

CBA ADMINISTRATIVE LAW, LABOUR AND EMPLOYMENT LAW CONFERENCE

NOVEMBER 4-5, 2022 | OTTAWA, ON

Presented by the CBA Administrative Law and the CBA Labour and Employment Law sections

The CBA Administrative Law Section and Labour & Employment Law Section are delighted to return to their annual joint conference for the first time since 2019! Join us for a timely analysis of the latest trends and developments affecting your clients and impacting your practice.

Our expert faculty includes judges, academics, counsel who are or appear before decision-makers in all areas of administrative law, and lawyers with expertise in the representation of employers, employees, and unions.

Don't miss this opportunity to reconnect with colleagues and make new connections with lawyers from across the country


FRIDAY, NOVEMBER 4, 2022

TIME	EVENT
7:30 am-8:30 am ET	Registration and Breakfast Victoria Ballroom Foyer
8:30 am-8:35 am ET	Welcome and Introduction Victoria Ballroom North Co-Chairs: Valerie Dixon , City of Vancouver, Law Department Pam Hrick , Women's Legal Education and Action Fund (LEAF)
8:35 am-9:15 am ET	Opening Plenary: The Year in Review in Administrative Law Victoria Ballroom North This review of important developments in administrative law across Canada over the past year is a signature event of the conference.

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TIME	EVENT
	Speaker: Paul Daly , University of Ottawa
9:15 am-10:15 am ET	Plenary Session: <i>Vavilov</i> in Real Life Victoria Ballroom North Learn about developments and outstanding questions related to the application of <i>Vavilov</i> by lower courts across the country from a panel of experts. Hear how tribunals have variously interpreted and applied <i>Vavilov</i> in the context of matters that have arisen before them. Speakers: David Phillip Jones, K.C. , de Villars Jones LLP The Honourable Justice David W. Stratas , Federal Court of Appeal Anne Levesque , University of Ottawa Moderator: Mannu Chowdhury , Paliare Roland
10:15 am-10:30 am ET	Refreshment Break Victoria Ballroom Foyer
10:30 am-12:00 pm ET	Concurrent Sessions Session 1.1: Labour and Employment Law Jurisdiction of Labour Arbitrators: The Impact of <i>Northern Regional Health Authority v. Horrocks</i> Victoria Ballroom North The Supreme Court of Canada ruled that under Manitoba's Human Rights Code unionized workers were unable to bring human rights complaints and would have to proceed through labour arbitrations. This decision has since prompted some provinces to reconsider the legal standing of unionized workers to bring human rights complaints in their jurisdictions. Our panel will discuss what the <i>Horrocks</i> decision means going forward for the jurisdiction of labour arbitrators. Speakers: Paul Champ , Champ & Associates Robert Watchman , Pitblado LLP Busayo Faderin , Monkhouse Law Moderator: Andrew Monkhouse , Monkhouse Law

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	<p>Session 1.2: Administrative Law <i>Abrametz</i> and Dealing with Delay in Administrative Proceedings Cartier III (Lower Level)</p> <p>The Supreme Court's recent decision in <i>Law Society of Saskatchewan v. Abrametz</i> reaffirmed the proper approach for assessing whether delay amounts to an abuse of process in the administrative context. This panel will address the key takeaways from the <i>Abrametz</i> decision and provide practice advice for dealing with issues of delay in administrative and regulatory proceedings.</p> <p>Speakers: Ewa Krajewska, Henein Hutchison LLP Prasanna Balasundaram, Downtown Legal Services Jean Whittow, K.C., Jean Whittow Law Corporation</p> <p>Moderator: Olga Redko, IMK LLP</p>
12:00 pm-1:30 pm ET	<p>Networking Lunch Victoria Ballroom South</p>
1:30 pm-3:00 pm ET	<p>Concurrent Sessions</p> <p>Session 2.1: Labour and Employment Law Cross Canada and Federal Legislative And Case Law Roundup Victoria Ballroom North Sponsor</p> <p> MortimerKhoraych¹ Answers that matter</p> <p>This session will be offered with simultaneous interpretation (English/French)</p> <p>While we were locked down, focused on other things and practicing in our basements, significant changes were taking place across the country. Among other things:</p> <ul style="list-style-type: none">• Non-competition clauses were banned in Ontario• Limits were placed on NDAs in PEI• A group of managers unionized in Quebec,• Changes were made to the <i>Employment Standards Act</i> in BC,

