

# Vancouver & District Labour Council

# 2023 Labour Education

## Anita Yan Memorial Law Series

### FALL SESSION

To register go to <https://vdlc.ca/education/>

### NEW FOR THE 2023 EDUCATION YEAR

#### Registration Fees

In 2023, the Vancouver & District Labour Council is introducing a new registration fee structure for its courses. Since our current education program started in 2012, we have introduced only a couple of very small fee increases. Our courses continue to be available to our affiliates and the broader community at a substantially lower rate than is charged for similar courses elsewhere. This is due, in large part, to our instructors whose willingness to volunteer their expertise and time is at the core of our education program's success. However, as a result of dramatic increases in the costs of materials, catering, room bookings, and other costs, it is now necessary to increase our fees. This new fee structure will ensure ongoing sustainability to our education program, while also introducing a reduced rate for online courses in recognition of the reduced costs in comparison to in-person.

Registration for all courses can be done through our website under the Education page at [vdlc.ca/education](https://vdlc.ca/education). Payment can be made by credit card for single registrations; you will receive an email confirmation of registration. If you do not, **PLEASE CHECK YOUR JUNK FOLDER**.

If you need to register multiple students for a class and wish to have your union invoiced, please contact the VDLC office by phone or email (only VDLC affiliates can be invoiced).

#### Cancellation & Refund Policy

You must notify the office of cancellation **72 hours** prior to your class in order to receive a full refund. Due to limited seating, we often have a waitlist and this gives us the opportunity to fill the class.

Any cancellation made with less than 72 hours notice will be subject to a cancellation/processing fee. If you purchased your registration through our website with your credit card and are cancelling with less than 72 hours notice, your refund will be processed through STRIPE and will incur a cancellation fee.

No Shows will be charged the full course fee - **NO EXCEPTIONS** (This includes classes held by Zoom Video Conference).

#### Course Material and Zoom Video Conference Links

In Person classes will take place at the Maritime Labour Centre - 111 Victoria Drive, Vancouver. For those classes that are held by zoom, you will receive any material and the zoom link a few days prior to the scheduled day of class from the VDLC office. You will not receive it via our website or STRIPE. If you do not receive any material or the zoom link prior to the day of class, **PLEASE CHECK YOUR JUNK FOLDER** before you contact the office.

# VDLC Education - Fall 2023

Registration Open at [www.vdlc.ca](http://www.vdlc.ca) / Education

## Investigations & Interrogations | IN PERSON at the Maritime Labour Centre

September 12, Tuesday - 9:30am to 4:00pm

Registration: 1 Day - \$200 per VDLC Affiliate / \$250 per Non-Affiliate

Picture this: you are a shop steward and get a request from an HR manager to sit in on an interview of a union member as part of an investigation; they won't tell you or the worker what it's about, and the manager is vague and accusatory and threatens to discipline the member if they do not cooperate. What can you do as a shop steward? How do you best represent the member and reduce the possibility of discipline? At discipline arbitrations the employer's key evidence is their investigation. This course will help you, as a worker's advocate, level the playing field by knowing the scope of the rights of employees and employers in investigations.

### Facilitator: Mary Thibodeau

**Mary Thibodeau** is a labour, employment, and human rights lawyer at Moore Edgar Lyster LLP who represents both unions and individual workers. Mary has previously been a shop steward and organizer for a public sector union. Mary is excited to be returning to the VDLC to participate in the knowledge exchange and lively discussions amongst unions and workers during the VDLC Labour Education Series.

## Advanced Investigations and Interrogations | AS OF September 5 - NOW taking place by ZOOM

September 13, Wednesday - 9:30am to 4:00pm

Registration: 1 Day - \$150 per VDLC Affiliate / \$200 per Non-Affiliate

Through the use of a case study and role play, participants in this course will put into practice the principles taught in Investigations and Interrogations. Participants will think critically about their role as union representatives in investigation meetings and practice the skills that are required to ensure their members are provided with effective representation in even the most difficult investigation meetings.

