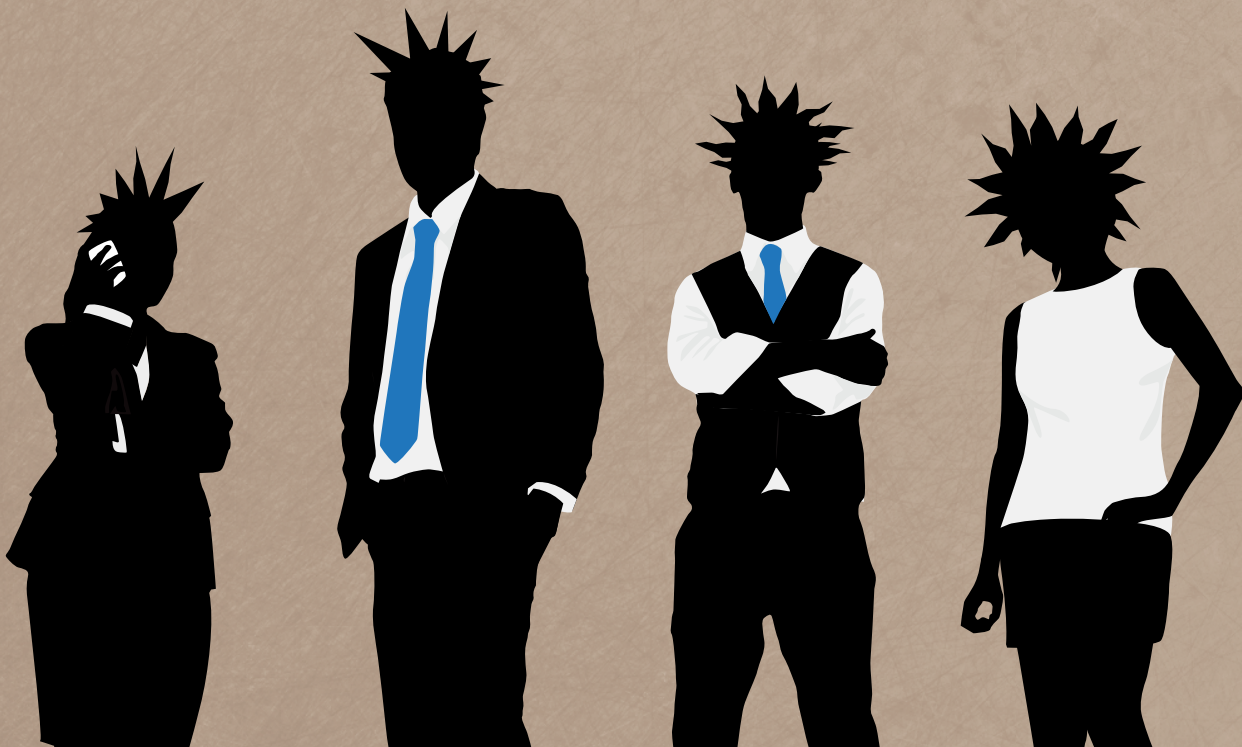




THE CANADIAN
BAR ASSOCIATION

CBA ADMINISTRATIVE LAW, LABOUR AND EMPLOYMENT LAW CONFERENCE

SEX, DRUGS & THE CHARTER OF RIGHTS



November 27-28, 2015 | Westin Hotel (Ottawa)

AGENDA

We are pleased to invite you to the 16th Annual CBA Administrative Law, Labour and Employment Law Conference

This annual joint conference is the country's foremost gathering to bring you the latest developments affecting your clients and your practice, to enhance your professional skills and to network with colleagues.

THIS YEAR'S CONFERENCE WILL LOOK AT:

- the challenges of responding to allegations of violence and harassment while the public watches;
- employment issues in professional sports;
- practical advice about appearing before agencies and tribunals;
- ethics and professionalism, emerging trends in ADR and restorative justice, and much more!

We look forward to seeing you in Ottawa!

REGISTER ONLINE!

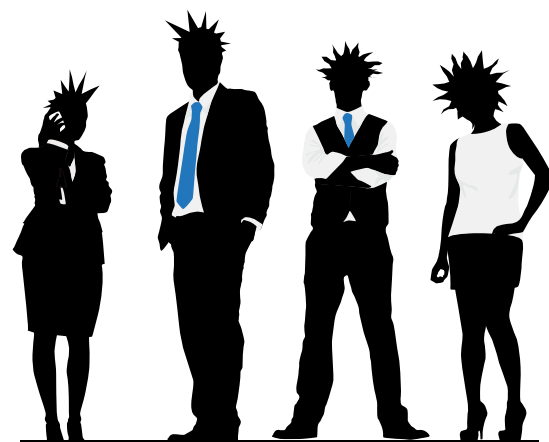
Thank you to our conference sponsors!

