

Vancouver & District Labour Council 2021 Labour Education Anita Yan Memorial Law Series

WINTER/SPRING 2021 SESSION

Registration Open December 15, 2020
To register go to eventbrite.ca and search vdcl

Job Steward Level 1

January 16, Saturday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate / \$110 Non-Affiliate

The position of job steward is the most important position in a union and is often the first point of contact a member has with their union. You stand with and speak for your fellow members in the day to day relations between the union and management in your workplace. This course will lay the foundation for your understanding of the responsibilities of a job steward and will help broaden your understanding of the labour movement.

Instructor: Stephen von Sychowski, President, VDLC

Stephen von Sychowski is the President of the Vancouver and District Labour Council. In order to fulfill his full-time role of VDLC President, Stephen is on leave from his position as Union Representative with MoveUP. He became a member of MoveUP in 2007 when he became employed by Coast Mountain Bus Company, and quickly became involved in the union as a Job Steward. In addition to his involvement with the VDLC and MoveUP, Stephen has also held several positions with the BC Federation of Labour and the Canadian Labour Congress. He is a proud member of United Steelworkers Local 2009, and associate member of MoveUP.

Job Steward Level 2 (Completion of Job Steward Level 1 is recommended)

January 30, Saturday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate/ \$110 Non-Affiliate

This one-day Steward Level 2 course will build upon the framework of steward skills established through the completion of the Steward Level 1 course. In addition to a review of the basics, this course will offer a deeper focus on knowing your membership, working with your union executive, grievance preparation, problem solving, conflict resolution and representation skills. We also examine key legal principles and explore the application of all of this using scenarios and role play.

Completion of Job Steward Level 1 is recommended in advance of this course. Participants are encouraged to have their collective agreement available to them during the course.

Instructor: Stephen von Sychowski, President, VDLC

Stephen von Sychowski is the President of the Vancouver and District Labour Council. In order to fulfill his full-time role of VDLC President, Stephen is on leave from his position as Union Representative with MoveUP. He became a member of MoveUP in 2007 when he became employed by Coast Mountain Bus Company, and quickly became involved in the union as a Job Steward. In addition to his involvement with the VDLC and MoveUP, Stephen has also held several positions with the BC Federation of Labour and the Canadian Labour Congress. He is a proud member of United Steelworkers Local 2009, and associate member of MoveUP.

VDLC Education - Winter/Spring Session

Registration Open - [eventbrite.ca](https://www.eventbrite.ca) search vdlc

Duty to Accommodate & Return to Work (All Levels)

February 22 - 24, Monday to Wednesday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 3 Day - \$170 VDLC Affiliate / \$200 Non-Affiliate

This overview of the duty to accommodate as it arises in employment uses the *BC Human Rights Code* as a starting point and reviews the concepts of discrimination, equality, and the legal and historical framework for the development of the concept of 'accommodation'. It examines the scope of duty to accommodate: the process of establishing a *prima facie* case of discrimination and the process of defending against such a *prima facie* case.

Emphasizing the accommodation of disabilities, the course reviews the concept of disability; the procedural and substantive aspects of the duty to accommodate, the role of medical information in the process and the obligations on the Employer, the Union and the accommodation-seeker.

The course examines, through case law, just how far the parties must go before reaching 'the point of undue hardship', and debunks some of the common myths and misconceptions around the duty to accommodate, while offering practical solutions to accommodation issues.

Instructor: Conni Kilfoil

Conni Kilfoil is a retired labour and human rights lawyer who, after 28 years in the BC labour movement, continues to be a human rights advocate, facilitator, trainer and mediator, specializing in human rights in the workplace, accommodation of disabilities, and bullying and harassment in the workplace.

Bullying and Harassment (All Levels)

February 26, Friday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate / \$110 Non-Affiliate

Confused about where the line between harassment and management rights is? About the obligations of the employer and union under human rights harassment, personal harassment, and harassment and bullying in the workers compensation context? Or how to prevent harassment in the first place?