### Facilitator: Sara Hanson

**Sara Hanson** is a Senior Associate at Moore Edgar Lyster LLP where she practices in all areas of labour employment, human rights, and professional regulatory law. Sara has represented unions in a wide variety of matters before labour arbitrators in both provincial and federal grievance arbitrations. She has also appeared as counsel for individuals and unions before the BC Human Rights Tribunal, the BC Supreme Court, and the BC Court of Appeal.

# VDLC Education - Fall 2023

Registration Open at [www.vdlc.ca](http://www.vdlc.ca) / Education

## Effective Grievances | IN PERSON at the Maritime Labour Centre

October 3, Tuesday 9:30am to 4:00pm

Registration: 1 Day - \$200 per VDLC Affiliate / \$250 per Non-Affiliate

This is a course designed for new union activists and stewards, or as a refresher for those with more experience. Learn the difference between a complaint and a grievance, when to start a grievance, how to support and advocate for your members in the grievances and best practices for a grievance. Participants will learn the fundamentals for successful grievance outcomes.

### Facilitator: Jennifer Arnold

**Jennifer Arnold** has worked for the BC General Employees Union since 2012 where she assists workers in a variety of professions from across the province. She has a range of experiences from representing workers at arbitration, mediation, and at the labour board to assisting workers at their labour management tables and leading negotiations for collective bargaining. She is committed to the labour movement and advancing the interests of all workers. After finishing her Bachelor of Arts in Sociology at the University of Victoria and her Bachelor of Laws at the University of Ottawa, Jennifer articulated with a union side labour law firm in Ottawa before moving back to BC to join the staff at the BCGEU.

## Effective Note Taking | ZOOM

October 6, Friday - 10:00 am to 11:30am

Registration: 1.5 Hours - \$30 per VDLC Affiliate / \$40 per Non-affiliate

This workshop is designed to enhance the abilities of stewards, union representatives, and other worker advocates to take good and effective notes in any setting.

### Facilitator: Diane Irvine

## Collective Bargaining | IN Person at the Maritime Labour Centre

October 17 & 18, Tuesday & Wednesday 9:30am to 4:00pm

Registration: 2 Days - \$225 per VDLC Affiliate / \$275 per Non-Affiliate

This workshop will introduce participants to the bargaining process and legal framework for bargaining. Participants will learn about the importance of preparation and planning, what to expect at the table, and tools for having your committee work as a team. The workshop will also emphasize the importance of being strategic, both in negotiations and in your union's work to build your bargaining power.

### Facilitators: Linda Schulz, Hospital Employees Union and David Fleming, CUPE

**Linda Schulz** works as an Education Representative for the Hospital Employees' Union (HEU). Linda has also worked for HEU as a Servicing Representative in both the public and private sector and as a private sector negotiator. She has extensive facilitating steward, JOH&S and bargaining training, as well as other areas key to labour activism, such as conflict resolution, executive officers training and the importance of supporting diversity, equity and inclusion in the labour movement.

**David Fleming** is a National Representative for the Canadian Union of Public Employees (CUPE). David has facilitated labour education for both CUPE and the Canadian Labour Congress. He has experience bargaining and administering collective agreements in both the public and private sector. David currently works as CUPE's Legislative Coordinator in British Columbia.

# VDLC Education - Fall 2023

Registration Open at [www.vdlc.ca](http://www.vdlc.ca) / Education

## Intro to Arbitration & Labour Board Advocacy - IN PERSON at MLC

October 24 & 25, Tuesday & Wednesday - 9:30 am to 4:00 pm

Registration: 2 Days - \$225 for VDLC Affiliates / \$275 for Non-Affiliates

Many shop stewards become skilled advocates in winning the union's case at arbitration and other third party hearings. This course will assist you to better prepare and present cases by learning some basic legal protocols, techniques and procedures. The curriculum covers pre-hearing matters, opening statements, direct and cross examination, making objections and closing arguments.