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16th Annual CBA Administrative Law, Labour and Employment Law Conference Planning Committee

Conference Co-Chairs

Len Polsky (Calgary)
Twila Reid (St. John's)

Committee Members

Guy Giorno (Ottawa)
Meighan LaCasse (Calgary)
Ellen Desmond (Saint John)
Danilo Di Vincenzo (Laval)
Gail Gatchalian (Halifax)
Donovan Plomp (Vancouver)

Immediate Past Section Chairs

Delayne Sartison QC (Vancouver)
Katherine Crosbie (Vancouver)

**Speakers and topics subject to change*

Accreditation in all Canadian jurisdictions

Substantive content: 8.5 hours

Ethics and professionalism content: 1.0 hour

FRIDAY, NOVEMBER 27

7:30 | 8:15

REGISTRATION AND BREAKFAST

8:15 | 8:30

WELCOME AND INTRODUCTION: WE'RE ONE BUT WE'RE NOT THE SAME

CONFERENCE CHAIRS

Len Polsky, Labour & Employment Law
Conference Chair (*Calgary*)

Twila Reid, Administrative Law Conference
Chair (*St. John's*)

8:30 | 10:00

PLENARY #1: MOVING FROM THE SOUNDS OF SILENCE TO THE EYE OF THE TIGER

MODERATOR

Twila Reid, Stewart McKelvey (*St. John's*)

SPEAKERS

Janice Rubin, Rubin Thomlinson (*Toronto*)

Jennifer Llewellyn, Dalhousie University
(*Halifax*)

David Bolger, University of Ottawa
(*Ottawa*)

From Jian Gimeshi to Dalhousie Dentistry, to the Canadian military, to university sports teams, incidents of violence, harassment and bullying have dominated media headlines and captured national attention. Industry experts Janice Rubin (author of the CBC investigation); Jennifer Llewellyn (leader in the restorative justice process at Dalhousie University); and David Bolger (legal counsel at the University of Ottawa) will share their

experiences and address the question of whether Canadian society has moved away from a culture of silence.

10:00 | 10:15

REFRESHMENT BREAK

10:15 | 11:45 CONCURRENT SESSIONS

LABOUR & EMPLOYMENT BREAKOUT #1: MY BOY'S GONNA PLAY IN THE BIG LEAGUES

MODERATOR

Danilo Di Vincenzo, Le Corre and Associates
LLP (*Laval*)

SPEAKERS

Michael Cohen, Melançon Marceau Grenier
& Sciortino (*Montreal*)

Danny J. Kaufer, Borden Ladner Gervais LLP
(*Montreal*)

Yann Bernard, Langlois Kronstöm Desjardins
(*Montreal*)

Join this exciting panel for a look at the fascinating intersection of employment and labour law and professional sports. Michael Cohen and Danny J. Kaufer will speak about their involvement in the NHL lock-out in 2012 and their involvement in a certification case in Quebec. Yann Bernard will speak about his involvement as an athlete and a lawyer with the Canadian Olympic delegation, as well as his experience as an ombudsman for the Olympic delegation and representative for athletes who challenged decisions made by sports associations.

AGENDA

ADMINISTRATIVE BREAKOUT #1: WHAT'S GOING ON?

MODERATOR

Karen Sinclair-Santos, QC, Alberta
Surface Rights Board/Land Compensation
Board (*Edmonton*)

SPEAKER

David P. Jones, QC, de Villars Jones
(*Edmonton*)

Prominent lawyer and author David Jones, QC will provide his widely anticipated views on developments in Canadian Administrative Law.

11:45 | 12:00

BREAK

12:00 | 13:25

LUNCH AND FIRESIDE CHAT

INTRODUCTION

Pierre Moreau (*Montreal*)

SPEAKER

The Honourable Mr. Justice Richard Wagner
(*Ottawa*)

A casual conversation about the path that led our special guest to a seat on the Supreme Court of Canada and what he saw along the way.

13:25 | 13:30

BREAK

13:30 | 14:30 CONCURRENT SESSIONS

LABOUR & EMPLOYMENT BREAKOUT #2: YOU REALLY GOT A HOLD ON ME

MODERATOR

George Vuicic, Hicks Morley (*Ottawa*)

Speakers:

Andrea L. Zwack, Gall Legge Grant &
Munroe LLP (*Vancouver*)

Dan Leger, Pink Larkin (*Fredericton*)

Barb Butler, Barbara Butler & Associates Inc.
(*Toronto*)

A panel discussion on current issues in the area of alcohol/drug testing and employee searches, including developments in the law on alcohol/drug testing since the Supreme Court of Canada's decision in *Irving Pulp & Paper*; the impact of new workplace testing technologies and search techniques, including the use of search dogs; trends in workplace policies; and balancing prevention/deterrence against employee privacy. The panel will provide unique perspectives from leading labour and management counsel as well as an expert in the area of testing in the workplace.

