

# Vancouver & District Labour Council

# 2024 Labour Education

## Anita Yan Memorial Law Series

**FALL SESSION - Runs from September 10 to November 20**

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

### Legal Research - IN PERSON at the Maritime Labour Centre

September 10, Tuesday - 9:30am to 4:00pm

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

This course will introduce participants to the basics of legal research. The course will include practical instructions for using public legal databases to look up statutes and cases relevant to unions. It will also provide a general framework for understanding how precedent develops. Ultimately, participants will emerge with the tools to answer questions about current arbitral and labour board case law.

**PLEASE NOTE:** Participants are asked to bring a laptop computer to class. You will also need to bring your own extension cord. If any participants do not have access to a laptop, please contact the VDLC office for us to put you in touch with the facilitator.

#### Facilitator: Lily Hassall, Koskie Glavin Gordon

**Lila Hassall** has been practicing labour law at Koskie Glavin Gordon since she was called to the bar in 2020. She represents trade unions across industries and jurisdictions in the areas of labour, employment, human rights and administrative law. She is currently licensed to practice in both British Columbia and the Yukon.

### Investigations & Interrogations Level I - IN PERSON at the Maritime Labour Centre

September 11, Wednesday - 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, Moore Edgar Lyster

**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.

# VDLC Education - Fall 2024

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

## Successorship Planning for Unions - ZOOM Video Conference

September 12, Thursday - 6:00pm to 8:00pm

Registration: 2 Hours - \$50 per VDLC Affiliate / \$75 per Non-Affiliate

Union leadership benefits from having a combination of both experienced and new executive board members. This ensures stability, continuity, and institutional knowledge, while also encouraging fresh ideas and perspectives, board experience and opportunities to build leadership capacity.

These objectives are rarely achieved without planning, and a culture of successorship. By being deliberate about healthy turnover, and by introducing structural systems such as term limits, your union can ensure a healthy and predictable board turnover as its norm.

### Facilitator: Joey Hartman

**Joey Hartman** served as president of the Vancouver and District Labour Council from 2011 to her retirement in 2018. Joey first became interested in the labour movement during 14 weeks on the picket line in 1981, and spent the next 40 years as a labour and social justice activist and staff member. Staff and elected roles included the VMREU (now CUPE Local 15), the Compensation Employees' Union and the Hospital Employees' Union.

While working, and since retiring, Joey has enjoyed governance roles with a range of organizations such as international solidarity work (CoDev), labour history and heritage (PNLHA & BCLHC), the Council of Canadians, SFU Labour Studies Advisory, Pacific Blue Cross, and as the current chair of Vancouver Community College. She has also facilitated in numerous leadership programs such as the CLC Harrison Winter School, the Summer Institute for Union Women, and the Cascade Region Labour Leadership Initiative.

## Investigations & Interrogations Level II - IN PERSON at the Maritime Labour Centre

September 17, Tuesday - 9:30am to 4:00pm

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

Through the use of case study and role play, participants in this course will put into practice the principles taught in Investigations & Interrogations Level I. 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: Daniel McBain

**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.

**Prerequisite:** Investigations & Interrogations Level I, Wednesday September 11, 2024.

# VDLC Education - Fall 2024

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

## Effective Note Taking - Zoom Video Conference

September 19, Thursday, 1:00pm to 3:00pm

Registration: 2 Hours - \$50 per VDLC Affiliate / \$75 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**

## History of Labour Law - IN PERSON at the Maritime Labour Centre

September 21, Saturday - 9:30 am to 4:00 pm

Registration: 1 Day - \$25 for both VDLC Affiliates and Non-Affiliates

Laws are like sausages, the old saying goes: it's better not to see them being made. The law is not something majestic: it is made by people, by legislators and judges who listen to those with wealth and power. The history of Canadian labour law reveals both how the law has been used against working people and how we shaped it with our votes, legal challenges, strikes and protests. Using role-plays, images, poetry, songs, and examinations of strikes and protests, and drawing on the experiences of people in the course, we will better understand how labour law is made - and how we can change it.

**Facilitator: Mark Leier, SFU**

**Mark Leier** is a history professor at Simon Fraser University. He has been a member of several unions over his working life, including the Glaziers, CUPE, TSSU, Carpenters, and SFUFA. Noted for his use of the banjo and labour songs in his classes, Mark is an award-winning teacher who has taught labour history at the CLC Winter School and for several unions. His books include *Where the Fraser River Flows*, a history of the IWW in BC; *Bakunin: A Creative Passion*, a biography of the 19th-century Russian anarchist, and *Rebel Life: The Life and Times of Robert Gosden*, a BC radical and police spy. His most recent project, with labour studies instructor John-Henry Harter, is *Roles of Resistance: Game Plans for Teachers and Troublemakers*.

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

October 8 & 9, Tuesday & Wednesday - 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.

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

October 17, Thursday 9:30am to 4:00pm

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

This course is 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 articles with a union side labour law firm in Ottawa before moving back to BC to join the staff at the BCGEU.