**Facilitators: Leo McGrady, Koskie Glavin Gordon and Carolyn Askew**

**Leo McGrady** specializes in labour law, human rights, class actions, intellectual property, and libel law, all on behalf of unions and employees. Leo has taught advocacy skills at the Faculty of Law, UBC, and in the Labour Studies Program at Capilano University. He has been counsel on several thousands of trials, hearings and appeals throughout his career.

**Carolyn Askew** practiced labour, employment and human rights law for 40 years. She worked as Legislative Director for the BC Federation of Labour, as an organizer for the Telecommunications Workers Union (TWU-USW Local 1944), and as general counsel for the Health Sciences Association. She represented trade unions and their members before a range of administrative tribunals such as provincial and federal Labour Relation Boards, provincial Workers Compensation Appeal bodies, Employment Standard Boards and Human Rights tribunals.

## Law of Protest - IN PERSON at Maritime Labour Centre

November 4, Saturday - 9:30 am to 4:00 pm

Registration at Eventbrite: 1 Day - FREE for both VDLC Affiliates & Non-Affiliates

This workshop will deal with a brief history of protests/civil disobedience in British Columbia. It will cover the most effective way to organize or participate in a protest. This workshop will also provide advice on steps you can take in the event you are subject to an injunction and /or are arrested. It will review some of the most valuable readings on the subject, including several published in the past year or so. The material is designed to be of value and interest to members of trade unions, those working for progressive media, as well as those who've decided to actively engage in protest over one issue or another.

For a more detailed account of the course material, see the most recent **Guide to the Law of Protest** (October 2021), at <https://www.mcgradylaw.ca/>

**Facilitator: Leo McGrady, Koskie Glavin Gordon**

**Leo McGrady** specializes in labour law, human rights, class actions, intellectual property, and libel law, all on behalf of unions and employees. Leo has taught advocacy skills at the Faculty of Law, UBC, and in the Labour Studies Program at Capilano University. He has been counsel on several thousands of trials, hearings and appeals throughout his career.

**You must register for the Law of Protest Workshop through Eventbrite at the link—<https://www.eventbrite.ca/e/law-of-protest-tickets-692102486167> or you can go to the Education page on the VDLC website and register through the link to Eventbrite there.**

# VDLC Education - Fall 2023

Registration Open at [www.vdlc.ca](http://www.vdlc.ca) / Education

## BC Labour Code - IN PERSON at the Maritime Labour Centre

November 14, Tuesday - 9:30am to 4:00pm

Registration: 1 Day - \$200 for VDLC Affiliates / \$250 for Non-Affiliates

This course is designed for union staff reps, officers and senior stewards who need to understand the BC Labour Code and its application. It will provide an overview of important sections of the code and the regulations, interpretations, and rulings that you need to know to be strategic and effective.

**NOTE:** *Most workplaces in BC are provincially regulated for purposes of labour relations and subject to the BC Labour Relations Code. Provincially regulated sectors/industries include health, education, construction, retail, film, etc. This class would apply to workers and union representatives in those sectors/industries. Check with your workplace to ensure if this class would apply to you.*

**Facilitators: Jennifer Glougie, BC Labour Relations Board and Jonathan Hanvelt, Banister & Co.**

**Jennifer Glougie** is Chair of the BC Labour Relations Board. She previously practiced union-side law with Banister & Co., has been an instructor of Provincial Labour law, and a curriculum developer and instructor of workshops for the Canadian Labour Congress (CLC).

**Jonathan Hanvelt** is a lawyer with Banister & Co., and regularly facilitates legal education courses for the Canadian Labour Congress (CLC), Lancaster House and the VLDC. He offers extensive experience from representing union clients at the Labour Relations Board, in arbitration and at other tribunals.

## WCB Update Bill 41 - Part II - ZOOM

November 15, Wednesday - 10:00 am to 12:00 pm

Registration: 2 Hours - \$50 for VDLC Affiliates / \$75 for Non-Affiliates

In November 2022, the NDP made some big changes to the Workers Compensation Act that will impact how unions advocate for members injured on the job. Some changes have already come into effect, but the most significant: the **Duty to Maintain Employment** for employers, and the **Duty to Co-operate** for both workers and employers, will become law on January 1, 2024.

