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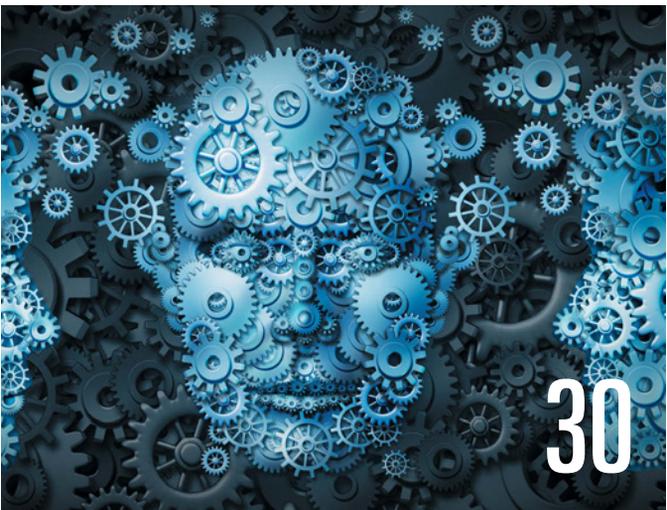
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**CHECK OUT THE 2013 HR SUPPLIERS GUIDE,  
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# contributors

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## CATHERINE MILNE

Catherine Milne is a founding partner of Turnpenney Milne LLP, where she represents both employers and employees. Milne has appeared before the Ontario courts, Canadian and Ontario Human Rights Tribunals and federal and provincial labour and employment boards. In addition, she is often retained to provide in-house training to clients on a variety of workplace issues. Milne is the author of the LexisNexis publication *Canadian Forms and Precedents—Employment*, and is a regular speaker at continuing legal education presentations for lawyers as well as human resource specialists. Milne has taught law and employment law courses at Seneca and George Brown colleges. She discusses what is and what is not harassment, on [page 15](#).



## WESLEY BRYAN

Wesley Bryan brings more than 15 years of experience to OneSource Virtual, which delivers dynamic solutions to improving business through SaaS-based processes. Bryan oversees the team that delivers the services clients enjoy, including HRMS implementations, professional services and operations. He plays a key role in the development of service models for the organization, while ensuring quality optimization and outsourcing efficiency. Wesley joined OneSource in 2007 as the executive director of operations. By 2009, he became chief operating officer and in 2012 took on the additional role of president of OneSource Virtual. He discusses security on the cloud, on [page 17](#).



## RANDY EMELO

Randy Emelo is president and CEO of Triple Creek, a leading provider of enterprise knowledge-sharing software based in Denver, Colorado. He has more than 25 years of experience in management, training and leadership development and has worked with hundreds of clients as they build collaborative, knowledge-sharing cultures. Emelo is a frequent contributor to leading learning and HR publications on topics related to collaboration, mentoring, social learning and talent development. He writes about the opportunity for HR to take a lead role in promoting collaboration and knowledge sharing in their organizations, on [page 30](#).



## MARK D. MILLS

Mark D. Mills has been the chair of Mathews Dinsdale & Clark's Employment Law and Litigation Practice Group since 1999, representing management in wrongful dismissal actions and general employment litigation matters including human rights, employment standards and labour injunctions. Mills routinely provides advice to management on a full range of employment law matters, including employment contracts and termination packages for non-union employees. He regularly speaks at conferences and has written numerous articles on a wide variety of employment law and occupational health and safety law topics. He discusses the recent important *Blue Mountain* decision, on [page 43](#).



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# editor's letter

## A LITTLE TECHNOLOGY...

A reader recently sent me an email, expressing his frustration over the lack of response from HR departments after he had applied for a job. "You never hear anything back!" he cried, unless, of course, the applicant is one of the selected few who receive an invitation to continue the application and interview process. He felt ignored and found the whole process rude and unfeeling.

I sympathize, having experienced some of the same anguish and uncertainty a couple of years ago. How I loved those few organizations that had set up an automatic email response to at least tell me my application had been received. But, I also empathize with those in HR, currently in the middle of the hiring process and likely trying to figure out how to review and handle the dozens, if not hundreds, of applications received from their postings. It sometimes seems as though the advertisement that started out on the company's website has made its way onto every possible job posting board, and even onto a few Facebook pages. Applications are coming in from all over!

We can blame it on technology, but that technology is here to stay. A better solution is to learn to deal with the problems technology has created. Some of the fixes could be as simple as using that very technology to, for instance, automatically respond to received applications with a polite "thank you."

In this issue, our writers examine a few areas in which technology—such as cloud computing security, knowledge sharing and AODA tools—can assist HR professionals meet their obligations and/or free up their time. In particular, HRPA is rightfully proud of the proactive and creative work done to produce the Harold Jeepers video collection—please consider how to add in these valuable resources to your AODA toolkit.

As always, you can contact me directly at [lblake@naylor.com](mailto:lblake@naylor.com), or post on our Facebook page, at [www.facebook.com/#!/HRProfessionalMag](http://www.facebook.com/#!/HRProfessionalMag). I promise, I will respond to your notes!



# hrprofessional

VOL. 30, NO. 4 MAY/JUNE 2013

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**HR PROFESSIONAL** is published eight times per year for the

Human Resources Professionals Association (HRPA),

150 Bloor St. West, Suite 200, Toronto, ON M5S 2X9,

tel. 416-923-2324, toll-free 1-800-387-1311, fax 416-923-7264,

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*HR Professional* magazine is published by Naylor (Canada), Inc.

Suite 300 - 1630 Ness Avenue, Winnipeg, MB R3J 3X1

Tel. 1-800-665-2456; Fax 1-204-947-2047.

[www.naylor.com](http://www.naylor.com)

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**SUBSCRIPTIONS** (Prices include shipping and handling) \$49 per year in Canada; \$79 per year in the United States and International.

Published articles and advertisements do not necessarily reflect the views of HRPA.

ISSN 847-9453

HRPA is proud to be a founding member of the Canadian Council of Human Resources Associations.

PUBLISHED April 2013/HRP-H0413/8408



This publication is printed on recycled, FSC-certified paper stock.

