019

Regular Registration Fee:
\$375 plus GST (GST# 122246929)
Deadline: Thursday March 7, 2019

Registration closes on Thursday March 7, 2019 or when the conference is sold out (whichever comes first).

Cancellations received up to and including February 22, 2019 will be subject to a \$25 administration fee. No refunds will be offered as of February 23, 2019 but substitutions can be made.

All registrations must be completed online at:
www.eventcamp.ca/event/melmyers2019

For more information regarding the conference please contact:

Sheri Domenico, Registration Coordinator Planners Plus
by phone at: **204-257-5205**
or by email at: registrationcoordinator@plannersplus.ca

Accommodations:

A block of guestrooms have been reserved at the Victoria Inn Hotel at a rate of \$134 plus taxes.

To reserve your room please contact them directly at **1-877-VIC-INNS**. Please refer to Group #856309 or Mel Myers Labour Conference.

18th ANNUAL Mel Myers

Labour Conference

March 14-15, 2019

Victoria Inn Hotel & Convention Centre

• 1808 Wellington Ave., Winnipeg, MB •

Proudly Sponsored by

Myers LLP
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PLENARY PRESENTATIONS

Thursday March 14, 2019

Danny Schur, Co-Writer, Producer for *Stand*
Kevin Rebeck, Manitoba Federation of Labour
Basia Sokal, Winnipeg Labour Council
Moderator – Garth Smorang, O.C. Myers LLP

The 1919 Winnipeg General Strike – 100 Years On

This year's conference will open with a lively presentation educating and reminding us all of the amazing courage that was shown 100 years ago when Winnipeg workers stood up against oppression and discrimination in the workplace. **Danny Schur**, playwright of *Strike! The Musical*, and co-writer/producer of the upcoming major motion picture *Stand*, will take us through the historic events, and talk about his play and the upcoming movie. **Kevin Rebeck** and **Basia Sokal** will highlight the celebrations planned for the 100th Anniversary of the General Strike this spring. Plus some surprises!

Friday March 15, 2019

Dr. Sheri Fandrey, Addictions Foundation of Manitoba
Trevor Ray, Myers LLP
Shannon Carson, Myers LLP

Workplace Implications for the Legalization of Cannabis

This session will review the new legalized cannabis regime, and its implications for the workplace including workplace safety, addictions and accommodation, and drug and alcohol policy trends to anticipate. We are pleased to be joined by **Dr. Sheri Fandrey**, Knowledge Exchange Lead from the Addictions Foundation of Manitoba, who will lend her pharmacology and research expertise to the discussion.

Top Cases from 2018

Members of the Myers Labour Department will highlight significant labour cases from the last year.

SESSION PRESENTATIONS

Thursday March 14, 2019

Session A/ - - - - -

A1/ Ask a Labour Lawyer

Jason Gisser, University of Manitoba Faculty Association
Garth Smorang, Myers LLP
Paul McKenna, Myers LLP

This session puts the panel in the hot seat by giving attendees the opportunity to ask the labour law questions on their minds. The panelists will answer questions about organizing, bargaining, collective agreements, discipline, management rights, workers' rights, employment-related statutes, and (almost) anything else you're wondering about. Please note this session is not intended to address specific fact situations and is intended as general advice only.

A2/ Workers Charged and Convicted of a Crime

Joel Deeley, Myers LLP
Greg Bartel, Myers LLP
Josh Weinstein, Myers LLP

This session will consider the complex challenges that can arise when employees are charged and/or convicted of a crime. What advice should be provided to employees? What information should they provide to their employers? To what extent can the employer take action against an employee for criminal conduct outside the workplace? And what steps can an employer

take against an employee as a consequence of that conduct? This session will consider these issues and will demonstrate how the advice of union representatives can have a significant impact on the process. It will also include a walkthrough progression of criminal matters through the courts.

A3/ Unions 101

Helen Krahn, MGEU Legal Counsel | Tony Marques, Myers LLP

Back by popular demand but with new personnel. Unions 101 is an introductory session designed for persons new to the workings of unions. The topics discussed will be of general application to all unions including the roles and responsibilities of unions.

A4/ Rights Beyond the Collective Agreement

Kristen Worbanski, Myers LLP | Katie Haig-Anderson, Myers LLP

The Collective Agreement is not the only source of employment rights in a unionized workplace. This session will provide an overview of your members' rights beyond the Collective Agreement, which you might not be aware of, with a particular focus on *The Employment Standards Code*; including family leave, recent changes to parental leave, holidays, and domestic violence leave.