The proposed policy has been released by the WCB and is available for consultation with both the Workers' Compensation Advocacy Group and the BC Federation of Labour.

These changes are going to effect not just WCB advocates, but staff reps, business agents and worksite stewards because the changes are going to be taking place on the ground.

You need to get ready for these changes as they will affect how you do business in the workplace. We will try to give you a heads-up about what to expect based on the new policy the WCB has drafted.

**Facilitators: Sarah O'Leary and Rolf Harrison, Harrison O'Leary**

**Sarah O'Leary** was called to the bar in 1981 and has primarily been practicing Workers' Compensation and disability-related law for over 30 years. She has been a workers advisor, a Vice-Chair at the Appeal Division, a staff lawyer at a major health care union and practiced for 10 years at Rush Crane Guenther. She is currently a partner at Harrison O'Leary. She has been teaching workers' compensation advocacy to labour unions for over three decades.

**Rolf Harrison** is a lawyer at Harrison O'Leary and has practiced mainly in the area of workers' compensation since 2010 when he was called to the bar. He practiced at Rush Crane Guenther from 2010 until joining with Sarah O'Leary to form Harrison O'Leary in 2017. Rolf regularly facilitates courses for union advocates on emerging trends in workers' compensation and has been a WCB facilitator at the CLC Winter School since 2012.

# VDLC Education - Fall 2023

Registration Open at [www.vdvc.ca](http://www.vdvc.ca) / Education

## Job Steward Level I - IN PERSON at the Maritime Labour Centre

November 20 & 21, Monday & Tuesday - 9:30 am to 4:00 pm

Registration: 2 Days - \$225 for VDLC Affiliates / \$275 for Non-Affiliates

The position of job steward is the most important position in a union and is often the first point of contact a member has with their union. You stand with and speak for your fellow members in the day-to-day relations between the union and management in your workplace. This course will lay the foundation for your understanding of the responsibilities of a job steward and will help broaden your understanding of the labour movement.

**Facilitator: Stephen von Sychowski, President, VDLC**

**Stephen von Sychowski** is the President of the Vancouver and District Labour Council. To fulfill his full-time role of VDLC President, Stephen is on leave from his position as Union Representative with MoveUP. He became a member of MoveUP in 2007 when he became employed by Coast Mountain Bus Company, and quickly became involved in the union as a Job Steward. In addition to his involvement with the VDLC and MoveUp, Stephen has also held several positions with the BC Federation of Labour and the Canadian Labour Congress. He is a proud member of United Steelworkers Local 2009, and associate member of MoveUP.

*Job Steward Level II is scheduled for November 27 & 28, 2023*

## Age 65: Do Your WCB Benefits End? - ZOOM

November 22, Wednesday - 10:00 am to 12:00 pm

Registration: 2 Hours - \$50 for VDLC Affiliates / \$75 for Non-Affiliates

The Workers' Compensation Act says that as a general rule that WCB benefits end at age 65, unless you can convince them that you would have worked or will work longer than 65.

What does the policy say, and how do you get them to extend the benefits? We will take a look at the Law and Policy, and cases that have been decided at the Review Division and WCAT that you can use to argue for an extension.

**Facilitator: Sarah O'Leary, Harrison O'Leary**

**Sarah O'Leary** was called to the bar in 1981 and has primarily been practicing Workers' Compensation and disability-related law for over 30 years. She has been a workers advisor, a Vice-Chair at the Appeal Division, a staff lawyer at a major health care union and practiced for 10 years at Rush Crane Guenther. She is currently a partner at Harrison O'Leary. She has been teaching workers' compensation advocacy to labour unions for over three decades.