ADMINISTRATIVE BREAKOUT #2:

HERE I GO AGAIN

MODERATOR

Guy Giorno, Fasken Martineau (*Ottawa*)

SPEAKERS

David Goodis, Office of the Information and Privacy Commissioner of Ontario (*Toronto*)

Philip Palmer (*Ottawa*)

Mark Asbell, QC, Chair, Alberta Labour Relations Board (*Edmonton*)

As administrative proceedings grow more complex, counsel need what seems like super human skills to anticipate what adjudicators want to hear and how they want to hear it. This distinguished panel will review the challenges of appearing before today's agencies and tribunals and give practical advice about how to do it better.

14:30 | 14:40

REFRESHMENT BREAK

14:40 | 15:55

PLENARY #2: SAY WHAT YOU WANT TO SAY

MODERATORS

Gail Gatchalian, Pink Larkin (*Halifax*)

Rebecca Saturley, Stewart McKelvey (*Halifax*)

Speakers:

Jennifer Llewellyn, Dalhousie University (*Halifax*)

Paul Fauteux, Colas Moreira Kazandjian Zikovsky, s.e.n.c.r.l. (*Montreal*)

Interested in innovative ways to prevent relationship breakdowns and repair broken ones? Restorative justice authority Jennifer Llewellyn and transformative mediation practitioner Paul Fauteux will discuss the theory and practice behind these creative approaches, how they can be used to prevent harassment and bullying in the workplace and their role in restoring workplaces that have become toxic.

15:55 | 16:00

BREAK

AGENDA

16:00 | 17:00

PLENARY #3: BOTH SIDES NOW

MODERATOR

Gavin Hume, QC, Harris & Company LLP
(*Vancouver*)

SPEAKERS

Frederica Wilson, Federation of Law
Societies of Canada (*Ottawa*)

Adam Dodek, University of Ottawa (*Ottawa*)

Alice Woolley, University of Calgary
(*Calgary*)

Our panel of noted experts will examine current ethical issues confronting the legal profession, including reviewing different scenarios to illustrate issues faced in practice, discussing initiatives being addressed by regulators, and commenting on current high profile ethical issues being addressed in the courts and media.

17:00 | 19:00

NETWORKING RECEPTION

Food, drink and an opportunity to meet other conference attendees, speakers and registered guests. Don't miss it!

19:00 |

DINE AROUND

Registrants and guests are invited to our annual Ottawa dine-around. We've made group reservations at some of Ottawa's best and most interesting restaurants. You choose where you want to go! Sign-up sheets are posted at the conference registration desk.

SATURDAY, NOVEMBER 28

8:00 | 9:00

BREAKFAST

9:00 | 10:30

PLENARY #4: IF YOU'RE LOST, YOU CAN LOOK AND YOU WILL FIND ME – TIME AFTER TIME

MODERATOR

Henry Dinsdale, Hicks Morley (*Toronto*)

SPEAKERS

Graeme Mitchell, QC, Saskatchewan
Ministry of Justice (*Regina*)

Mark Phillips, Borden Ladner Gervais
(*Montreal*)

Andrew Raven, Ravenlaw (*Ottawa*)

The conference welcomes four well-known authorities intimately familiar with the Supreme Court of Canada who will share their knowledge and insight into the most significant Charter developments in the Court's recent jurisprudence.

10:30 | 10:45

REFRESHMENT BREAK

10:45 | 12:00

PLENARY #5: NEW KIDS ON THE BLOCK – HANGIN' TOUGH

MODERATOR

George Vuicic, Hicks Morley
(*Ottawa*)

SPEAKERS

Mr. Justice Simon Ruel, Superior Court
of Québec (*Québec City*)

Mr. Justice William M. Lemay, Ontario
Superior Court of Justice (*Brampton*)

Madam Justice Anne Mactavish,
Federal Court of Canada (*Ottawa*)

The conference concludes with our ever popular *View from the Bench*, an entertaining and frank discussion offering the judicial perspective on things judges know now but wish they knew before they were appointed to the Bench.

12:00 | 12:15

CLOSING PLENARY/WRAP UP: I DON'T KNOW WHY YOU SAY GOODBYE I SAY HELLO

Speakers:

George Vuicic, Chair, CBA National Labour &
Employment Law Section (*Ottawa*)

Karen Sinclair-Santos, QC, Chair,
CBA National Administrative Law
Section (*Edmonton*)



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