



THE OSGOODE CERTIFICATE IN LABOUR LAW

Learn from leading experts representing management, union and government – a Certificate program with emphasis on the practical.

Over five intensive one-day modules, you'll drill down into the key areas in labour law, including:

- Union organizing and applications for certification
- Collective bargaining
- Grievance arbitration: protecting rights and resolving conflicts
- Workplace investigations in unionized environments
- The law of industrial conflict
- Expert analysis of the impact of COVID-19 on labour law, including mandatory vaccinations, layoffs and requests for accommodation

Register today at:

osgoodepd.ca/labour-cert

PROGRAM DIRECTOR

John D.R. Craig
Mathews Dinsdale & Clark LLP and
Assistant Professor, Faculty of Law,
Western University

REGISTRATION DETAILS

March 8, 22, 29 &
April 5 & 12, 2022:
Online - Live
9:00 a.m. – 4:30 p.m. ET

Can't make the date?

*Registration includes 120-day
unlimited, online access to the
recorded program.*

The Osgoode Certificate in Labour Law

Celebrating its 11th anniversary, the *Osgoode Certificate in Labour Law* is an unrivalled resource for navigating this complex and challenging field.

All key areas are covered, including:

- Overview of the statutory and regulatory regimes
- Understanding collective bargaining modules, rights and public vs. private sector bargaining
- How to protect rights and resolve conflicts in grievance arbitration
- Restructuring unionized environments
- Tools and strategies for conducting workplace investigations
- The law of industrial conflict, including lock-outs and back-to-work legislation
- Obligations and strategies for protecting privacy in the workplace
- Impact of COVID-19 on the labour landscape, including vaccine mandates, accommodation requests, layoffs and terminations

A distinguished faculty of experts drawn from management, union, government and academia will impart essential legal information, insights, strategies and tactics.

This Certificate program provides a rare opportunity to see the big picture and how it applies to frequently-encountered and perennially-vexing situations – ensuring that you are well-equipped to deal with the daily challenges coming across your desk.

Winner of the 2021 Canadian HR Reporter Readers' Choice Award — preferred provider of Labour Relations Training

Discover why 300+ of your peers have completed this practical, award winning program.

Register today at:

[osgoodepd.ca/
labour-cert](https://osgoodepd.ca/labour-cert)



Past attendees say it best:

“This is a very well-presented program which not only provides a high-level overview of labour law fundamentals but also allows you to interact with expert professionals who “live” in this sector. I recommend the program to anyone who deals with labour challenges on a daily basis. A big thank you to John Craig and all of the wonderful speakers over the weeks, a fantastic job. I look forward to future Osgoode programs.”

Eric Maxemuck
Health, Safety & Environmental Manager, Archer Daniels Midland Company

“It was a great learning experience, and every presenter shared the knowledge they acquired over many years. All the presenters were great at answering our detailed questions during sessions.”

Raeme Sul
Human Resources Manager, CJ Graphics Inc

“The facilitators... were exceptional, I very much enjoyed how they combined theory with examples and experiences from their field, bringing both substantial and in-depth knowledge together with case studies.”

Alessya D’Anna
Government of Ontario

“Excellent presenters ... I enjoyed how they are able to meet the learning needs of everyone by answering questions in the chat.”

Will Goodman
Superintendent of Education and Special Education, Superior-Greenstone District School Board

Who Should Attend

- VPs, Directors and Managers of Labour Relations
- VPs, Directors and Managers of Human Resources
- Union Presidents, Officials, Business Agents, Stewards and Committee Members
- In-House Counsel
- Lawyers in private practice
- Labour Relations Consultants
- Mediators, Arbitrators and Conciliators
- Government Representatives

Drawing on the expertise and experience of a distinguished faculty, including:

Program Director



John D.R. Craig

Mathews Dinsdale & Clark LLP and
Assistant Professor, Faculty of Law,
Western University

Advisory Board

Diane Gee

Mediator/Arbitrator

Donald B. Jarvis

Filion Wakely Thorup Angeletti LLP

Brian G. Johnston Q.C.

Stewart McKelvey (Halifax, N.S.)

