

Legal Symposium

The Modern Workplace

Labour and Employment law is continuously changing and evolving.

Get the knowledge you need on the latest requirements and prevention strategies – and how these can potentially impact your workplace policies and practices.

Get a clear view with expert commentary that is practical and relevant to Human Resources professionals and business leaders. Our speakers will engage you with the most recent hot-topic legal issues, case law updates and development, and future trends to watch for.

Visit our calendar for information about our upcoming professional development activities.

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Attend a PD workshop near you:

Building Better Business Cases

Vancouver, February 14th

January 30, 2014

8:30 – 9:00	Registration & Continental Breakfast
9:00 – 10:30	Update on Privacy Law <i>Carman J. Overholt, Q.C., Overholt Law and Preston Parsons, Associate, Overholt Law</i>
10:30 – 10:45	Health Break
10:45 – 12:10	Update on Foreign Workers <i>Joshua B. Sohn, Partner, Larson Sohn Embarkation Law Group</i>
12:10 – 1:00	Lunch
1:00 – 2:30	Perspectives on HR's Top Challenges for 2014 <i>Gavin Marshall, Partner, Roper Greyell; Stephanie Hollinghead, VP of HR, Sierra Systems; and Leanne Sersun, Head of HR, UrtheCast</i>
2:30 – 2:45	Health Break
2:45 – 4:00	WorkSafeBC: Update on Bullying & Harassment OHS Policies & Mental Disorder Claims <i>Rachel Fisher, Senior Prevention Adviser Regulatory Practices and Kathleen Fleming, Manager Client Services, Mental Health Claims Unit with WorkSafe BC</i>
4:00	Thank You & Closing

Receive 6 CHRP Credits for Attending this Symposium

8:30am - 9:00am

Registration & Continental Breakfast

9:00am - 10:30am

Update on Privacy Law

This exciting opening session will address a number of important developments in Privacy Law including the recent Supreme Court of Canada decision declaring the Alberta privacy legislation unconstitutional. Given the BC legislation mirrors the Alberta legislation, what will be the impact of this decision on the BC legislation? Can we expect new privacy legislation in British Columbia?

Privacy and Social media remain a developing area of the law. We will discuss the latest dispute, which involves firefighters dismissed for their tweets on the subject of advancement of women in the workplace. We will also delve into other current privacy topics including alcohol and drug testing.

Carman J. Overholt's, Q.C., [Overholt Law](#), practice is working closely with senior management and human resources professionals to ensure compliance with labour, employment and human rights legislation, and development of policies and strategies that minimize the risk of litigation and disruption of operations. He has appeared, on behalf of employers, before the Supreme Court of BC, the Court of Appeal for BC, the BC Human Rights Tribunal, the Employment Standards Tribunal, the BC Labour Relations Board and the Canadian Industrial Relations Board. Carman has represented employers in numerous labour arbitration proceedings and in connection with collective bargaining. He has significant experience in advising employers in various sectors of the economy including financial services, technology, retail, service, hospitality, construction, mining, forestry & manufacturing.

Preston Parsons is an associate lawyer at [Overholt Law](#) and practices in the firm's core areas of labour, employment, and human rights law. Recognizing that one's job is a critical part of happiness, and self-worth, Preston takes great care in advising both employers and employees with an emphasis on taking proactive steps to avoid problems and disputes from arising wherever possible. Preston has experienced a wide breadth of legal practice and procedure and has appeared in both British Columbia Supreme Court and Provincial Court on a range of matters including labour, employment, criminal, family, and other civil matters.

10:30am – 10:45am

Health Break

10:45 - 12:10pm

Update on Foreign Workers

The past year has seen some significant changes to Canada's Temporary Foreign Worker Program (TFWP), with increased investigation and compliance requirements. The options for transitioning temporary foreign workers to permanent status have also become more restricted. This session will be a review on the current options for hiring foreign workers on a temporary and/or permanent basis. It will also look at the expanded compliance regime and record keeping requirements.

This session will cover:

- Review of proposed regulations (published June 8, 2013) that extend investigation powers and record keeping requirements.
- 4-Year Cap for Temporary Foreign Workers and exceptions
- Changes to Permanent Residency options that may impact the transition of foreign national workers from temporary to permanent status.

Joshua B. Sohn has been practicing immigration law since 1993, representing clients in a broad range of immigration and citizenship matters. Mr. Sohn is a past chair of the National Immigration Law Section of the Canadian Bar Association (CBA). He is also Past Chair of the Provincial CBA Immigration Section (BC Branch). He previously sat on the Joint Federal-Provincial Immigration Advisory Council in British Columbia and served as Chair and Legal Sectoral Representative on Citizenship and Immigration Canada's Advisory Committee (BC/Yukon). He is also a member of the American Immigration Lawyers Association (AILA).

Mr. Sohn has been a frequent presenter at legal education conferences. He received his LL.B. from the University of British Columbia and was then called to the bar in both Ontario and British Columbia. Mr. Sohn successfully assists clients with all types of in-Canada and overseas applications for business, family class and citizenship matters, including work permits and criminal inadmissibility.