This course will help in identifying what workplace harassment is, understanding the general principles applicable to it from the perspective of those deciding harassment complaints (human rights tribunals, labour arbitrators, and workers compensation boards), and the rights and obligations of employers, unions and workers in the process.

Participant groups will problem-solve real cases throughout the course.

Instructor: Conni Kilfoil

Conni Kilfoil is a retired labour and human rights lawyer who, after 28 years in the BC labour movement, continues to be a human rights advocate, facilitator, trainer and mediator, specializing in human rights in the workplace, accommodation of disabilities, and bullying and harassment in the workplace.

VDLC Education - Winter/Spring Session

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WCB Level 1 (Beginner)

March 9, Tuesday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate/ \$110 Non-Affiliate

This course provides a basic overview of the Workers' Compensation system as it applies to workers who are injured or develop an occupational disease on the job. The course will look at the law and policy, how decisions are made by the WCB, and how the appeal system works for those who have to argue an appeal. We will look at the practical realities faced by injured workers trying to navigate the minefield of workers' compensation and its appellate systems.

Instructors: Sarah O'Leary, Harrison O'Leary Lawyers, LLP and Niki Schnurr, MoveUP

Sarah O'Leary was called to the bar in 1981 and has primarily been practising Workers' Compensation and disability-related law for the last 25 years. She has been a workers advisor, a Vice-Chair at the Appeal Division, a staff lawyer at the Legal Services Society as well as at a major health care union, and has been teaching workers' compensation advocacy to labour unions for over two decades.

Niki Schnurr is the WCB Appeals Representative and OHS Coordinator with MoveUP. She previously worked with the labour law firm Rush Crane Geunther, and as an advocate with Prisoners' Legal Services and the UBC Indigenous Community Legal Clinic.

WCB Level 2 (Advanced)

March 10, Wednesday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate/ \$110 Non-Affiliate

This course will build on the information and skills of experienced WCB reps and/or those who have taken the WCB Level 1 Beginner course. The course will focus on effective advocacy skills at the WCB and its appeal bodies. Effective advocacy includes identifying likely issues for particular cases of injury or occupational disease, knowing the Board's case, and obtaining new evidence, especially medical evidence. As time permits, we will review written submission templates and how to prepare (and prepare your worker) for an oral hearing.

Instructors: Sarah O'Leary, Harrison O'Leary Lawyers, LLP and Rolf Harrison, Harrison O'Leary Lawyers, LLP

Sarah O'Leary was called to the bar in 1981 and has primarily been practising Workers' Compensation and disability-related law for the last 25 years. She has been a workers advisor, a Vice-Chair at the Appeal Division, a staff lawyer at the Legal Services Society as well as at a major health care union, and has been teaching workers' compensation advocacy to labour unions for over two decades.

Rolf Harrison is a lawyer at Harrison O'Leary and has practiced mainly in the area of workers' compensation since 2010 when he was called to the bar. He practiced at Rush Crane Guenther from 2010 until joining with Sarah O'Leary to form Harrison O'Leary in 2017. Rolf regularly facilitates courses for union advocates on emerging trends in workers' compensation and has been a WCB facilitator at the CLC Winter School since 2012.

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Effective Representation in High-Conflict Situations (All Levels)

March 15, Monday - 9:30 am to 4:00 pm - Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate / \$110 Non-Affiliate

Shop stewards and union officers support members through all kinds of problems. Sometimes those problems feel intractable. This course will explore strategies for managing conflict and finding a path to satisfactory resolution. We will work through your competing obligations — to individual members, to the broader membership, to the union itself — and how to balance them. You will gain understanding of your obligations to members under labour, human rights, and privacy law and how to meet those obligations even in challenging circumstances. The course will also address how to protect the union from liability in particularly difficult, high-conflict situations.