Caroline (Nini) V. Jones

Paliare Roland Rosenberg Rothstein LLP

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labour-cert](https://osgoodepd.ca/labour-cert)

Program Faculty

Kamal Bakhazi

Koskie Minsky LLP

Keith P. Burkhardt

Sherrard Kuzz LLP

John D.R. Craig

Mathews Dinsdale & Clark LLP

Henry Y. Dinsdale

Hicks Morley Hamilton Stewart Storie LLP

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Sherrard Kuzz LLP

Dr. Rafael Gomez

Associate Professor, Employment Relations,
Centre of Industrial Relations and
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Anne M. Gregory

Legal Counsel, Manitoba Nurses Union

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Michael S. Richards

DLA Piper (Canada) LLP

M. David Ross

Vice-Chair, Ontario Labour Relations Board

Natasha Savoline

Bernardi Human Resource Law LLP

Samantha Seabrook

Seabrook Workplace Law

Krista Siedlak

Turnpenney Milne LLP

Jackie VanDerMeulen

Fasken Martineau DuMoulin LLP

Agenda

MODULE 1

March 8, 2022
9:00 a.m. – 4:30 p.m.
Labour Law Foundations

Overview of the Statutory and Regulatory Regime

- Main elements (e.g. certification, negotiation, contents and operations of collective agreements, termination of bargaining rights, successor rights)
- Employees, independent contractors, employers and unions
- Key labour law statutes
- The constitutional framework
- Division of powers: Federally vs. provincially-regulated employers
- Application of the Charter (e.g. s. 2(d))
- Construction vs. industrial labour relations
- Sector-specific labour relations
- Agricultural employees, Crown employees, hospitals, teachers, colleges, emergency services

Union Organizing and Applications for Certification

- Union density statistics: where is unionization increasing or decreasing?
- Union organization in the construction sector
- Unfair labour practices, including automatic certification
- Remedies for unfair labour practices
- Interim relief
- Vote vs. card-based certification systems
- Displacement applications
- Termination applications

- Decertification processes
- Impact of COVID-19 on Labour Law

Faculty

John D.R. Craig

Mathews Dinsdale & Clark LLP

Sundeep Gokhale

Sherrard Kuzz LLP

Brendan McCutchen

Wright Henry LLP

Christopher Pigott

Fasken Martineau DuMoulin LLP

Samantha Seabrook

Seabrook Workplace Law

MODULE 2

March 22, 2022
9:00 a.m. – 4:30 p.m.
Collective Bargaining

- First contract arbitration
- Public sector vs. private sector bargaining
- Overview of different models of collective bargaining in Ontario
 - Single employer/single union (e.g. university sector)
 - Voluntary multi-employer/union by union (e.g. hospital sector)
 - Central bargaining by type of employee (e.g. colleges)
 - Co-ordinated bargaining (e.g. emergency services)
 - Province-wide bargaining (e.g., construction)
- The importance of pay equity in collective bargaining
- The role of government in collective bargaining

- When collective bargaining fails: dispute resolution models
- The right to strike/lockout
- Picketing: *Charter* protection and limits

Faculty

Kamal Bakhazi

Koskie Minsky LLP

John D.R. Craig

Mathews Dinsdale & Clark LLP

Keith P. Burkhardt

Sherrard Kuzz LLP

Jodi Martin

Paliare Roland Rosenberg Rothstein LLP

Julia M. Nanos

Hicks Morley Hamilton Stewart Storie LLP

M. David Ross

Vice-Chair, Ontario Labour Relations Board

MODULE 3

March 29, 2022
9:00 a.m. – 4:30 p.m.
Grievance Arbitration: Protecting Rights and Resolving Conflicts

- Overview of the grievance and arbitration system in Ontario
- S. 49 of the Labour Relations Act: referral of grievance to a single arbitrator
- Jurisdiction of arbitrators
- S. 133 of the LRA: referral of grievances to the Ontario Labour Relations Board
- Emerging models of grievance arbitration: e.g. PWU and OPG expedited systems
- Litigating human rights claims at arbitration
- Arbitration vs. mediation
- Is the arbitration process dysfunctional? If so, what reforms are possible?

Faculty

Henry Y. Dinsdale

Hicks Morley Hamilton Stewart Storie LLP

Dr. Rafael Gomez

Associate Professor, Employment Relations,
Centre of Industrial Relations and Human
Resources, University of Toronto

Michael J. Kennedy

Hicks Morley Hamilton Stewart Storie LLP

Madeleine L.S. Loewenberg

Loewenberg Psarris Workplace Law LLP

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Heather Ann McConnell

Goldblatt Partners LLP

John Monger

Paliare Roland Rosenberg Rothstein LLP

MODULE 4

April 5, 2022

9:00 a.m. – 4:30 p.m.