12:10pm - 1:00pm

Lunch

1:00p - 2:30pm

Perspectives on HR's Top Challenges for 2014

This **panel discussion** will provide attendees with their perspective on what could be some of HR's top challenges for 2014. One lawyer and two senior HR executives will focus on up to 5 topic areas and discuss selected cases and issues that could impact your organization. Your questions on these specific issues will be discussed and answered.

Gavin Marshall has a broad range of knowledge in the areas of employment and labour law, wrongful dismissal, contract disputes, enforcement of restrictive covenants, administrative law and picketing issues. He has acted as counsel in labour arbitrations for businesses in the retail and pulp and paper industries, as well as for federally regulated employers, before the Labour Relations Board, the Canadian Human Rights Tribunal, and has considerable experience as litigation counsel before the BC Supreme Court.

Gavin is a member of the Labour Law and Employment Law subsections of the Canadian Bar Association. Gavin is also a member of the Human Resource Management Association and a frequent speaker at Continuing Legal Education seminars. Gavin is the author of the *BC Employment Standards Act: Quick Reference*, and in 2006 was listed by Carswell as one of Canada's top employment lawyers.

Gavin obtained a Bachelor of Arts (Hons.) from the University of Toronto and a law degree from University of British Columbia. He was called to the B.C. Bar in 1998. Gavin worked in a large national law firm prior to joining **Roper Greyell** in March of 2007.

Stephanie Hollingshead is Vice President, Human Resources for **Sierra Systems**. She joined Sierra Systems in 2005 and held multiple leadership roles within the Human Resources function prior to taking on the Vice President role in 2012. Stephanie is responsible for the development and execution of Sierra's human resources strategy, including employee engagement, talent and succession management, total rewards, building leadership capacity and employee development.

Stephanie has over 15 years of international human resources experience in the technology and professional services industries. Before joining Sierra Systems, she led a Human Resources team at Creo Products Inc. Stephanie sits on the board of directors for Big Brothers of Greater Vancouver as an executive committee member and HR committee chair; was previously the steering committee

chair for a provincial HR association serving technology companies; and actively participates in and supports sustainable living initiatives. Stephanie holds a Bachelors of Commerce degree from the University of British Columbia and a Certified Human Resources Practitioner (CHRP) designation.

Leanne Sersun is an experienced business leader and Head of Human Resources for **UrtheCast**, a multi-million dollar international start-up company specializing in earth observation. Over the past 13 years she has held senior HR leadership roles for organizations in Canada and the USA, while concentrating on bringing a business orientation. Her industry experience includes financial services, wealth management, insurance, multi-unit specialized service retail and technology.

2:30pm – 2:45pm

Health Break

2:45pm - 4:00pm

WorkSafeBC: Update on Bullying & Harassment OHS Policies & Mental Disorder Claims

with Rachel Fisher & Kathleen Fleming from WorkSafeBC

WorkSafeBC's three new Occupational Health and Safety policies came into effect on Nov. 1, 2013. The policies outline the obligations of all employers, workers and supervisors to take steps to prevent and address bullying and harassment in their workplaces. In this session, WorkSafeBC staff will discuss the organization's experience of implementing the policies throughout BC workplaces in the first three months since their effective date.

The session will also briefly highlight the resources contained in the online tool kit released by WorkSafeBC on October 2nd 2013 to assist workplace parties in meeting their legal duties.

An update will also be provided on WorkSafeBC's coverage of employee claims for mental disorders which, as a result of legislative changes effective July 1st 2012, now includes compensation for mental disorders caused by bullying and harassment.

WorkSafeBC Update continued...

You will Learn:

- Participants will learn about WorkSafeBC's enforcement approach to the OHS policies on workplace bullying and harassment.
- Participants will hear firsthand experience from staff in the Mental Health Claims Unit of how the new legislation regarding workplace mental disorders has been implemented.
- Statistics regarding mental disorder claims across various sectors of BC industry will be provided.

Rachel Fisher is a Senior Prevention Adviser in [WorkSafeBC](#)'s Regulatory Practices department. She joined WorkSafeBC in 2007 as a policy analyst in the Policy and Regulation Division and in 2009 became Manager, Corporate Services. In this role, she oversaw the development of the *Domestic Violence in the Workplace Tool Kit* released by WorkSafeBC in March 2012 and the *Bullying and Harassment in the Workplace Tool Kit* released in October 2013. Rachel holds a degree in Philosophy from the London School of Economics and a law degree from the University of British Columbia. She was called to the British Columbia Bar in 2000. Prior to joining WorkSafeBC, she practiced in the areas of corporate/commercial litigation and employment law.

Kathleen Fleming is the Client Service Manager of the Mental Health Claims Unit for [WorkSafeBC](#). She and her staff of twenty-four, adjudicate and manage the mental disorder claims coming to WorkSafeBC following the passage of Bill 14 which amended 5.1 of the Workers Compensation Act. Kathleen brings a wealth of adjudicative and policy interpretation experience to her position, a consequence of her fourteen years at WorkSafeBC as a Case Manager and Client Service Manager and eighteen years of experience with Canada Employment and Immigration as an Employment Counsellor, Senior Immigration Officer and Policy Analyst.

4:00pm

Symposium Close