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	<ul style="list-style-type: none">• Alberta adopted a “new” <i>OHS Act</i>, and• The <i>Canada Labour Code</i> got a makeover. <p>Our panel will review these and other legislative and case law developments that have occurred since 2019 but not directly related to the pandemic.</p> <p>Speakers: Michael A. MacDonald, McKercher LLP Esi Codjoe, Turnpenney Milne LLP Sophie Cloutier, Poudrier Bradet Avocats Ryan McCarville, McInnes Cooper</p> <p>Moderator: Caroline Spindler, Mathews, Dinsdale & Clark LLP</p> <p>Session 2.2: Administrative Law Confronting Unconscious Bias in Administrative Decision-Making and Judicial Review Cartier III (Lower Level)</p> <p>Examine how the unconscious biases of counsel and adjudicators may impact administrative and judicial review proceedings, and learn how to recognize and address one’s own unconscious bias in such proceedings.</p> <p>Speakers: Jamie Liew, University of Ottawa Ayla Akgungor, Field LLP Wei William Tao, Heron Law Offices</p> <p>Moderator: Virginia Lomax, First Peoples Law LLP</p>
3:00 pm-3:15 pm ET	<p>Refreshment Break Victoria Ballroom Foyer</p>
3:15 pm-4:45 pm ET	<p>Plenary Session Ethics and Professionalism: Truth and Reconciliation: From Words To Action Victoria Ballroom North</p> <p>Lawyers have an important role to play in working towards Reconciliation and the full recognition of Indigenous rights, but first we must understand the Truth and Reconciliation Commission’s Calls to Action, and the many justice recommendations made by other inquiries and commissions, including the Royal Commission on Aboriginal</p>

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	<p>Peoples and the National Inquiry into Missing and Murdered Indigenous Women and Girls. Learn how Indigenous rights intersect with administrative, labour, and employment law, and how lawyers can use their practice and the privilege of their profession to advance Reconciliation.</p> <p>Speakers: Brad Regehr, Maurice Law Corey Shefman, Olthuis Kleer Townshend LLP Brenda Gunn, University of Manitoba, National Centre for Truth and Reconciliation</p> <p>Moderator: Signa Daum Shanks, University of Ottawa</p>
4:45 pm-6:00 pm ET	<p>Networking Reception Victoria Ballroom South</p> <p>Enjoy food and drinks and take advantage of this networking opportunity to meet other conference attendees, speakers, and guests. Not to be missed!</p>
6:30 pm ET	<p>Dine Around</p> <p>Take advantage of your free evening, connect with your network of friends and colleagues, and explore what the beautiful city of Ottawa has to offer. With many great eateries surrounding the Marriott Hotel, you will have plenty of options to choose from. Should you require restaurant suggestions, please visit the registration desk. If reservations are required, it will be the responsibility of the participants.</p>

SATURDAY, NOVEMBER 5, 2022

TIME	EVENT
8:30 am-9:00 am ET	<p>Registration and Breakfast Victoria Ballroom Foyer</p>
9:00 am-10:30 am ET	<p>Fireside Chat with The Honourable Mahmud Jamal Victoria Ballroom North</p>

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	<p>This session will be offered with simultaneous interpretation (English/French)</p> <p>Don't miss this casual and engaging conversation about the personal and professional journeys of our special guest. You will also gain insight into what's happening at Canada's top court, and what to expect for the future.</p> <p>Introduction: Audrey Boctor, IMK LLP Speakers: The Honourable Mahmud Jamal, Supreme Court of Canada</p>
10:30 am-10:45 am ET	<p>Refreshment Break Victoria Ballroom Foyer</p>
10:45 am-12:00 pm ET	<p>Closing Plenary A View from The Bench and Other Decision Makers Victoria Ballroom North</p> <p>This session will be offered with simultaneous interpretation (English/French)</p> <p>Decision makers play a critical role in the legal system, but their views are often limited to the legal issues before them. Views from decision makers on broader issues of general legal importance provide practitioners with valuable insight into the minds of those whom they appear before. In this session, our panelists will discuss the importance of diversity amongst decision makers and the lessons learned from COVID-19. Gain the perspective of a variety of decision makers on these and other hot topics.</p> <p>Speakers: Koml Kandola, Kandola Arbitration Services Ltd. The Honourable Lukasz Granosik, Superior Court of Quebec Ginette Brazeau, Canadian Industrial Relations Board</p> <p>Moderator: David Conway, Arbitrator and Adjudicator</p>
12:00 pm-12:10 pm ET	<p>Award Presentation Victoria Ballroom North</p> <p>Presentation of the Administrative Law Section's Paul Smith Memorial Award Recipient: Frank Nasca, Winning Essay</p>

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TIME	EVENT
	Presentation of the Labour and Employment Law Section's Essay Contest Winner Recipient: Meredith Wilson-Smith, Winning Essay
12:10 pm-12:15 pm ET	Closing Remarks Victoria Ballroom North Speakers: Valerie Dixon , City of Vancouver, Law Department Pam Hrick , Women's Legal Education and Action Fund (LEAF)