

Labour and Employment Update Breakfast Seminar



Wednesday, June 4, 2008

7:30 am - 10:15 am

Sutton Place Hotel
Versailles A Ballroom
845 Burrard Street
Vancouver, BC

Agenda

7:30 a.m.

Registration and Buffet Breakfast

7:55 a.m.

Welcome and Opening Remarks

8:00 a.m.

Presentations

10:00 a.m.

Closing Remarks and Question
Period

Register today!

Space is limited so reserve your seat as soon as possible. If you are unable to attend, please feel free to forward this invitation to one of your colleagues.

RSVP by Friday May 30, 2008 with your name, company, phone and email to:

Katherine Chan, Marketing Assistant
Email: kchan@millert Thomson.com
Phone: 604.628.2905
Fax: 604.643.1200

**MILLER
THOMSON** LLP

Barristers & Solicitors
Patent & Trade-Mark Agents

Seminar Overview

Miller Thomson is pleased to invite you to a complimentary **Labour and Employment Law Update** breakfast seminar on June 4, 2008. Topics to be discussed will include privacy issues, chronic absenteeism, drug and alcohol testing, criminal liability, workplace bullying and harassment, independent contractors vs. employees, and immigration issues. This seminar will be of particular interest to corporate executives, business owners, and human resources professionals.

Our Labour & Employment Law Group

Our lawyers advise management in all aspects of labour relations and employment law, including interpretation of employment legislation governing employment standards, human rights, pay equity, employment equity, occupational health and safety, pensions, and workers' compensation. For more information about our services, please visit our website at www.millert Thomson.com.

Miller Thomson Speakers

A. Paul Devine, Partner (Vancouver)

Paul Devine advises clients on labour and employment law matters including matters arising under the *Labour Relations Code*, *Workers' Compensation Act*, *Employment Standards Act*, *Human Rights Code*, and the *Personal Information Protection Act* ("PIPA"). Paul represents clients in wrongful dismissal actions and collective bargaining negotiations, and also assists with a myriad business immigration issues.

David L. Rice, Associate Counsel (Vancouver)

David Rice's practice consists of counsel work with the primary focus on labour and employment law and administrative law. David has represented employers before the B.C. Labour Relations Board, the Canada Industrial Relations Board, the B.C. Workers' Compensation Board and in labour arbitration hearings. He has acted as spokesman for employers in collective agreement negotiations and has represented both employers and former employees in wrongful dismissal suits in the B.C. Supreme Court and the Court of Appeal.

Daniel C.P. Stachnik, Q.C., Partner (Edmonton)

Daniel Stachnik practices in the areas of law relating to civil litigation in commercial, construction, occupational health & safety, personal injury and employer-employee matters. The general nature of his work in civil and commercial litigation includes shareholder disputes and wrongful dismissal actions. The balance of his practice is in various types of litigation work including employment law, human rights, occupational health and safety, and construction litigation.

Ian J. Smith, Associate (Edmonton)

Ian's practice focuses primarily on labour, employment and human rights issues. Ian has experience in providing advice to employers and individuals, in both union and non-union environments, on all aspects of workplace issues, with particular expertise in harassment and discrimination issues. Ian has appeared before the Alberta Labour Relations Board and all levels of the Alberta courts.

Linda Nguyen, Associate (Vancouver)

Linda Nguyen is an associate in the labour and employment group. She has advised corporations and individuals on wrongful dismissal actions, human rights issues, and privacy concerns. She also has experience in judicial reviews of administrative decisions.

Phebe Chan, Associate (Vancouver)

Phebe Chan practices in immigration law and commercial litigation. Phebe advises and assists businesses and individual clients from around the world with all types of immigration matters, including visitor's status, work permits, criminal and medical inadmissibility, permanent residency, and citizenship in Canada.

Privacy Issues (Paul Devine)

- ⇒ Buying and selling a business
- ⇒ Reference checks
- ⇒ Managing employee personal information
- ⇒ Dealing with third party information
- ⇒ Confidentiality

The Chronically Absent Employee (David Rice)

- ⇒ What point can an Employer discipline or dismiss the chronically absent employee?
- ⇒ Can the Employer impose attendance management policies and require compliance?
- ⇒ When is the employee “disabled” and what must the Employer do to accommodate him or her?
- ⇒ At what point does the Employer’s request for production of medical information constitute harassment?

Drug and Alcohol Testing in the Workplace (Dan Stachnik)

- ⇒ Recent case review
- ⇒ Privacy issues in drug and alcohol testing
- ⇒ Human Rights issues in drug and alcohol testing
- ⇒ Pre-access testing

Criminal Liability in the Workplace (Dan Stachnik)

- ⇒ *R. v. Transpave* - First *Criminal Code* conviction
- ⇒ Employer Considerations in Workplace Health and Safety/Criminal Investigation

Update on Workplace Bullying and Harassment (Ian Smith)

- ⇒ The laws...they are a changing: Legislative update on provincial initiatives regarding personal harassment
- ⇒ Claims in tort and contract - notable case law on workplace harassment claims
- ⇒ Zero tolerance versus contextual assessment: does a finding of harassment = automatic termination?
- ⇒ Recommendations for employers

Pitfalls to Classifying Workers as Independent Contractors (Linda Nguyen)

- ⇒ How to determine if a worker is an employee or independent contractor
- ⇒ Consequences of misclassification: source deductions, workers' compensation, privacy legislation, notice of termination, vicarious liability and insurance

Working in Canada - Alternatives to Labour Market Opinions (Phebe Chan)

- ⇒ Business visitor categories
- ⇒ Treaties (NAFTA, CCFTA, GATS)
- ⇒ Expedited labour market opinions
- ⇒ Provincial nominee program applications
- ⇒ Post-graduate work permits

- Yes, I would like to attend Miller Thomson’s complimentary **LABOUR & EMPLOYMENT LAW UPDATE** seminar on Wednesday, June 4.**

Sutton Place Hotel - Versailles A Ballroom
845 Burrard Street, Vancouver BC
Registration and breakfast at 7:30 am
Presentations begin at 8:00 am

NAME _____

TITLE _____

COMPANY _____

ADDRESS _____

EMAIL _____

PHONE _____

- Please also register the following people from my organization:**

NAME _____

TITLE _____

EMAIL _____

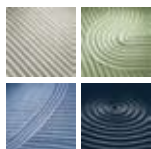
PHONE _____

NAME _____

TITLE _____

EMAIL _____

PHONE _____



RSVP to Katherine Chan by Friday May 30, 2008

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