# VDLC Education - Fall 2024

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

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

October 22 & 23, Tuesday & Wednesday - 9:30am 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 I course. In addition to a review of the basics, this course will offer a deeper focus on knowing your memberships, 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 I** is recommended in advance of this course. Participants are encouraged to have their collective agreement available to them during the course.

### 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.

## Defamation Law for Unions - IN PERSON at the Maritime Labour Centre

Thursday, October 24 - 9:30am to 4:00pm

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

Unions and union officers have long been the subject of defamation lawsuits, whether for media statements, leaflets, newspaper pieces, posted workplace notices, and even picket signs. However, two things have changed in recent years. With the increased use of social media for organizing campaigns, regular communications with members, bargaining, and in strikes/lockouts, unions are increasingly dealing with threats of lawsuits, demands for apologies, and actual lawsuits. This change is made the more serious by the increase in damage awards, particularly for corporate plaintiffs.

This one day course is intended to equip those attending with the ability to make their own judgement as to whether or not they or their union risk a lawsuit for what they are publishing. It will deal with the definition of defamation, as well as the various defences to an action for defamation. It will concentrate on the defences of justification, fair comment, qualified privilege, and responsible communication. It will also deal with the new legislation designed to protect individuals and organizations from lawsuits that are primarily intended to silence criticisms - the SLAPP law - strategic lawsuits against public participation.

### Facilitator: Leo McGrady, Klosie Glavin Gordon

Leo McGrady specializes in labour law, human rights, class actions, intellectual property, and libel law, all on behalf of unions and employees. He has argued cases at all levels of court in British Columbia and the Territories', and served as counsel on a number of leading labour and charter cases in the Supreme Court of Canada.

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## WCB Appeals - ZOOM Video Conference

October 30, Wednesday - 10:00am to 4:30pm

Registration: 1 Day - \$150 for VDLC Affiliates / \$200 for Non-Affiliates

This course will build on the information and skills of experienced WCB reps and/or those who have taken the WCB Level I beginner course. The course will focus on effective advocacy skills at the WCB and its appeal bodies. Effective advocacy includes identifying likely issues for particular cases of injury or occupational disease, knowing the Board's case, and obtaining new evidence, especially medical evidence. As time permits, we will review written submission templates and how to prepare (and prepare your worker), for an oral hearing.

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

**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 worker's advisor, a Vice-Chair at the Appeal Division, a staff lawyer at a major health care union and practiced law for 16 years at Rush Crane Guenther and Harrison O'Leary. She is currently in private practice at O'Leary Law. Sarah has been teaching workers' compensation advocacy to labour unions for over three decades.

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

November 6, Wednesday - 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 regulations, interpretations, and rulings that you need to know to be strategic and effective.

**NOTE:** *Most workplaces in BC are provincially regulated for the 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: Jonathan Hanvelt, Labour Relations Board of BC and Jeremy Bryant, Banister & Company**

**Jonathan Hanvelt** is a vice chair with the Labour Relations Board of BC. Previously, he spent 14 years working for a union-side labour firm in Vancouver, during which time he appeared before the Labour Relations Board on numerous occasions and regularly facilitated legal education courses for the Canadian Labour Congress (CLC), Lancaster House and the VDLC.

**Jeremy Bryant** is a union side labour lawyer and has been practicing with Banister & Company since 2017. He has represented a diverse range of union clients and individuals at labour arbitrations, the BC Labour Relations Board, Canada Industrial Relations Board, Human Rights Tribunal, Employment Standards Branch, WorkSafe BC Review Division and Workers Compensation Appeal Tribunal. Jeremy enjoys teaching Labour Law and, in addition to facilitating for the VDLC, has taught courses for the Canadian Labour Congress' Winter School and Lancaster House. Before attending law school, Jeremy served as Provincial First Vice President of the BC Ferry & Marine Workers' Union.

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## Understanding the Personal Information Protection Act (PIPA) - Via ZOOM

November 8, Friday - 1:00pm to 3.00pm

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

This workshop covers a union's rights and obligations under PIPA, equipping participants with the knowledge to handle personal information responsibly and legally.

Learning objectives include:

- What constitutes personal information under PIPA.
- What types of personal information unions can collect and the conditions under which it can be gathered.
- How personal information can be used, once collected.
- Best practices for data retention, including when and how personal information should be deleted.
- How to respond to requests for information disclosure in compliance with PIPA.

**Facilitator: Diane Irvine**

## Facing Management Effectively - IN PERSON at the Maritime Labour Centre

November 12 & 13, Tuesday & Wednesday - 9:30 am to 4:00 pm

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

This course will look at economic, political, and social forces at play between union and management. It will examine the roles and rights of each group and the different types of union/management relationships and styles. We will look at power, bias, and the privilege dynamics between union and management and how we can communicate effectively. We will focus on problem solving - understanding issues, developing strategies, finding and presenting facts and argument, finding areas of agreement, building solutions, implementing and maintaining solutions. Participants can expect lots of participation, interaction, and role-plays along with practical skills and tools for communication, analysis, strategy and critical thinking.

**Facilitator: Stephen von Sychowski. 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.

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

November 20, Wednesday - 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

**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 team at the University of Ottawa and Simon Fraser University.



# VDLC 2024 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*