Instructor: Susanna Allevato Quail, Allevato Quail & Roy

Susanna Allevato Quail is a partner at Allevato Quail & Roy where she practices labour, human rights, and regulatory law. She has experience representing unions and workers across the public and private sectors in arbitration, labour board, human rights tribunal, and court proceedings. Her pro bono work focuses on migrant worker rights and trans equality, and she has litigated precedent-setting cases in these areas. She brings a strong social-justice lens to her work and draws on her experience as a union activist prior to becoming a lawyer.

Parliamentary Procedure and Effective Meetings (All Levels)

March 18, Thursday - 9:30 am to 4:00 pm - Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate / \$110 Non-Affiliate

This course will provide you with all the basics of parliamentary procedure and the necessary skills to run a meeting effectively. Topics covered will include the duties of a chairperson and secretary, what the rules of order are, and how they work, and how the rules of order can provide a democratic and fair process to get the business of your union, labour council or other organization accomplished.

Instructor: Adrienne Smith, Adrienne Smith Law

Adrienne Smith is a transgender human rights activist and social justice lawyer. They recently settled a BC Supreme Court case which guaranteed access to opiate replacement therapy for prisoners in BC Jails. Adrienne appeared at the BC Court of Appeal and the Supreme Court of Canada where they argued about the deleterious effects of mandatory minimum sentences for women, indigenous people, and drug users. As a trade union activist, they advocate for transgender inclusion in our unions and workplaces. Adrienne volunteers at the Catherine White Holman Wellness Clinic where they give free legal advice, take on human rights cases, and notarize name change documents for trans people.

They hold double honours BA in English Literature and Geography (2000), a Masters in Human Geography (2005), and a Juris Doctor (2013), all from the University of British Columbia. They held a UBC undergraduate entrance scholarship for 4 years, and the Geography Alumni Award during their undergraduate degree. They received a University Graduate Fellowship and were named the Green College Scholar. They were called to the bar in 2014.

Adrienne is the recipient of the Canadian Bar Association BC Diversity Award; the Canadian Mental Health Association BC Branch Nancy Hall Public Policy Leadership Award; the Allard Law Alumni Achievement Award; and the Vancouver and District Labour Council Syd Thompson Award for Community Service.

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Bargaining Basics During COVID (All Levels)

April 7, Wednesday 9:00 am to 1:00 pm - Via Zoom Video Conference

Registration: Half day - \$45 VDLC Affiliate / \$55 Non-Affiliate

Join us for an introduction to collective bargaining, including some tips for bargaining in this time of physical distancing. This half-day course will be useful for those who are new to bargaining, and those who are looking for methods of safely and effectively continuing bargaining during the COVID-19 pandemic.

Instructors: Linda Schulz, Hospital Employees' Union and David Fleming, CUPE

Linda Schulz works as an Education Representative for the Hospital Employees' Union (HEU). Linda has also worked for HEU as a Servicing Representative in both the public and private sector and as a private sector negotiator. She has extensive facilitating steward, JOH&S and bargaining training, as well as other areas key to labour activism such as conflict resolution, executive officers training and the importance of supporting diversity, equity and inclusion in the labour movement.

David Fleming is a National Representative for the Canadian Union of Public Employees (CUPE). David has facilitated labour education for both CUPE and the Canadian Labour Congress. He has experience bargaining and administering collective agreements in both the public and private sector. David currently works in organizing at CUPE assisting workers to build unions in their unorganized workplaces.

Class Registration on Eventbrite

Registration for our classes is through Eventbrite. If you wish to register for a class and are having trouble finding the link on Eventbrite, you can go to the link on our education page listed on the VDLC website. You will find the direct links to all of our classes listed on this page.

If you have any questions, please don't hesitate to call the office.