Session B/ - - - - -

B1/ Workplace Harassment in the #metoo Era

Andrew MacIsaac, University of Manitoba Faculty Association
Professor Karen Harlos, University of Winnipeg
Shannon Carson, Myers LLP

This session will cover rights and responsibilities in the workplace to prevent, investigate, and address workplace harassment and discrimination, with an emphasis on sexual harassment and how these processes have been impacted by the #metoo movement. We will explore the balance unions must find in representing members accused of sexual harassment and enforcing the rights of employees to a safe, harassment-free working environment.

B2/ The Duty of Fair Representation & Difficult Grievors

David Lewis, MGEU Legal Counsel | Susan Dawes, Myers LLP

What is the duty of fair representation that a union owes its members? What steps can you take to avoid "DFR" complaints, particularly when dealing with a mentally-ill or difficult grievor? The panel will explore recent case law and give practical tips regarding how to meet the requirements imposed by the duty of fair representation.

B3/ A Human Rights Overview

Meira Gisser, Professional Institute of the Public Service of Canada
Garth Smorang, Myers LLP

This session will review and discuss what rights your members have (and don't have) under the *Manitoba Human Rights Code* and under the *Charter of Rights and Freedoms*, and how your union can enforce those rights in the workplace on a day-to-day basis, at arbitration, or through the Human Rights Commission. Thirty minutes will be set aside for Q&A.

B4/ Medical Issues

Trevor Ray, Myers LLP | Katie Haig-Anderson, Myers LLP

The protection of an employee's personal medical information continues to raise controversial issues in the workplace. Can employers require medical notes for absences and proof of fitness to return to work? Are absenteeism policies and attendance management policies permitted? Can an employer require employees to submit to independent medical exams? What are employees required to provide if seeking accommodation for a medical condition? How do we protect the privacy of medical information?

Session C/ - - - - -

C1/ Workers Charged and Convicted of a Crime – Repeat of A2

Joel Deeley, Myers LLP | Greg Bartel, Myers LLP
Josh Weinstein, Myers LLP

C2/ Unions 201

Helen Krahn, MGEU Legal Counsel | Tony Marques, Myers LLP
Paul McKenna, Myers LLP

This session will provide a more advanced look at the operations of unions and will be particularly useful to those who play a more advanced role within the union. Some of the topics to be discussed will include collective agreement administration, grievance handling, preparing the case for a successful grievance, and testimony at arbitration.

C3/ Workplace Harassment in the #metoo Era – Repeat of B1

Andrew MacIsaac, University of Manitoba Faculty Association
Professor Karen Harlos, University of Winnipeg
Shannon Carson, Myers LLP

C4/ The Duty of Fair Representation & Difficult Grievors – Repeat of B2

David Lewis, MGEU Legal Counsel | Susan Dawes, Myers LLP

SESSION PRESENTATIONS

Friday March 15, 2019

Session D/ - - - - -

D1/ Ask a Labour Lawyer – Repeat of A1

Garth Smorang, Myers LLP | Shannon Carson, Myers LLP

D2/ Issues Related to Drug and Alcohol Use in the Workplace

Trevor Ray, Myers LLP | Kristen Worbanski, Myers LLP

The legalization of cannabis makes the topic of drugs and alcohol in the workplace a timely one to revisit. This session will review when drug and alcohol testing is permissible, how to evaluate whether the employer's drug and alcohol policy is reasonable, and relevant human rights considerations, including accommodation. Particular forms of testing discussed will include pre-employment or site access testing, reasonable cause testing, post-incident testing, and testing where employees travel out of the country.

D3/ Keeping your House in Order: Managing Internal Union Issues

Susan Dawes, Myers LLP | Joel Deeley, Myers LLP

Every union has a Constitution. Many have one locally and another nationally or internationally. Most unions have also enacted local by-laws. This session will review and analyze how to best structure these important documents to deal with common and recurring internal problems such as: disciplining or even expelling your own members, running union meetings and member conduct at meetings, how to keep your by-laws up to date and relevant, collecting debts owed by members to the union, and what a union can and can't do legally.

D4/ Seniority Rights under Collective Agreements

Paul McKenna, Myers LLP | Greg Bartel, Myers LLP

Seniority rights are a very important feature of working in a unionized environment. An employee's seniority can have an impact on many aspects of employment, including vacation or shift selection, promotions, and layoff. In this session we will examine the various types of seniority, the ways it is applied, how to protect seniority rights, and the seniority issues that can arise in human rights accommodation situations.