



March 20 & 21st/2025

VICTORIA INN HOTEL & CONVENTION CENTRE
1808 Wellington Ave., Winnipeg, MB

PLENARY PRESENTATION

➤ **THURSDAY MARCH 20, 2025 8:45am - 10:15am**
Respectful Workplaces

All employers are required to provide a workplace that is safe and free from harassment and discrimination. All employees want to work in a respectful environment. This plenary session will provide an overview of current respectful workplace issues, including the application of respectful workplace policies, representation of both complainants and respondents during respectful workplace investigations, and responding to investigation outcomes on behalf of members. We will offer practical advice as well as a case law update of notable decisions regarding respectful workplace issues.

Moderator: Shannon Carson, Partner at Myers LLP
Panelists: to be confirmed

PLENARY PRESENTATION

➤ **FRIDAY MARCH 21, 2025 8:45am - 10:15am**
The Essentials: Understanding the Right to Strike, Essential Services, and Anti-Scab Legislation

This session will explore the constitutional right to strike and the limits on that right. We will discuss anti-scab legislation and the essential services that must be continued during a strike, both at the federal level and in Manitoba (under recent amendments to The Labour Relations Act). Practical advice will be offered on how to negotiate an essential services agreement.

Presenters: Janet Kehler is the Director of Member Services, MGEU
Paul Moist, Employee Representative Member, Canada Industrial Relations Board
Susan Dawes, Partner at Myers LLP



SESSION PRESENTATIONS

> **THURSDAY MARCH 20, 2025**

Session A

10:30am - 12:00pm

A1/Unions 101

Paul McKenna, Myers LLP, Erica Thompson, 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 Union Representatives and Shop Stewards. 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/Bargaining Wish List

Greg Bartel, Myers LLP, Joel Deeley, Myers LLP

In this session we will discuss examples of collective agreement articles that can increase and protect seniority, job security, and other important rights in the workplace. We will also explore examples of language that can help protect human rights and advance the principle of reconciliation in a unionized setting.

A3/Discipline Fundamentals

Trevor Ray, Myers LLP, Mike Segstro, Myers LLP

This panel will discuss the disciplinary process from start to finish, beginning with the initial investigation meeting and proceeding through to arbitration. The panel will address issues including: the investigation process, right to union representation, grounds for imposing discipline, principles of progressive discipline, steps to take at the early stages to mitigate the penalty and factors arbitrators consider when being asked to reduce a penalty.

A4/Workplace Privacy and Surveillance

Jeff Smorang, Myers LLP, Amanda Cheys, 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.

SESSION PRESENTATIONS

> **THURSDAY MARCH 20, 2025**

Session B

1:15pm - 2:45pm

B1/Interactive Session

Jeff Smorang, Myers LLP, Trevor Ray, 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.

B2/Ask a Labour Lawyer

Paul McKenna, Myers LLP, Paul McDonald, MGEU

This session puts the panel in the hotseat 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 are wondering about. Please note this session is not intended to address specific fact situations and is intended for general information only.

B3/Strategies for Identifying ULPs

Joel Deeley, Myers LLP, Mike Segstro, Myers LLP

An employer's conduct during organizing, bargaining, or administering the collective agreement may seem unfair but it is often unclear whether its conduct crosses the line. This session will consider what the Employer can and cannot do and will provide practical tips and strategies for Unions to follow in deciding when to file a complaint. The session will also explore the duty of fair representation that a Union owes to its members and will provide practical tips and effective strategies for dealing with these complaints.

B4/Advancing Human Rights Claims in the Workplace

Greg Bartel, Myers LLP, Jodi Plenert, Myers LLP

In this session we will review and discuss what rights your members have (and don't have) under The Human Rights Code and the Canadian Charter of Rights and Freedoms, and how your union can enforce those rights, including through the grievance & arbitration process. We'll also address some emerging issues in human rights law.

SESSION PRESENTATIONS

➤ **THURSDAY MARCH 20, 2025**
Session C

3:00pm - 4:30pm

C1/Social Media and the Workplace

Kristen Worbanski, Myers LLP, Clair Cerilli, Myers LLP

The use of social media and related online forums for communicating and expressing views has exploded, and given rise to many contentious issues within the workplace for employees and Unions. We will consider and provide a case law update on the implications for employees of the blurred line between public and private communications on social media, including whether there is a reasonable expectation of privacy in respect of social media posts, the extent to which an employer can impose discipline for what employees say on social media platforms, examples of social media conduct giving rise to discipline, and union communications on social media.

C2/Workers Charged and Convicted of a Crime

Joel Deeley, Myers LLP, Jodi Plenert, 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.

C3/Interactive Session (REPEAT OF B1)

Jeff Smorang, Myers LLP, Trevor Ray, 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.

C4/Representing Members with a Trauma Informed Approach

Shannon Carson, Myers LLP, Erica Thompson, Myers LLP,
 Michael Merner, Myers LLP

The focus of this session will be on using a trauma informed approach to representing members who have experienced trauma. Tips will be provided on how to provide quality representation in a manner that is professional and compassionate.



SESSION PRESENTATIONS

> **FRIDAY MARCH 21, 2025** 10:30am - 12:00pm
Session D - - - - -

D1/Ask a Labour Lawyer (REPEAT OF B2)

Paul McKenna, Myers LLP, Paul McDonald, MGEU

This session puts the panel in the hotseat 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 are wondering about. Please note this session is not intended to address specific fact situations and is intended for general information only.

D2/Workers Charged and Convicted of a Crime (REPEAT OF C2)

Joel Deeley, Myers LLP, Jodi Plenert, 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.

D3/Protecting Work of the Bargaining Unit: From Language to Enforcement

Susan Dawes, Myers LLP, Amanda Cheys, Myers LLP

What rights does a Union have to protect bargaining unit work? This session will examine restrictions on the assignment of bargaining unit work to those outside the bargaining unit, whether to other employees or to contractors. We will discuss how to strengthen the protections for bargaining unit work at the bargaining table, methods to enforce your Union's existing rights, and remedies available at arbitration in these situations.

D4/Strategic Communications with the Employer

Shannon Carson, Myers LLP, Kristen Worbanski, Myers LLP

This session will stress the importance of written communications with an employer to assist Union reps with effectively representing their members in grievances and arbitrations. We will discuss strategies on when to send a written communication, in what format, and what the content of the communication could include (and ought not to include). This session will include a practical component where we review draft communications in various scenarios to consider what makes a communication more or less effective.



Proceeds will go to the Immigrant Centre.

Myers LLP
 T 204.942.0501 | F 204.956.0625
 MYERSFIRM.COM

Suite 724-240 Graham Avenue, Winnipeg, MB R3C 0J7



Myers LLP
 Barristers & Solicitors