Phone: 604-254-0703 Email: office@vdlc.ca

www.vdlc.ca

VDLC Education - Winter/Spring Session

Registration Open - eventbrite.ca search vdlc

WCB Appeals (Advanced) (Completion of WCB - Introduction is recommended)

April 30, Friday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 Affiliate / \$110 Non-Affiliate

This course will build on the information and skills of experienced WCB reps and/or those who have taken the Introductory WCB course. It will focus on effective advocacy skills at the WCB and its appeal bodies. Effective advocacy includes likely issues for particular cases of injury or occupational disease, knowing the Board's case, and obtaining new evidence, especially medical evidence. As time permits, we will review written submission templates and how to prepare (and prepare your worker) for an oral hearing.

Instructor: Iain MacDonald, BCGEU, Coordinator, Member Benefits Department and Adam Picotte, LT Thomas Advisors

Iain MacDonald is an inter-provincially certified journeyman electrician and former president of Local 213 of the International Brotherhood of Electrical Workers. He majored in English and minored in Kinesiology at Simon Fraser University.

In 1984, Iain worked with the newly established BC Construction Industry Health and Safety Council to develop and deliver safety training for workers in the construction industry. In March 1986, Iain was appointed through Order in Council to the Workers' Compensation Review Board where, in addition to deciding thousands of claims appeals, he served as training and education coordinator (1987 - 1993), and Senior Vice Chair, Quality Assurance (2000 - 2003). In March 2003, he was appointed as a vice-chair of the newly formed Workers' Compensation Appeal Tribunal. In December 2010, after completing nearly 25 years as an administrative law decision maker handling matters encompassing a wide variety of physical and mental injuries and diseases, he retired from government service and joined the Advocacy department at the British Columbia Government Employees Union, where he assisted members to pursue workers' compensation appeals. As of January 2020, Iain is the Coordinator of Member Disability Benefits at the Union, where he oversees the Enhanced Disability Management Program, Disability Benefits and Rehabilitation Appeals department, and Workers' Compensation Claim Appeals.

Iain is a Past President of the British Columbia Council of Administrative Tribunals and is a recipient of the BCCAT Recognition Award (2014) for outstanding contribution to administrative justice in British Columbia. He is a qualified instructor for BCCAT Decision Writing, Administrative Justice, and Hearing Skills courses. He has helped to develop and customize curriculum for BCCAT courses. He currently coordinates the BCCAT Hearing Skills Courses and the Administrative Justice for Post-Secondary Decision Makers Courses.

Adam Picotte operates LT Thomas Advisors, a union-side labour and disability management law firm. He has significant expertise in written and oral advocacy before WCAT and the WCB. He regularly represents clients at WCAT, the Human Rights Tribunal and other administrative tribunals. In addition to his advocacy he is also a stakeholder in policy development at the WCB and teaches both at the CLC Harrison Winter School and at a variety of other venues.

He has an interest in occupational health and safety and related disability management matters such as duty to accommodate and long-term disability claims. Adam is also a tribunal member for both federal and provincial tribunals where he adjudicates administrative law matters.

He is a disability management practitioner with a certified disability management designation through the National Institution of Disability Management and Research (NIDMAR). This is an enhancement to Adam's legal knowledge and background.

VDLC Education - Winter/Spring Session

Registration Open - eventbrite.ca search vdlc

Canada Labour Code - Part 1

May 10, Monday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 Affiliate / \$110 Non-Affiliate

BC based workers and their unions in federally regulated industries and workplaces are covered by the *Canada Labour Code*. This course is designed to provide an understanding of key aspects of the code and its application to the unions and employers covered by federal labour law. In this course we will focus on Part I of the *Code*, dealing with labour relations. The most important sections will be reviewed, including those dealing with certification, unfair labour practices, and the duty to bargain in good faith, along with interpretations and key rulings that illustrate the application of the *Code*.

Instructor: Tamara Ramusovic, Moore Edgar Lyster LLP

Tamara Ramusovic is a partner at Moore Edgar Lyster LLP. She represents trade unions, as well as non-union employees, in the areas of labour, employment, human rights, and administrative law. In addition to her work as counsel, Tamara has provided training to community groups on the topic of individual rights under human rights legislation and the Canadian Charter of Rights and Freedoms. As well, Tamara has made presentations on a diverse range of labour relations and employment topics including Federal labour law, appeals of arbitral decisions, and privacy issues in the workplace.