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# Leadership matters



BY PHILIP WILSON, CHRP, SHRP

## THE ROLE OF THE CHRO

During my career, the most senior HR role has evolved from personnel superintendent, to VP HR and now Chief Human Resources Officer (CHRO)—an evolution that reflects the significant changes in the role and the increasing value it delivers to the CEO and to the business. This ongoing evolution is highlighted in the Center for Advanced Human Resource Studies' annual CHRO survey, which explores the changing nature of the CHRO role and challenges facing senior HR leaders. The 2012 survey, which canvassed 349 senior HR leaders, examined the CHRO's role in Corporate Social Responsibility and how CHROs spend their time. But most important were the findings about the CHRO's role with the executive team and the CEO.

### WORKING WITH FELLOW EXECUTIVES

Respondents reported working with executive teams of varying effectiveness, with high-performing teams demonstrating excellent co-operation, collaboration and candid discussion, with members who put the enterprise above their business and who aligned themselves around business and corporate strategy, common vision and goals. On the downside, respondents said siloes and passive/aggressive behaviour led to poor team effectiveness. On both good and poor performing teams, the survey found CHROs affected three main roles in facilitating teams to become more effective.

First, they build the team's capability by pushing for common purpose and priorities, defining operating and communications expectations, leading team-building interventions and building talent on the team. Second, they meet one-on-one with team members to coach, give feedback and facilitate cross-business (silo) communications. A key role for the most effective CHROs is being recognized as a chief integrative business expert. Finally, they manage the dynamics of executive team meetings by setting the agenda, asking probing questions, voicing direct and sometimes unpopular business opinions, taking a stand and being a credible activist.

### WORKING WITH THE CEO

While CEOs are typically bright, ambitious, assertive and possess great business acumen, respondents reported CEOs often lack either the emotional intelligence to lead effectively or are so busy they find it difficult to engage in more personal leadership behaviours. Whatever the case, CHROs reported playing a critical role in supporting CEOs both personally and professionally. They help CEOs identify blind spots, provide candid feedback CEOs do not get from other executives, and act as a confidante—providing a safe space for CEOs to vent their frustrations. CHROs are the chief executives' "sounding boards" and the organization's activist.

### HRPA/KNIGHTSBRIDGE CEO SURVEY

Not surprisingly, these findings square with results from *The Role and Future of HR: The CEO's Perspective* report—a 2011 HRPA/Knightsbridge survey that asked Canadian CEOs about the value HR brings to the business and what they look for in a CHRO. This survey found CEOs often have a greater appreciation of human resources' value than the HR leaders themselves often do. According to the report, in addition to providing HR functional leadership, CEOs recognize senior HR executives as crucial business partners to themselves and to the executive leadership team across all business functions. They expect the CHROs to have a strong understanding of the business strategy, its vision and an ability to bridge both internal and external stakeholders.

In conclusion, CEOs feel that HR executives, more than other senior executives, should have the capability to build trust and to communicate and collaborate with others with exceptional levels of diplomacy and discretion. These attributes must co-exist, however, with a deep understanding of all aspects of the business, including its operations and financial realities. Both studies illustrate a new CHRO role that engenders trust and integrity and is recognized as a strong player on the executive team with honed business skills and acumen. ●

*Philip Wilson is incoming chair of the Human Resources Professionals Association (HRPA).*



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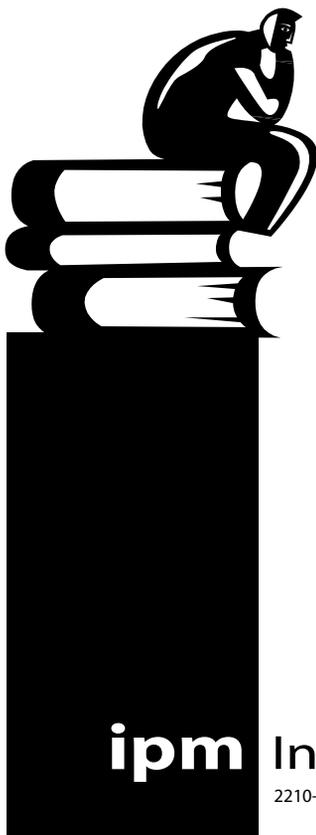
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## Numbers Count: Catalyst Canada Releases Latest Census of Women Senior Officers and Top Earners

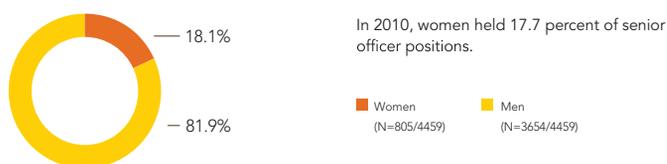
The 2012 Catalyst Census: Financial Post 500 Women Senior Officers and Top Earners provides a comprehensive look at women's advancement in senior leadership positions at Canada's largest organizations and companies. A rigorous count of how many women hold leadership positions and where; how many companies have promoted qualified women into the senior ranks and why it matters to Canadian business and to its economy.

As a result, Catalyst learned that women are still lagging behind their male counterparts in securing top positions. The organization has published the results, as well as a number of quick-glance infographics, such as the two below, on its Canadian website.

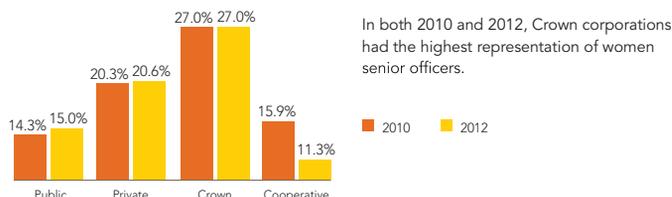
Founded in 1962, Catalyst is the leading non-profit membership organization expanding opportunities for women and business.

For more information, visit [www.catalyst.org/regions/canada](http://www.catalyst.org/regions/canada).

### 2012 SENIOR OFFICER POSITIONS

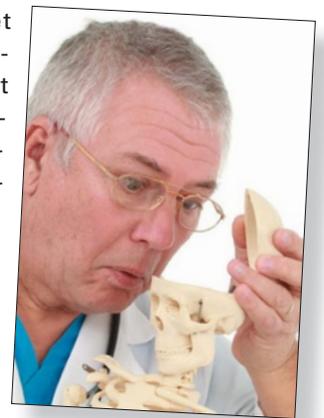


### WOMEN SENIOR OFFICERS BY COMPANY TYPE<sup>2</sup>



## Employee Engagement Studies are Unethical Junk Science

"The dirty little secret of employee engagement surveys is that they're largely junk science—placing the marketing objective of telling and selling a good story, above the practical and ethical objective of telling the truth," wrote Robert Gerst of Converge Consulting Group in the January 2013 issue of the American Society for Quality's *Journal for Quality and Participation*.