# VDLC Education - Fall 2023

Registration Open at [www.vdvc.ca](http://www.vdvc.ca) / Education

## Drug and Alcohol Policies and Testing - ZOOM

November 22, Wednesday - 1:00 pm to 3:30 pm

Registration: 2.5 Hours - \$60 for VDLC Affiliates / \$85 for Non-Affiliates

Drug and alcohol policies are found in most safety sensitive workplaces. The policies and their application engage significant privacy interests of workers. This course addresses when a drug and alcohol policy may run afoul of the law, when an employee may have the right to test, what it can test for, the factors that must be considered, and how the employer's right to test may be affected by an employee's privacy interests. We will review the key principles, leading cases on random, reasonable cause and post-incident testing, and address the practical implications for union representatives and workers.

### Facilitators: Tamara Ramusovic and Daniel McBain, Moore Edgar Lyster LLP

**Tamara Ramusovic** is a partner at Moore Edgar Lyster LLP. She represents trade unions, as well as non-union employees in the areas of labour, employment, human rights, and administrative law. In addition to her work as counsel, Tamara has provided training to community groups on the topic of individual rights under human rights legislation and the Canadian Charter of Rights and Freedoms.

**Daniel McBain** is an Associate lawyer at Moore Edgar Lyster LLP. He practices labour, employment, human rights, and administrative law, with a particular emphasis on privacy and human rights law, including drug and alcohol testing and involving substance use disorders. In addition to litigating those issues, Daniel also provides training to union officials on drug and alcohol policies.

## Domestic Violence in the Workplace - IN PERSON at the Maritime Labour Centre

November 24 & 25, Friday & Saturday - 9:30 am to 4:00 pm

Registration: 2 Days - \$225 for VDLC Affiliates / \$275 for Non-Affiliates

Can work be safe when home isn't? Using a curriculum developed by the CLC Women's and Human Rights Department and Western University, in partnership with a community-based violence prevention organization, this two-day workshop explores the ways that union members can support those experiencing domestic violence.

The workshop is an opportunity for those attending to:

- Gain a deeper understanding of the dynamics of domestic violence at work and the role of the union and employer in addressing it.
- Learn ways to best support members who may be experiencing domestic violence, including how to recognize and respond to the warning signs and risk factors.
- Discuss ways to build awareness about domestic violence at work among their membership.
- Practice delivering the one-hour "What everyone needs to know" awareness presentation.
- Learn about referral pathways to community-based experts.

### Facilitators: Linda Schulz and Jennifer Efting, Hospital Employees Union

**Linda Schulz** works as an Education Representative for the Hospital Employees' Union (HEU). Linda has also worked for HEU as a Servicing Representative in both the public and private sector and as a private sector negotiator. She has extensive facilitating steward, JOH&S and bargaining training, as well as other areas key to labour activism, such as conflict resolution, executive officers training and the importance of supporting diversity, equity and inclusion in the labour movement.

**Jennifer Efting** is an Education and Human Rights Representative at the Hospital Employees' Union with two decades of experience in popular education and community organizing. She's dedicated to building an inclusive labour movement and organizing to build real working class power to fight for democracy at work and a liveable planet.

# VDLC Education - Fall 2023

Registration Open at [www.vdvc.ca](http://www.vdvc.ca) / Education

## **Job Steward Level II - IN PERSON at the Maritime Labour Centre**

November 27 & 28, Monday and Tuesday - 9:30 am to 4:00 pm

Registration: 2 Days - \$225 for VDLC Affiliates / \$275 for Non-Affiliates

**(Completion of Job Steward Level I is required)**

This two-day Steward Level 2 course will build upon the framework of steward skills established through the completion of the Steward Level 1 course. In addition to a review of the basics, this course will offer a deeper focus on knowing your membership, working with your union executive, grievance preparation, problem solving, conflict resolution and representation skills. We also examine key legal principles and explore the application of all this using scenarios and role play.

Completion of Job Steward Level 1 is recommended in advance of this course. Participants are encouraged to have their collective agreement available to them during the course.