Benefit Plans and COVID-19 (All Levels)

May 11, Tuesday - 9:30 am to 1:00 pm - Via Zoom Video Conference

Registration: Half Day - \$45 Affiliate / \$55 Non-Affiliate

Health benefits are a critical component of compensation. In this session we will examine a selection of issues and current trends in benefits that may impact and inform bargaining and collective agreement interpretation. Among the topics we will explore will be current benefit plan trends, the role of unions in governance, key recent cases in discrimination law, and changed and challenges in benefit plans arising from the COVID-19 pandemic.

Instructors: Susan Philpott, Clio Godkewitch and Simon Archer, Goldblatt Partners LLP

Susan Philpott was called to the Ontario Bar in 1990 and the BC Bar in 2013; she understands how important pensions and benefits are to the well-being of workers and their families and has dedicated her career to it. Trade unions across the country rely on Susan to help them expand workplace pension and benefits coverage, bargain new pensions and benefits arrangements, navigate through employer insolvencies and restructuring. Susan is a frequent speaker, teacher and write on pension and benefits issues. She is also a lecturer for the International Foundation of Employee Benefit Plans.

Clio Godkewitch was called to the Ontario bar in 2002. She helps workers resolve disputes over their compensation, including pension and other employee benefits. Clio is retained by pension and benefit administrators to provide practical advice concerning benefit entitlements and communications with plan members, helping to ensure they are providing high quality pensions and benefits to members, and meeting their legal obligations.

Simon Archer attended Osgoode Hall Law School and was called to the Ontario Bar in 2002. He is a co-director of the Comparative Research in Law and Political Economy Forum at Osgoode Hall Law School and a Fellow at Kings College London. Simon works to protect the wages, working conditions and retirement security of his clients and their families. He works with trade unions, retiree associations and boards of trustees across Canada, advising on negotiating pension and benefits, trust administration and fiduciary issues, public interest litigations, insolvencies, corporate accountability and governance.

VDLC Education - Winter/Spring Session

Registration Open - eventbrite.ca search vdlc

Canada Labour Code - Part 2

May 17, Monday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 Affiliate / \$110 Non-Affiliate

BC based workers and their unions in federally regulated industries and workplaces are covered by the *Canada Labour Code*. This course is designed to provide an understanding of key aspects of the code and its application to the unions and employers covered by federal labour law. In this course we will focus on Part II of the *Code*, dealing with occupational health and safety in federally regulated workplaces. The most important sections will be reviewed, along with interpretations and key rulings that illustrate the application of the *Code*.

Instructor: Tamara Ramusovic, Moore Edgar Lyster LLP

Tamara Ramusovic is a partner at Moore Edgar Lyster LLP. She represents trade unions, as well as non-union employees, in the areas of labour, employment, human rights, and administrative law. In addition to her work as counsel, Tamara has provided training to community groups on the topic of individual rights under human rights legislation and the Canadian Charter of Rights and Freedoms. As well, Tamara has made presentations on a diverse range of labour relations and employment topics including Federal labour law, appeals of arbitral decisions, and privacy issues in the workplace.

Privacy Rights in the Workplace (All Levels)

May 20, Thursday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate / \$110 Non-Affiliate

This course uses case law reviews to examine the privacy rights of employees in the workplace, the limits on employer interference with those rights, and the possible remedies for impermissible interference with those rights. Areas covered will include workplace surveillance, employer monitoring of computer use, internet and emails, permissible employee use of electronic communications and equipment at work, the perils and pitfalls of social networking, restrictions on access to medical information and drug testing and monitoring. The course will also discuss Supreme Court of Canada decisions on drug testing and publicizing personal information on the internet.