Gerst's "Understanding Employee Engagement and Trust: The New Math of Engagement Surveys" reviews the way in which employee engagement surveys are conducted, highlighting four corrupt practices:

- using statistical significance to determine important findings and differences among departments;
- using regression analysis in creating engagement models;
- ranking of results (i.e., best companies to work for); and
- boiling complex concepts like employee engagement down to a single number or index.

Gerst maintains that statistical methods are misused, corrupting survey results, even as they provide an air of scientific legitimacy. Most employee engagement survey results are elaborate statistical fairy tales, he concludes.

For more information, visit the Converge Consulting Group at [www.converge-group.com](http://www.converge-group.com).

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## HRPA Releases New Future of Work Whitepapers

If Canada is to become the lean, mean, economically diverse Northern Tiger by 2025, as envisioned in last year's *CanadaWorks 2025* report, we need to make bold changes in how we find, develop and align our labour force with the nation's talent needs in the coming years.

These changes are the focus of three new Human Resources Professional Association (HRPA) whitepapers that seek to provide solutions to labour force challenges raised by *CanadaWorks 2025*—co-written with Deloitte—that looks broadly at how Canada can best position the itself for success in 2025. These three new whitepapers include:

*CanadaWorks 2025: The Role of Immigration in Achieving a Prosperous Future* makes the case for a “real-time” immigration system that sees highly skilled prospective immigrants applying, arriving and starting work in Canada within months instead of years. Achieving this will require a focus on up-to-the-minute labour market opinions, pre-accreditation, promotion of an international education strategy and a program for acculturation upon arrival in Canada to help newly arrived talent hit the ground running and make immediate contributions once they arrive in the country.

*CanadaWorks 2025: The Role of Colleges and Vocational Schools in Achieving a Prosperous Future* looks at the role of colleges, polytechnics and vocational schools in meeting skilled labour demand. Currently, hundreds of thousands of skilled-labour jobs go unfilled due to a lack of skilled labour, while many high school grads are streaming into programs with few job prospects. This whitepaper looks at the changes we need to make to better align education with shifting labour market demands.

*CanadaWorks 2025: The Role of Apprenticeships in Achieving a Prosperous Future* explores what we need to do now to prepare for the massive shortfall in skilled trades workers facing Canada between now and 2025. Replacing a rapidly aging skilled-trade talent base will require changing perceptions and building awareness around skilled trades among young people, modernizing Ontario's apprenticeship and skilled trades system and making investments to encourage apprenticeships among employers.

To view and download the new whitepapers, visit [www.hrpa.ca/canadaworks2025](http://www.hrpa.ca/canadaworks2025).

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## Younger People, Women More Apt to access EFAP Support via Digital Channels

More working Canadians are using digital methods to access EFAP (Employee and Family Assistance Program) support than ever before, according to Morneau Shepell, an HR consulting and outsourcing firm. The company looked at who exactly is seeking help and how they get it in a study of its clients across Canada.

Morneau Shepell's new research report, *The Digital Age: How people are accessing EFAP services*, examined demographic data for use of digital and traditional (non-digital) EFAP services from January 1, 2012 to December 31, 2012. The demographic data of people accessing all EFAP channels was then compared to data from 2010 and 2011.

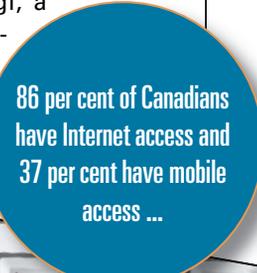
### ACCORDING TO THE RESEARCH:

- Young users (18-39-year-olds) are increasingly accessing their EFAP for support.
- Younger people (18-29-year-olds) access EFAP services and programs through digital channels more often.
- More women than men use digital access.

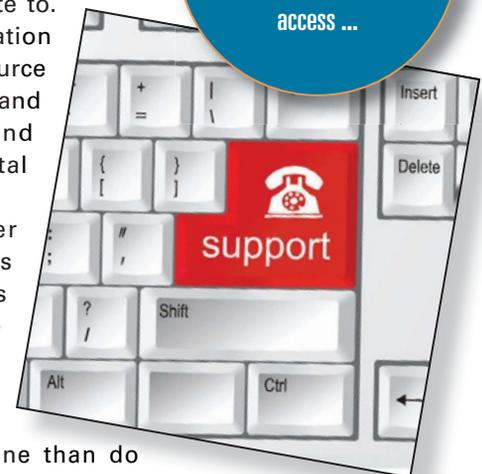
These trends will increase, says Barb Veder, vice-president, clinical services, Shepell-fgi, a Morneau Shepell brand. “In the digital age, it is critical to provide individuals with the care and support they need, when they need it, and through the method they can best interact with and relate to.

We think this information will help human resource professionals understand the demographics and impact of EFAP digital channels,” she notes.

Veder says 86 per cent of Canadians have Internet access and 37 per cent have mobile access, and that Canadians spend 50 per cent more time per capita online than do Americans, Britons and Australians.



86 per cent of Canadians have Internet access and 37 per cent have mobile access ...



## What's **Happening** at HRPA

### HRPA board election results

The Human Resources Professionals Association (HRPA) has elected five new directors to sit on its Board of Directors for a three-year term beginning May 15, 2013. The new directors are:

- Kirk Merrett, CHRP—National Manager, Human Resources, Hyundai Auto Canada.
- Robert (Bob) E. Thompson, CHRP—Professor, Human Resources, Seneca College of Applied Arts and Technology
- Elizabeth (Liz) B. Black, CHRP—HR Consultant, Cassels, Brock & Blackwell LLP
- Andrew Noel, CHRP—Senior Vice President, Human Resources, Citi
- Murray Odesse, CHRP—HR Director, Goldcorp

### Phil Wilson begins term as HRPA Chair

Phil Wilson, CHRP, SHRP, begins his two-year term as HRPA Chair on May 15, 2013.

Wilson has 30 years of progressively responsible business experience specializing in the human resources profession. He has worked in senior global leadership roles at various companies, including Corel Corporation, CIBC, Nortel/BNR and CAE Electronics.



In the August 2006 issue of *HR Professional*, Wilson was selected as one of Five Stars of HR Innovation in Canada. He also received the 2005 Human Resource Professional Leadership Award—an award recognizing leading senior HR professionals advancing the profession by building strong links between corporate strategy, HR initiatives, policies and procedures.

