

## 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 Workers, Firefighters and Peace Officers Memorial Project.

## Conference Agenda

### Thursday March 19, 2020

7:30am – 8:30am	Registration and Hot Breakfast
8:30am – 8:45am	Conference Opening and Welcome
8:45am – 10:15am	<b>Plenary: Unions Under Attack: Experience and Strategies from Across Canada</b>
10:15am – 10:30am	Refreshment Break
10:30am – 12:00pm	<b>Session A:</b> A1, A2, A3, A4
12:00pm – 1:15pm	Lunch
1:15pm – 2:45pm	<b>Session B:</b> B1, B2, B3, B4
2:45pm – 3:00pm	Refreshment Break
3:00pm – 4:30pm	<b>Session C:</b> C1, C2, C3, C4
4:30pm – 6:30pm	Wine and Cheese Reception

### Friday March 20, 2020

7:45am – 8:45am	Registration and Hot Breakfast
8:45am – 10:15am	<b>Plenary: Respectfully, Up Yours!</b>
10:15am – 10:30am	Refreshment Break
10:30am – 12:00pm	<b>Session D:</b> D1, D2, D3, D4
12:00pm – 1:15pm	Lunch
1:15pm – 2:45pm	<b>Plenary: Top Cases of 2019</b>
2:45pm	Conference Concludes

## Conference Fees and Registration Information

**Early Bird Registration Fee:**  
**\$350 plus GST** (GST# 122246929)  
**Deadline: Friday February 28, 2020**

**Regular Registration Fee:**  
**\$375 plus GST** (GST# 122246929)  
**Deadline: Thursday March 12, 2020**

Registration closes on Thursday March 12, 2020 or when conference is sold out (whichever comes first).

**Cancellations received prior to February 28, 2020 will be subject to a \$25 administration fee. No refunds will be offered after February 28, 2020.**

All registrations must be completed online at:  
[www.eventcamp.ca/event/mm1c2020](http://www.eventcamp.ca/event/mm1c2020)

For more information regarding the conference please contact:

**Elena Gagliardi**, Conference Coordinator Planners Plus  
by phone at: **204-257-5205**  
or by email at: [elena@plannersplus.ca](mailto:elena@plannersplus.ca)

### Accommodations:

A block of guestrooms have been reserved at the Victoria Inn Hotel at a rate of \$135 plus taxes.

To reserve your room please contact them directly at **1-877-VIC-INNS**. Please refer to Group #**161171** or Mel Myers Labour Conference.

# 19<sup>th</sup> ANNUAL Mel Myers Labour Conference

March 19-20<sup>th</sup>, 2020

Victoria Inn Hotel & Convention Centre  
1808 Wellington Ave., Winnipeg, MB

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## PLENARY PRESENTATIONS

### Thursday March 19, 2020

Moderator: Shannon Carson, Myers LLP

#### Unions Under Attack: Experience and Strategies from Across Canada

Attacks on collective bargaining are underway in many jurisdictions across Canada. This diverse panel will inform you developments across the country and strategies to fight back.

### Friday March 20, 2020

Sylvia Marusyk, MindBody Works

#### Respectfully, Up Yours!

With stress leaves costing over \$50 billion a year and work reported as the number one stressor in Canada, find out how the old-fashioned values of respect, conflict management and kindness can create happier healthier workplaces and workers.

#### Top Cases from 2019

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

## SESSION PRESENTATIONS

### Thursday March 19, 2020

#### Session A/-----

##### A1/ Unions 101

Helen Krahn, MGEU Legal Counsel | Paul McKenna, Myers LLP | Jeff Smorang, Myers LLP

Back by popular demand. 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. The speakers will also discuss some of the more contentious issues that seem to occur in most workplaces. Participants are welcome at all times to ask questions about areas of concern they may have experienced in dealing with management on a daily basis.

##### A2/ Workplace Privacy

Anne Gregory, MNU Legal Counsel | Shannon Carson, Myers LLP

At this time of rapid technological development, which has made it possible for employers to collect, use, and disclose workers' personal information in novel ways, it is increasingly critical for Unions and employees to understand workplace privacy rights. This session will review the current state of the law regarding worker privacy in such diverse areas as the reasonable expectation of privacy in the workplace, background checks, off-site surveillance, and more.