Instructor: James Baugh, Kestrel Workplace Legal Counsel LLP

Called to the bar in 1998, James Baugh's areas of practice include labour and employment law, human rights, defamation and civil litigation. Mr. Baugh has taught courses in labour law and human rights, and has made presentations on employment related topics at a variety of conferences and workshops. Prior to joining Kestrel Workplace Legal Counsel, he practiced labour and employment law at McGrady and Company for many years.

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Registration Open - eventbrite.ca search vdlc

Charter Rights in the Workplace (All Levels)

June 2, Wednesday - 9:30 am to 4:00 pm - Via Zoom Video Conference

Registration: 1 Day - \$90 VDLC Affiliate / \$110 Non-Affiliate

In recent years, the Supreme Court of Canada, and some lower courts, have confirmed important rights for Canadian unions and their members. Significantly, these include Freedom of Expression (picketing, leafletting, protest, privacy rights) and Freedom of Association (the right to organize, bargain and strike). Decisions regarding Bill 29 in the health care sector, the Harper government's back-to-work order against postal workers and the BC Teachers' Federation win over the right to negotiate class size and composition, all combine to establish these Charter Rights. The implications of these decisions reach into every workplace, both in the public and private sector. This course provides an overview of Charter Rights, key decisions for unions, and how these cases can be used to advance our collective interests.

Instructors: Leo McGrady, Koskie Glavin Gordon and Craig Bavis, Victory Square Law Office LLP

Leo McGrady specializes in labour law, human rights, class actions, intellectual property, and libel law, all on behalf of unions and employees. He has argued cases at all levels of court in British Columbia and the Territories', and served as counsel on a number of leading labour and charter cases in the Supreme Court of Canada.

Craig Bavis was called to the bar in 2000 and became a partner in 2005. Craig has extensive experience in advising and representing unions in mediation, arbitrations and at Labour Relations Board hearings. He has appeared in all levels of court up to the BC Court of Appeal and Federal Court of Appeal. Craig primarily represents unions in the public and private sector across BC in labour matters; and also works in Saskatchewan where he is involved in Charter litigation.

***Thank you for helping us to make the VDLC Education Series a success.
By registering for a class you are helping the VDLC continue to offer a
wide variety of topics dealing with the Labour Movement.***

***We would like to thank our instructors for their generosity with
both their time and knowledge.***

Email: office@vdlc.ca

Phone: 604-254-0703

Website: vdlc.ca

If you are unable to register online, please submit this form.
VDLC 2021 Winter/Spring Labour Education Series

Name: _____

Union/Organization: _____

Phone: (hm) _____ (mobile) _____

Email: _____

Address: _____

COURSES REGISTERING FOR: Online Registration through eventbrite.ca

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♦	♦	♦

Methods of Payment Available: *(please let us know if invoice required)*

- ♦ Credit Card (contact VDLC office or bring card to course)
- ♦ Cheque (payable to the VDLC - Suite 170, 111 Victoria Drive, Vancouver, BC, V5L 4C4)
- ♦ Invoice (can be chosen at time of registration on Eventbrite)

Fees include material - The zoom link and materials will be emailed a few days prior to the date of the class.

CANCELLATIONS/NO-SHOWS Cancellations must be arranged 5 working days prior to course start for refund. No-shows will be charged the full course fee (This includes Zoom).

Exceptions on a case-by-case basis.

Pre-registration is required as course space is limited - registration is open to all, union membership is not necessary.

To register you can contact Elizabeth 604-254-0703 / office@vdlc.ca or via eventbrite.ca.

Payment can be made in cash or cheque payable to "VDLC", or with credit card (contact VDLC). Many unions will pay or reimburse tuition. Some financial subsidies are available.

Location - 111 Victoria Dr., in the Maritime Labour Centre. The building is wheelchair accessible and there is free parking at the rear of the building off Pandora Street. If using transit from Powell or Hastings, get off at Victoria Drive - Triumph Street is 1 block south of Powell/ 3 blocks north of Hastings.