In addition to serving on the HRPA Board and its committees, he is a director on the Career Edge Board of Directors, the Human Resources Research Institute (HRRRI) and the Canadian Council of Human Resources Associations (CCHRA).

### HR **Hotline** service introduced

HRPA is now offering HR Hotline—a new resource that connects members and subscribers with Certified Human Resources Professional (CHRP) volunteers who can answer general HR/employment-related questions.

While HR Hotline is not a substitute for legal or other consulting services, it does provide fast HR answers for questions such as:

- How do you communicate a death in the workplace?
- What is the best way to tell an employee that they are being terminated?
- How do I get management to speak to an employee who is having performance issues?
- What's the best way to handle performance reviews for remote workers?

To access HR Hotline, members simply accept the HR Hotline disclaimer on the HRPA website, call in to HRPA's Resource Centre who will confirm your acceptance of service disclaimer, record the purpose of your call to help improve the scope of service over time, and then connect you to an HR Hotline CHRP team member.

For more information, please visit [www.hrpa.ca/hrhotline](http://www.hrpa.ca/hrhotline).





## IS IT HARASSMENT, OR NOT?

BY CATHERINE MILNE

Obligations under the *Occupational Health and Safety Act* (OHSA), the *Ontario Human Rights Code* and established in jurisprudence require employees to ensure work environments are free from harassment. Workplace harassment is defined in OHSA as “engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.” Triers of fact are to utilize an objective and subjective test when allegations of harassment are reviewed—whether the harasser ought reasonably to have known that the vexatious comments or conduct at issue were unwelcome to the specific recipient.

As many employers are currently experiencing a high volume of workplace complaints and specifically allegations of non-Code harassment, it is important to be aware of recent case law where tribunals, courts and arbitrators have been clear that not all conduct complaints meet the threshold of harassment. This article reviews four recent cases in which decision-makers found that personality conflicts amongst co-workers and the exercise of legitimate management supervision did not amount to harassment.

### PERSONALITY CONFLICTS

Co-workers’ inability to get along in the workplace, provided that it does not affect their ability to do their jobs, will not generally amount to harassment.

In the 2012 case of *Parsons v. Simcoe County District School Board*,

the Ontario Labour Relations Board found that a complaint brought by one teacher against two others did not amount to “workplace harassment” under OHSA. In that case, which dealt primarily with an allegation of reprisal under OHSA, a teacher had made a complaint of harassment against two others in his school. He alleged that his colleague’s behaviour in the classroom was unprofessional, that she spread gossip about others around the school and refused to participate in voluntary meetings. He also complained that she and another colleague confronted him in the staff room shouting and demanding an explanation from him for his opinion of one of them.

The board found that even viewed together, there was no evidence of vexatious comment or conduct: “At best, one might conclude that there was a personality conflict between [him] and his colleague.” Though the incident in the staff room was characterized as a single incident of rudeness, it did not constitute workplace harassment. The board went on to note that problems of that sort can and should be resolvable between adult professionals.

In an earlier case, *King v. Skyview Financial Advisors*, the Ontario court dealt with a similar allegation of harassment as part of a claim for constructive dismissal. The plaintiff in that case complained, in part, that she had begun to feel uncomfortable at the office, a feeling engendered mainly by a co-worker’s chilly attitude toward her. The court found, on that particular issue, that an employee’s

tense relationship with a co-worker who treated her with hostility but did not impede her ability to do her job, amounted to a personality conflict and not to any form of harassment.

The court commented “given the restricted scope of the plaintiff’s duties and the elimination of their non-work communication there was no compelling reason why [they] should not have been able to function in the workplace together. [She] was a co-worker, not a supervisor, and though some limited interaction was necessary their spheres of operation were distinct and separate. ... Though their business relationship was cold and unfriendly, I find it was still objectively feasible for both of them to do their jobs.”

### REASONABLE EXERCISE OF SUPERVISORY DUTIES

The workplace harassment provisions do not normally apply to management’s supervision of their employees, even if in the course of carrying out that supervisory function a worker suffers unpleasant consequences.

In *Amodeo v. Craiglee Nursing Home Limited et. al.* the Ontario Labour Relations Board (2012) dealt with a claim by an employee that her supervisor had shouted at her during the course of a meeting while discussing the employee’s failure to follow protocol. Two days later, she was issued a written warning. The employee was also repeatedly reminded by her supervisor that she needed to keep up with her report writing, and to put in extra overtime in order to do so, or that she would face suspension. Following her termination, the employee brought an





## SAFETY AND CLOUD-SOURCING TECHNOLOGY

PROVIDING COMPANIES PEACE OF MIND WHEN STORING DATA IN THE CLOUD

BY WESLEY BRYAN

Symantec's 2012 Norton Cybercrime Report stated that the world spent an estimated \$110 billion to combat cybercrime over the past 12 months. Whether company data is stored in-house or offsite, corporate leaders want to ensure the security of their data and to trust the technology being used. One option rising in popularity with human resource professionals is the use of cloud-sourcing technology as a more efficient means of storing and keeping track of company information.

When storing sensitive data with cloud-sourcing companies, organizations must trust the company securing the information and be confident the organization has gone to great lengths to keep customer information

protected. To ensure data is secure, cloud-sourcing companies have established service level agreements (SLA) with customers, which require increased security levels and secure platforms to deliver services. As a result, software as a service (SaaS) firms have begun the process of soliciting outside auditing firms to ensure they are in compliance. ISO and SSA 16 audits not only address government compliance but also ensure adequate security measures are in place. These auditing firms also ensure that cloud-sourcing companies meet the standards of security.

Employees and corporate leaders alike want to believe their data is safe no matter what technology is being implemented. Safety factors

can include login accessibility, use of firewalls and implementation of a data centre. By being knowledgeable of varying data resources, companies can make informed decisions and avoid a possible data breach.

**COMPLIANCE, TECHNOLOGY AND TRAINING ARE ALL COMPONENTS OF SECURITY, AND CLOUD-SOURCING COMPANIES ARE LEADERS IN THIS VERY ELEMENT.**



From a global corporation to a business start-up, cloud-sourcing technology is a safe, valuable tool for storing sensitive company data for three reasons:

**1. Customer Security:** Cloud-sourcing companies have invested in advanced methods of technology to ensure customer security. They have implemented double encryption methods for data at both the application and database level. Firewalls have also been developed with multiple layers of security. Constant tests are performed to identify any potential holes in those firewalls. Cloud companies have also begun using higher level data centres as an added security measure. In the U.S., for instance, industry-leading SaaS providers house

## security

all data in tiered Department of Defense-certified centres. All cloud-sourcing companies employ a multi-tenant configuration, which means that customers do not share URL or login information, thus alleviating the fear of corporate espionage.