*Job Steward Level I is scheduled for November 20 & 21, 2023*

**Facilitator: Stephen von Sychowski, President, VDLC**

**Stephen von Sychowski** is the President of the Vancouver and District Labour Council. To fulfill his full-time role of VDLC President, Stephen is on leave from his position as Union Representative with MoveUP. He became a member of MoveUP in 2007 when he became employed by Coast Mountain Bus Company, and quickly became involved in the union as a Job Steward. In addition to his involvement with the VDLC and MoveUp, Stephen has also held several positions with the BC Federation of Labour and the Canadian Labour Congress. He is a proud member of United Steelworkers Local 2009, and associate member of MoveUP.

## **Employer Policies and Labour Law - IN PERSON at the Maritime Labour Centre**

December 5, Tuesday - 9:30 am to 4:00 pm

Registration: 1 Day - \$200 for VDLC Affiliates / \$250 for Non-Affiliates

This course will lay the foundation for your understanding of employer policies and their relationship to labour law. We will look at when employer policies are permitted and when they are not, when policies should be challenged, and what legal tests a policy will need to pass in order to hold up in arbitration. We will learn the "KVP test" utilized by arbitrators and look at more recent developments in case law.

**Facilitator: Melissa VanderHouwen, Moore Edgar Lyster LLP**

**Melissa VanderHouwen** (she/her) provides practical advice and cost-effective advocacy to unions regarding a wide variety of labour matters including discipline and discharge, collective agreement interpretation, policy grievances, organizing efforts, and unfair labour practice disputes. She has a particular interest in advising and advocating for unions and individuals on a variety of human rights issues. She has appeared before the BC Supreme Court and Court of Appeal, the BC Human Rights Tribunal, the Canadian Human Rights Commission, the BC Labour Relations Board, and in federal and provincial grievance arbitrations.

In the community, Melissa serves as Co-Chair of the CBABC Women Lawyers Forum Mentoring Committee. She has volunteered for LEAF, West Coast LEAF, Muddbunnies Running Club (BC), the Canadian Red Cross, and as President of her varsity rowing teams at the University of Ottawa and Simon Fraser University.

# **VDLC 2023 Fall Education Session**

## **INFORMATION PAGE**

*Pre-registration is required as course space is limited - registration is open to all, union membership is not necessary.*

*Payment can be made by credit card or invoice (your union must be an affiliate). If you wish your union to be invoiced please contact the VDLC at [office@vdlc.ca](mailto:office@vdlc.ca) or 604-254-0703. Many unions will pay or reimburse tuition. Some financial subsidies are available.*

***IN Person Class Location** - Maritime Labour Centre 111 Victoria Drive, Vancouver. The building is wheelchair accessible and there is free parking at the rear of the building off Pandora Street. If using transit from Powell or Hastings, get off at Victoria Drive - Triumph Street is 1 block north of Powell/ 3 blocks south of Hastings.*

***Course Material and Zoom Links** - For those classes that are held by zoom, you will receive any material and the zoom link a few days prior to the scheduled day of class. You will not receive it via our website or STRIPE. If you do not receive any material or the zoom link prior to the day of class, **PLEASE CHECK YOUR JUNK FOLDER** before you contact the office.*

*If you have any questions, please email the office at [office@vdlc.ca](mailto:office@vdlc.ca) or call 604-254-0703.*

### **CANCELLATION/REFUND POLICY**

- ◆ **You must notify the office of cancellation 72 HOURS prior to your class in order to receive a full refund. Due to limited seating, we often have a waitlist and this gives us the opportunity to fill the class.**
- ◆ **Any cancellation made with less than 72 HOURS notice will be subject to a cancellation/processing fee. If you purchased your registration through our website with your credit card and are cancelling with less than 72 hours notice, your refund will be processed through STRIPE and will incur a cancellation fee.**
- ◆ **NO SHOWS will be charged the FULL COURSE FEE - NO EXCEPTIONS (This includes classes held by Zoom Video Conference).**

**Email: [office@vdlc.ca](mailto:office@vdlc.ca)**

**Phone: 604-254-0703**