

# Human Resources Law for Education Professionals

## Monday, May 13, 2019

### AGENDA

- 8:00 Registration and Continental Breakfast**
- 8:30 Welcome and Introduction from the Chairs**  
**Jennifer Trépanier**, Keel Cottrelle LLP  
**Nicola Simmons**, Keel Cottrelle LLP
- 8:45 Legislative Overview**  
**Jennifer Trépanier**, Keel Cottrelle LLP  
**Nicola Simmons**, Keel Cottrelle LLP

This session will review the legislative framework applicable to human resources in the education sector. It will give you an up-to-date foundation for the rest of the conference.

The legislation includes:

- *The Education Act and Regulations*
- *Ontario College of Teachers Act*
- *Early Childhood Educators Act, 2007*
- *Teaching Profession Act*
- *Employment Standards Act, 2000*
- *Labour Relations Act, 1995*
- *Occupational Health and Safety Act*
- *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA”)
- *Personal health Information Protection Act, 2004* (“PHIPA”)
- *Ontario Human Rights Code* (“OHRC”)
- *Criminal Code* (“CC”)
- *Canadian Charter of Rights and Freedoms*
- *Constitution of Canada*
- *Cannabis Act, 2017*
- *Cannabis Statute Law Amendment Act, 2018*
- *Smoke Free Ontario Act*

### **11:15 Workplace Investigations, Off-Duty Conduct, Staff Discipline**

**Tilia Cruz**, Support Services Advisor, Catholic Principals' Council Ontario  
**Stephanie Strong**, Superintendent of Human Resources and Employee Relations, Dufferin-Peel Catholic District School Board

- How to manage workplace investigations
- What are a school board's obligations when there are misconduct allegations?
- Legal issues around off-duty conduct
- Understanding the discipline process
- Determining appropriate discipline in differing circumstances

### **10:15 Refreshment Break**

### **10:30 Human Rights Update**

**Susan Ursel**, Ursel Phillips Fellows Hopkinson LLP (union counsel)  
**Giovanna Di Sauro**, Filion Wakely Thorup Angeletti LLP

- Overview of the law on accommodation of employees
  - Disability, family status, creed/religion, gender identity/expression
- Addressing workplace harassment
- The impact of the "Me Too" movement

### **11:15 Impacts of Mental Health in the School Setting**

### **12:00 Luncheon**

### **1:00 Staff-Student Safety: Understanding the *Occupational Health and Safety Act***

**Christopher Perri**, Cavalluzzo LLP

- Overview of school board *OHS*A obligations
- What does a risk assessment under *OHS*A involve?
- Who "needs to know" about risks of violence from students?
- The impact of the *OHS*A on students with special needs, their teachers and other educational workers
- What training and assistance are boards obliged to provide?
- Strategies for dealing with violent behavior at the school level

### **1:45 Refreshment Break**

## **2:00 Understanding and Responding to Conflict Resolution in the Education Sector**

**Dr. Lindy Zaretsky**, Reaching Education Resolutions Inc.

Using a case study approach, participants will learn how to identify and proactively address conflict resolution challenges in the education sector including:

- Understanding applicable legislation and guiding school board policies and practices;
- Recognizing issues of social justice (e.g. the intersection of race, disability, gender, and other differences);
- Dealing with inequities in resource allocation;
- Perceived performance issues;
- Power imbalances around the inclusion of student/parent/staff voice;
- Navigating conflict amongst staff members; and
- Tips for staff to address conflicts with families

## **2:45 Liability and Risk Management 101**

**Julie Welsh, FCIP, CRM**, Risk Management Program Coordinator, Ontario School Boards' Insurance Exchange

This session will provide a background on the social, legal and human factors That are contributing to an increase in lawsuits in Canada. An overview of the Liability insurance coverage provided to OSBIE member school boards, with a focus on the principles of risk management, risk identification and the most common risk strategies available to school boards to help reduce injuries and law suits.

OSBIE's Risk Manager will discuss:

- Legal liability for school activities
- The influences in determining liability
- Staff and student safety issues
- Addressing students with medical issues

## **3:30 Program Ends**