Workplace Investigations in Unionized Environments

- The role and parameters of the union in a workplace investigation
 - Is there a right to union representation?
 - What are the parameters of involvement for a union in the investigative process?
 - The union's duties throughout the investigation
 - Best means of balancing competing interests within the bargaining unit
 - Role of the Ministry of Labour: the relationship between workplace and Ministry investigations
- The investigative process
 - Tips for pre-screening complaints

- Objectives of the investigation
- Role of advisors
- Use of experts
- Role of the investigator
- Preparing an investigation plan
- Surveillance
- Interviewing
 - Listening skills
 - How to handle difficult witnesses
 - The right questions
 - Confidentiality and privacy issues
 - Internal biases
 - Off-the-record statements
- Making a finding and preparing a report
 - Assessing credibility
 - Burden of proof
 - Similar fact evidence
- Post-investigation considerations
 - Remedies to consider
 - What if the complaint is malicious?
 - Preventing retaliation and further incidents
- Litigation
 - What aspects of an investigation might an employer be ordered to produce if the issue goes to arbitration?

Faculty

Anne M. Gregory

Legal Counsel, Manitoba Nurses Union

Mathias Link

Fasken Martineau DuMoulin LLP

Natasha Savoline

Bernardi Human Resource Law LLP

Krista Siedlak

Turnpenney Milne LLP

Michael S. Richards

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MODULE 5

April 12, 2022

9:00 a.m. – 4:30 p.m.

Restructuring Unionized Environments: Sale, Transfer or Closure of the Business/ The Law of Industrial Conflict/ Workplace Privacy

Restructuring Unionized Environments

- Sale of a business
- Related employers
- Closure of a business
- Sale of a business involving the Crown
- Sale or transfer involving employers in two different jurisdictions (federal and provincial)

The Law of Industrial Conflict

A survey of key law and procedures, including:

- Cease-and-desist applications
- Labour dispute injunctions under the *Courts of Justice Act*
- Use of back-to-work legislation

Workplace Privacy

Faculty

John D.R. Craig

Mathews Dinsdale & Clark LLP

Donald K. Eady

Paliare Roland Rosenberg Rothstein LLP

Donald B. Jarvis

Filion Wakely Thorup Angeletti LLP

Jackie VanDerMeulen

Fasken Martineau DuMoulin LLP

Registration Details

Fee per Delegate

\$4,095 plus TAX

Newly Licensed*: \$2,047.50 plus TAX

**This fee applies to newly licensed professionals within the past 2 years.*

Fees include online attendance, electronic program materials and 120-day unlimited online access to program archive. Group discounts and financial assistance are available. Visit www.osgoodepd.ca/group-discounts for details.



OSAP Micro-Credentials

This program is eligible for OSAP Micro-Credentials funding.

To learn more, please visit: osgoodepd.ca/osap-cle

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information, Please Contact:

David Thomas, Program Lawyer at 416 270 7316

or email dthomas@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of **The Osgoode Certificate in Labour Law**. Participants must attend all program modules (either live, or by viewing the online archive) and pass the post-program multiple choice assessment to receive a certificate.



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.



Eligible CPD Hours – LSO (ON): 32h 10m CPD (30h 10m Substantive; 2h Professionalism)

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.



This program has been approved for 30.5 continuing professional development (CPD) hours under Section A3 of the continuing professional development (CPD) log of the Human Resources Professionals Association (HRPA).

“Great overview of fundamentals, with some in-depth sections as well... very good balance in content of overview of fundamentals and opportunity for more in-depth discussion at points.”

Tim Maguire
Past President, CUPE Local 79, Toronto

“Very relevant to my workplace and role at work... the case law and experiences from cases that the presenters bring are extremely interesting and valuable.”

A.J. Ryland
Former City of Ottawa (OC Transpo)
Program Manager, Employee Operations

“An absolutely fascinating course. Highly educational and engaging... I would recommend [it] to all my colleagues.”

Kevin Bhalla
Former Labour Relations Consultant
at Coca Cola

“Excellent!”

Scott Thomson
Power Workers' Union

Register today at:

[osgoodepd.ca/
labour-cert](http://osgoodepd.ca/labour-cert)