**2. Security Specialists:** Cloud-sourcing companies not only

invest in security technology but also expertise of employees. A company that relies on in-house IT teams to secure their information increases the risk of human error. IT teams are responsible for all aspects of a company's technology and not having a security specialist may lead to loss of data that is extremely damaging

to corporate functioning. Cloud-based companies provide expertise in security. These companies dedicate entire teams to ensuring information is secure and keeping current on safety measures. Individual companies often do not have the resources, financial or physical, to provide the same level of diligence.

**3. Cost Benefits:** Cloud-sourcing companies provide a cost benefit to customers as well. If an individual company were to provide the security that a cloud-sourcing company does, it would require a substantial investment of both money and manpower. By using a cloud-sourcing company, businesses can share the million-dollar cost of securing data with multiple organizations. High-level data centres have the capacity, technology and expertise to provide multiple corporations with the best security available. The cost sharing element removes the burden of security from individual corporations. It also provides cloud-sourcing companies the resources to diligently pursue the most modern technology and training for employees.

Security must be viewed as a specialist skill. Companies should be confident that their data is safe with a cloud-sourcing company that has the best technology and people managing their security. Cloud-sourcing companies spend considerable time and money to ensure the customer's data is protected. Compliance, technology and training are all components of security, and cloud-sourcing companies are leaders in this very element. ●

*Wesley Bryan is co-founder, president and COO of OneSource Virtual, the optimal solution for the sale, implementation and delivery of all workday services. To learn more visit, [www.onesourcevirtual.com](http://www.onesourcevirtual.com).*



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feature

# Right of Access

## Take advantage of tools designed to help plan and execute compliance with Ontario's accessibility laws

BY MELISSA CAMPEAU

If you remove the accessibility roadblocks to your business, you clear the path for the one in seven Ontarians with disabilities to find their way to you. They might be clients, partners or employees, but research indicates you stand to gain a lot from a more inclusive mix.

It's not only good business, it's the law. The Ontario government enacted the *Accessibility for Ontarians with Disabilities Act* (AODA) in 2005, building the framework for compliance with mandatory accessibility standards, stage by stage. By 2025, all businesses in Ontario should be fully accessible and compliant with standards in five areas: customer service, information and communications, employment, transportation and the built environment.

### AODA STANDARDS SECTIONS

Most organizations have likely been involved in ensuring compliance with the AODA for several years now. Customer Service standards were implemented first, with a compliance deadline of January 1, 2012, and ensured Ontario businesses were prepared to offer accessible services to meet the varying needs of people with disabilities.

The next three sets of standards (Information and Communication, Employment and Transportation) were passed in 2011 under one regulation called the Integrated Accessibility Standards Regulation with a range of deadlines depending on the size and scope of a business. General rules apply to all three standards in the regulation, dealing with such issues as training employees and volunteers about the regulation and Ontario's *Human Rights Code* as it relates to people with disabilities; and developing, implementing and maintaining accessibility plans and policies.

The first standard in the group of three—Information and Communication—details the ways in which organizations will be required to create, provide and receive information (through their websites, printed material and any other communication) in ways that are accessible to people

with disabilities. Next, the Employment Standard aims to help employers make their employment practices and workplaces more accessible to potential and existing employees and covers such areas as recruitment, developing and documenting accommodation plans, as well as performance management. The last of the three standards in the grouping deals with transportation, laying out the requirements that will prevent and remove barriers, to make it easier for people to travel in Ontario.

And finally, the government has now released a proposed Built Environment Standard for public spaces, requiring businesses to prevent or remove barriers in new buildings and outdoor spaces for people with disabilities, with implementation deadlines ranging between 2013 and 2015, depending on the nature of each business.

### ROADMAP TO COMPLIANCE

Complying with the AODA may seem overwhelming at first, but there are plenty of tools to streamline and simplify the process and to help HR professionals stay on top of deadlines and deliverables.

Human Resources Professional Association (HRPA) has collected the best available tools in one extremely well-trafficked online home. "Since we launched our first AODA project in 2010, our AODA messaging has been viewed more than 1.5 million times and our AODA-related documents—CustomerWaiting.ca website, PowerPoint presentations, YouTube videos and other resources—have enjoyed over 200,000 views," says Chris Larsen, VP marketing and membership at HRPA. He adds members have written to express their appreciation of HRPA's coverage of the regulations and several educational institutions have now incorporated HRPA's materials into their learning and development programs.

On the HRPA site is a link to the Accessibility Wizard, created by the Government of Ontario, offering a comprehensive overview for anyone investigating their AODA



Meet Harold Jeepers, manager of Jiffy Bros. Inc. and Sonja the CHRP—stars of HRPAs AODA educational video collection.

responsibilities. Whatever the size and nature of an organization, a minute or two spent feeding basic information into the tool will result in a thorough plan of what's needed to comply with Ontario's accessibility law. "It will tell you what you already must be in compliance with as of today," says human resources consultant Lee Downs, "and what you will need to be in compliance with in the future." It's easy, says Downs, "and it simplifies what you need to do."

Also collected on the site are three HRPAs-produced webinars, created in 2010 as a way of building awareness of the standards within the human resources community. They include an introduction to the AODA, covering its purpose and goals; an overview of the Customer Service Standard; and an introduction to the Information and Communications Standard, featuring insights and best practices.

To help HR professionals plan for and comply with the Customer Service Standard, [customerwaiting.ca](http://customerwaiting.ca) offers a comprehensive guide to this portion of the AODA. It offers tools tailored to business size (those with more than 20 employees and those with fewer) including videos, e-learning components and publications to take businesses through each step of compliance.

#### HAROLD JEEPERS VIDEO COLLECTION

One of the most popular elements of the HRPAs AODA information page is the Harold Jeepers collection of videos, produced by the HRPAs as part of an EnAbling Change partnership with the Government of Ontario.

"The Harold Jeepers video collection is so different from anything out there right now in terms of creating awareness of the AODA and the Integrated Accessibility Standards Regulation," says Downs, who co-produced the series. The videos feature a fictitious manager named Harold Jeepers and his HR business partner, Sonja, and use a little humour to get their main points across.