##### A3/ Workers Charged and Convicted of a Crime

Joel Deeley, Myers LLP | Greg Bartel, Myers LLP | Lisa LaBossiere, Myers LLP

Back 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.

#### A4/ Good Governance: Practical Advice for Effective Internal Union Management

Dan Turner, MTS Staff Officer | Kristen Worbanski, 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 use these essential documents as a foundation to discuss what good internal union governance looks like, why it is important, and how to best structure your Constitution, by-laws and polices in order to facilitate best governance practices. Practical advice will also be provided on running effective union meetings and addressing common internal problems.

## Session B/-----

### B1/ Ask a Labour Lawyer

Helen Krahn, MGEU Legal Counsel | 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.

### B2/ The Duty to Accommodate

Trevor Ray, Myers LLP | Jeff Smorang, Myers LLP

What is the "duty to accommodate"? When and how does this duty exist? What is the role of the union? This session will address basic questions as well as problems and situations that commonly arise.

### B3/ Social Media

Greg Bartel, Myers LLP | Kara Bashutski, Myers LLP

Social networking sites have made their way into the workplace. What used to be said around the water cooler can now be easily said to many people – including the employer – through an app on a phone. This raises privacy implications for employees and unions. This session will consider how far employers may intrude into the personal lives of their employees, focusing on privacy issues such as social media use and the extent to which an employer can impose discipline for what employees say on social media platforms.

### B4/ Interactive Discipline

Cast includes: Cast, announced at the event  
Garth Smorang, Myers LLP | Kristen Worbanski, Myers LLP

Back by popular demand! With full audience participation, we will watch and discuss a number of scenarios commonly faced by shop stewards in their often difficult role of representing, often difficult, members.

## Session C/-----

### C1/ Interactive Discipline – Repeat of B4

Cast includes: Cast, announced at the event  
Garth Smorang, Myers LLP | Kristen Worbanski, Myers LLP

### C2/ Ask a Labour Lawyer – Repeat of B1

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

### C3/ Interest Arbitration- What is it and Can it Work for Your Union?

Susan Dawes, Myers LLP | Joel Deeley, Myers LLP

The panel will explain interest arbitration, its principles, advantages and disadvantages. We will discuss the role of interest arbitration as an alternative to strikes. Finally, we will examine how the basic principles of interest arbitration can be used effectively during a First Contract hearing pursuant to The Labour Relations Act of Manitoba.

### C4/ Duty to Accommodate – An Advanced Perspective

Trevor Ray, Myers LLP | Kara Bashutski, Myers LLP

A good session for union representatives looking to expand on a basic knowledge of the Duty to Accommodate. This panel will focus on issues specific to addictions and disabilities related to mental health including issues and problems that can arise related to "Last Chance Agreements".

## SESSION PRESENTATIONS

### Friday March 20, 2020

#### Session D/-----

##### D1/ Health and Safety Update

Tom Henderson, MNU | Blaine Duncan, MGEU | Shannon Carson, Myers LLP | Jeff Smorang, Myers LLP

This session will provide an update on health and safety in the workplace, including the timely issue of violence against workers, and discuss strategies that unions and health and safety committee members can adopt to provide healthier, safer workplaces.

##### D2/ Workers Charged and Convicted of a Crime – Repeat of A3

Paul McKenna, Myers LLP | Joel Deeley, Myers LLP | Josh Weinstein, Myers LLP

##### D3/ Strike Options: It's Not All or Nothing

Susan Dawes, Myers LLP | Greg Bartel, Myers LLP | John Harvie, Myers LLP

What is a strike or lockout? When is a strike allowed? Do our members need to walk off the job completely? Are you prepared to manage a strike? Will you be able to control your members when people try to cross a legal picket line and what happens if you can't? Can the union and its executive be held responsible for the conduct of its members? What happens when the employer applies for an injunction? What is the process and what can you expect will result? Join this panel for a hands-on, practical discussion about options available to unions who are in a legal strike position, and the issues that frequently arise when workers are locked-out or on strike.

##### D4/ How to Lose an Arbitration

Garth Smorang, Myers LLP

Sounds negative doesn't it? This session will examine all of the things that unions and stewards need to make sure they do properly, from the get go, so that by the time the lawyers get involved, the case isn't already in jeopardy.