"There are six videos that deal with the Employment Standard and by spring 2013, there will be five more," says Downs. Three of those five will focus on the Information and Communications Standard, one on creating a multi-level accessibility plan and one on debunking some of the myths people may have about the various standards," says Downs. At just three-and-a-half to five minutes in length, the videos are conveniently short and also available in French, English and accessible formats via HRPATV on YouTube.com.

## feature

### FREE RESOURCES

Also on HRPAs site is access to a range of services by Curriculum Services Canada in partnership with the government. Tools here focus on helping private and public organizations meet the training requirements, specifically those of the Integrated Accessibility Standards Regulation. The free resources, available in

English and French, include a getting-started demonstration, online training modules and an implementer's guide to the training requirements.

The Ontario government has produced plenty of resources to help you comply, too. The Accces ON site (<http://alturl.com/o5gbq>) includes complete information about each section of the Act, a direct link to the

Accessibility Wizard, a "what's next" section, an area for news on accessibility, a guide to reporting compliance and more.

### WATCH THIS SPACE

Expect a regularly updated page of news, tools and resources on HRPAs AODA site. "AODA is the law," Larsen notes, "and as a trusted partner of government, it's our responsibility to ensure our members understand the law and know how to address their obligations under the law in order to meet the needs of the public and of their employees." ●



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## COMPLIANCE TOOLKIT

When it comes to the *Accessibility for Ontarians with Disabilities Act*, there's a lot of information to process. With the right tools, HR professionals can research, plan, implement and report their compliance a lot more easily.

From HRPAs AODA page ([www.hrpa.ca/AODA](http://www.hrpa.ca/AODA)), access links to any of the following:

- Harold Jeepers video series
- CHANNELS, the facilitator guide for the Harold Jeepers video series
- The AODA Accessibility Wizard
- The AODA Employment Standard Communications Guide
- Access to CustomerWaiting.ca
- Links to HRPAs AODA webinars
- The Employers' Toolkit: Making Ontario Workplaces Accessible to People with Disabilities

To read the *Accessibility for Ontarians with Disabilities Act*, visit [www.mcsc.gov.on.ca](http://www.mcsc.gov.on.ca) and click on Making Ontario Accessible.

For detailed information about the Integrated Standards Regulation, visit [www.accessforward.ca](http://www.accessforward.ca).

Further Ministry of Community and Social Services tools can be found at [www.mcsc.gov.on.ca/en/mcsc/programs/accessibility](http://www.mcsc.gov.on.ca/en/mcsc/programs/accessibility).

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feature

# Dreaming of Diversity

**New Canadians have a lot to offer a workplace; now it's just a case of making them feel welcome**

BY SUZANNE BOWNESS

**T**he scene begins in an anonymous boardroom, as five co-workers gather for their first team meeting on a new project. Three have clearly been with the company for a while and as they enter the room where the other two are waiting, they make small talk about their weekends. As the scene progresses, their admirable ease turns somewhat exclusionary as they fail to include their co-workers already sitting across the table. Unsure about whether to break in, these new Canadians begin to talk amongst themselves about the same topics as the small talkers, making the divide even sharper. When they finally get down to business, one of the small-talkers offers his spare baseball tickets to his co-worker, aiming the suggestion at his fellow small talkers and working to conceal his surprise when the woman in the hijab across the table speaks up to accept them. After an awkward pause, the team finally settles down to work.

Although variations may play out regularly in offices across Canada, this particular scene plays out more literally on the Toronto Region Immigrant Employment Council (TRIEC) e-learning platform, as part of their Understanding Cultural Competence module. Unlike in real life, after watching the group, the



viewer is then privy to individual reactions by team members, who convey them in full confession-cam manner: the team leader worries over the group's dynamics, the new Chinese hire expresses concerns about the delay in starting the meeting, and the guy with the baseball tickets expresses surprise that they were snapped up by the woman in the hijab.

By the end of the video, another thought bubble appeared: mine. Like most Canadians, I was skeptical that I'd ever witnessed any workplace friction, and yet a scenario like this prompts me to realize it's more often the uncomfortable silence than the overt commentary that reveals a need for cultural acculturation. In spite of our self-perception as welcoming multicultural Canadians, ingrained assumptions and cultural friction present a challenge for employees and HR managers alike, to try to overcome differences. The good news is that with all that new Canadian workers have to offer in terms of experience and expertise, it seems that embracing diversity is definitely worth the effort.

### SUCCESS STORIES

Perhaps the best source of inspiration on promoting workplace diversity is in the work of those who are already successfully at it. Zuleika Sgro is one such HR professional. No, she's not another character in a video, although a video was made about her when she won TRIEC's 2011 Immigrant Success Award for her commitment to workplace diversity. As manager of talent management services for online broker services company Questrade, Sgro takes many steps to remove hiring barriers for new Canadians. At the recruiting stage, she works with local agencies such as TRIEC to link to wider talent pools and focuses job postings on skills and qualifications.

"When you're in the planning stages of recruitment, focus on skills, not Canadian experience," she suggests. She also recommends that HR

professionals really think about what skills are needed, and how they will test for them. "If English language skills are important, what tests will you put in place for these? If it's not important, ask yourself why you're requiring a test," she adds. Sgro is also open

to finding new immigrant employees wherever they turn up, recalling a candidate she met at an information session with the exact qualifications the company needed in a SharePoint developer. She interviewed him on the spot, brought him in the next day and

## TIPS FROM OUR EXPERTS ON MAKING NEW CANADIANS FEEL WELCOME AT EVERY STAGE

### AT THE JOB POSTING STAGE

- Widen your talent pool by advertising where new Canadians will see your postings: possibilities include community newspapers, ethnic media, professional associations, job fairs, email lists, word of mouth.
- Ask yourself whether "Canadian experience" is really required for the job or if you can more simply outline relevant qualifications.
- Include a diversity statement directly on job postings to spell out your policy.

### AT THE RESUMÉ REVIEW STAGE

- Different cultures have different norms for resumés; in some countries marital status, photos and religious affiliations might be standard so don't let your discomfort with these inclusions deter your focus from the candidates' actual qualifications.
- Decide on the competencies you are looking for and search through the resumé for those directly.
- Don't discount volunteer work; often new Canadians seek this out as real experience.

### AT THE INTERVIEW STAGE

- If you've asked for particular competencies, determine objective tests to assess them.
- Get interactive with candidates: try encouraging case studies to investigate their mindset/analytical skills rather than just relying on questions.
- Remember certain cultures do not self-promote, so reword questions to prompt a more thorough discussion of interviewee achievements.
- Beware of other differing cultural norms; for instance, in certain cultures a handshake or too much eye contact is not appropriate, also in some cultures silence is intended as a sign of thoughtful preparation, not disinterest.
- Beware of using jargon that's difficult for a newcomer to understand, for example, terms such as "thinking outside the box" or "pet peeve."

### AT THE ONBOARDING STAGE

- Put together a company factsheet for newcomers with frequently asked questions about the company, industry and region.
- Consider setting up your new hire with a mentor or buddy to help them acclimatize to the workplace.
- Provide regular feedback and communication often, not just after the three month probation.



## feature

offered him a job the week after. He's now been working at the company for three years.

For Shirley Marie Garcia, senior manager of HR for March of Dimes Canada, diversity is a personal issue. An internationally educated professional herself, Garcia immigrated to Canada 10 years ago, and recalls gaining volunteer experience at the same

agency, ACCESS Employment, that she now recommends to others. She also partners with TRIEC and uses its learning modules as part of her curriculum. Beyond making new workers comfortable, Garcia says that it's equally challenging and important to acclimatize existing staff to their new co-workers.

"With the influx of new Canadians into the workforce, one of challenges is that current staff are not really aware of different cultures. People draw conclusions based on what they see and hear, but that's not helpful if assumptions are based on stereotypes," she says, adding that increasing self-awareness can be a good way to increase cultural sensitivity. "At March of Dimes we brought in training to help increase cultural awareness that allows staff to identify and be aware of their own biases and perceptions. With increased awareness, they have more information and the chance to make better choices." In addition to in-person training, Garcia provides workers with a learning library and online courses about cross-cultural communications. With only six HR personnel for a staff of 1,500 across Ontario, Garcia's team demonstrates that diversity can still be a focus even with limited resources.



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### EQUITY MANDATE

In larger organizations, workplace diversity is often part of a larger equity mandate. Rosie Parnass, director of the Organizational Development and Learning Centre at the University of Toronto, says the presence of 12 equity offices at the university plus formal equity statements and the natural diversity of the student population mean that workplace diversity is not a stretch in her community. Yet, such formal resources only encourage her to make sure she walks the talk, expanding her hiring pool by advertising widely in places like community newspapers, the diverse student body and professional associations.

"You can have statements and policies, but you still really need to put it into practice, to have real, live examples of diversity. When people in your workplace observe diversity, that's when statements like these become living documents," says Parnass.

Christina Lenz-Campbell is an HR manager who oversees a workforce of

more than 4,600 employees at Mount Sinai Hospital, another institution with departments and committees dedicated to topics such as human rights and health equity. Besides engaging in formal programs like mentorships, learning exchanges and established diversity sessions during onboarding, Lenz-Campbell also participates in informal events that celebrate culture, including Black History Month events, Aboriginal Day, the lunar New Year and LGBTQ campaigns. Doing so reinforces the formal mandates with visual reminders of diversity, she says.

### MANAGEMENT SUPPORT

Demonstrating the importance of diversity is not only important at the top levels of the organization, but also at the managerial level. Erin Waugh, an intercultural communication facilitator at Edmonton's NorQuest College is the co-author of the May

2012 study, "Language Skills and the Social Integration of Canada's Adult Immigrants, completed for the Institute for Research on Public Policy." He says that beyond organizational mandates, managers need to demonstrate support for diversity initiatives.

"Inclusive workplace initiatives have to be top-down processes to function properly. I can't tell you how many intercultural sensitivity training workshops I've delivered where people have asked, 'Why do I have to be here if my boss isn't?' It's a question that is very hard to answer because it's true. Inclusive workplaces value cultural diversity throughout the organization, not just on the ground." Waugh's research also found that internationally educated professionals and temporary foreign workers alike benefitted from more opportunities for informal

conversation to help build their language skills and cultural knowledge.

### SUPPORT & RESOURCES

So where can HR managers turn for support as well as practical resources? Fortunately, there are agencies specifically mandated to help integrate skilled immigrants into the workplace.

The Toronto Region Immigrant Employment Council (TRIEC), founded in 2003, provides learning tools and curriculum as well as mentoring and networking programs. It also sponsors the Immigrant Success awards to recognize diversity leadership. TRIEC's wide range of e-learning resources covers topics including unconscious bias, cross-cultural communications, cross-cultural teamwork, inclusive interviewing, understanding cultural competence and inclusive recruitment. The self-directed nature of the e-learning modules allows employees

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to review them at their own pace and reflect on their messages. Particularly interesting are the videos accompanying the learning modules that portray real-world situations.

"By making the topics so user-friendly, I can relate to the person I see on the screen, and that makes people want to learn more," says Rose De Veyra, TRIEC's manager of learning initiatives. Such training both online and in person is designed to help people to feel more comfortable with what are often uncomfortable topics. "If I ask you, 'How do you feel about diversity and inclusion?' nobody's ever going to say, 'I'm against it.' Through years as a learning professional, I've found an effective way to get people to open up is to present the topics in a non-threatening environment and get reactions," says De Veyra.

HireImmigrants.ca is another more nationally oriented resource that supports the recruitment, retention and promotion of skilled immigrants through a website and local chapters. As project leader for Allies, the sponsor for hire-immigrants.ca, Peter Paul makes it his job to stay on top of the ways in which HR managers can and are integrating new Canadians into their workforce. He says that while cities like Toronto are leading, smaller centres like London and Waterloo are starting to share job ads with employment and community agencies. He also points to the success of mentoring programs, mentioning the big banks as examples of organizations that are leaders in this area, which he notes is beneficial not only to new Canadian mentees but to the mentors who gain the chance to exercise leadership, management, and coaching skills.

At Hire Immigrants Ottawa, senior manager Kelly McGahey says the organization fields requests from many sectors including health, finance, IT, biotech and of course government. Word of mouth yields frequent requests for the company's cultural training modules, along with appeals for advice at all levels. "Employers are on a continuum when it comes to hiring and engaging their workforce," says McGahey. "Some may be really looking for basic information on how to get more people through their door, while others ask deeper questions like how do I leverage the skills of those people and make sure they're moving up the ranks." The organization is mandated to provide information and advice at all levels.

While the path to complete workplace harmony may still have some twists and turns, with ample resources and passionate HR managers already setting the example, a more diverse workforce seems well within reach for any organization that wants to reach out and claim this talent pool. Unlike the anonymous boardroom scene where the frustrated and anxious co-workers are doomed to perpetually play out their awkward interactions, the real world leaves us free to move on from these limited roles and embrace a better way of working. ●

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# Fitting It All In:

## Collaboration and Knowledge Sharing Across the Organization

BY RANDY EMELO



**T** rue or false: HR has an obligation to support any initiative that leads to better business and employee performance, increased retention and improved employee engagement. If you answered “true,” then fostering collaboration and knowledge sharing throughout your company must be an acknowledged and shared responsibility for you and your HR organization.

In its recently published report, *The Social Economy: Unlocking Value and Productivity through Social Technologies*, McKinsey Global Institute discusses its research into the business benefits of social technology specifically used for the purpose of knowledge sharing. The report

asserts that companies could double their value through use of effective collaboration and knowledge sharing. The report also projects that the average knowledge worker could increase his or her productivity by 20 to 25 percent with the right kind of knowledge-sharing support.

Yet, too often, rather than taking the lead or at least an active role in knowledge-sharing initiatives, HR is late to the party. And even then, HR professionals tend to focus more on the perceived risks—ranging from information security to wasted time—rather than the potential business benefits.

Donald H. Taylor, chairman of the Learning and Performance Institute and international learning thought leader, counsels learning and HR

executives to embrace the adoption of collaboration and knowledge sharing. “In my view, the benefits offered by employee collaboration present the best opportunity for learning and HR to bring substantive business value to their companies and to prove their relevance.”

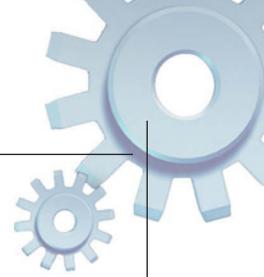
### HOW TO GET STARTED

Knowledge sharing should be a practice fostered across the entire enterprise—all departments, offices and employee groups. Given that HR is the only organization that touches on all of these entities, you and your team are in an optimal position to either initiate a knowledge-sharing initiative or to lend active support to one that is in progress.

Understanding and appreciating the potential value of collaboration and knowledge sharing is the first step. But, turning theory into reality requires significant consideration and preparation. Here are a few basics to help you and your colleagues create the business case for a concrete initiative and do some preliminary planning:

- Identify a handful of key business challenges where knowledge sharing and/or collaboration could make a difference in outcome or employee experience. Examples could be a merger or acquisition, a group of new hires, a major training program, a corporate diversity initiative or a management development program.





- Discuss associated goals and/or desired outcomes. Getting agreement on what is to be accomplished will keep expectations realistic and shape supporting activities.
- After considering your options, choose one or two projects that could serve as pilots. Following are criteria for successful pilots:
  - **It matters.** Choose to focus on something that will gain the attention and support of senior leaders and make a positive change for involved employees. For instance, a financial services client used a technology solution to facilitate an acquisition transition. The client used the technology to help employees get quick answers from their colleagues and obtain just-in-time guidance on new business processes.
  - **The ability to measure business success and impact.** For example, the impact of a knowledge-sharing community created around a sales training program could be measured using sales numbers, average deal size, or time to a closed deal. Knowing in advance how you'll measure change or success is critical to proving value.
  - **A clearly defined employee audience.** The better defined the audience, the more successful the marketing. The same holds true in this case, too.
- Once you've determined the ideal areas for focus, spell out what HR can do to support it. Tasks could range from working with marketing on targeted email campaigns to promoting via corporate-sanctioned social networks; from meetings with involved managers to enlist support to inclusion of successes in company newsletters.
- Enlist senior executive support and participation. To become part of the corporate culture, collaboration and knowledge sharing must be embraced by all levels of the organization. Paying lip service isn't enough.

## TECHNOLOGY CONSIDERATIONS

The market offers a variety of options for social learning and knowledge sharing. These range from social connection tools such as Yammer, to file-sharing systems such as SharePoint, to add-on modules for learning management or talent management systems.

The following are recommended considerations for selecting a technology solution. This obviously isn't a complete list, but these factors can get you started in researching the best type of technology support for your company.

- Does the solution offer a way for employees to make knowledge-sharing connections based on skills and competencies, experience levels, job titles or geographies? One of the keys to creating a successful and effective knowledge-sharing and collaborative learning culture is giving employees the ability to make meaningful, rather than random, connections. This feature is critically important in large companies with dispersed workforces.
- What types of reports and dashboards are available? You should look for reporting that goes beyond simple participation rates if you're looking for true workforce insight and success metrics.
- Can you, a manager, or a designated manager, easily set up sharing or topic-focused groups or one-to-one coaching engagements? In our experience, knowledge sharing reaches its full potential when it offers the capability for self-initiated employee outreach and participation, as well as guided groups.
- How much administrative overhead is required? The solution should greatly simplify administration, not add to the workload.
- Does the solution make it easy and intuitive for employees to adopt and use? The potential uses have to be immediately apparent. Anything that requires trial and error or results in frustration will daunt adoption.

## BUILDING MOMENTUM

Look at collaboration and knowledge sharing as a long-term initiative. Culture change takes time, continual, ongoing work and reinforcement. Without cultivation, you'll likely only bring change to a small percentage of employees, no matter what program or technology used.

Be always on the lookout for new opportunities for collaboration. For instance, associating learning communities with training programs has proven to improve training impact and enhance actual learning. (People like to learn from other people, especially those who have gone through the same training as they have.) Companies have also demonstrated significant business value from incorporating knowledge sharing as part of onboarding initiatives, product development and launches, customer support and on-the-job skills building.

In its annual predictions for corporate HR and learning, Bersin by Deloitte, a research firm focused on corporate talent, emphasizes the growing—and unstoppable—impact of social tools on HR. Josh Bersin predicts that emphasis on continual learning and capability development will replace traditional notions of training. And he notes that communities of practice, coaching, mentoring and social networking are critical components of continual learning, as well as knowledge retention.

HR's embrace of collaboration and knowledge sharing is a win-win. The business wins through improved productivity. HR benefits by increasing its connection to the business, demonstrating leadership and proving its relevance in day-to-day business performance support. And, most of all, employees win with the ability to gain and share knowledge with their colleagues that will help them do their jobs better and potentially advance their careers. ●

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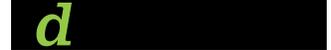
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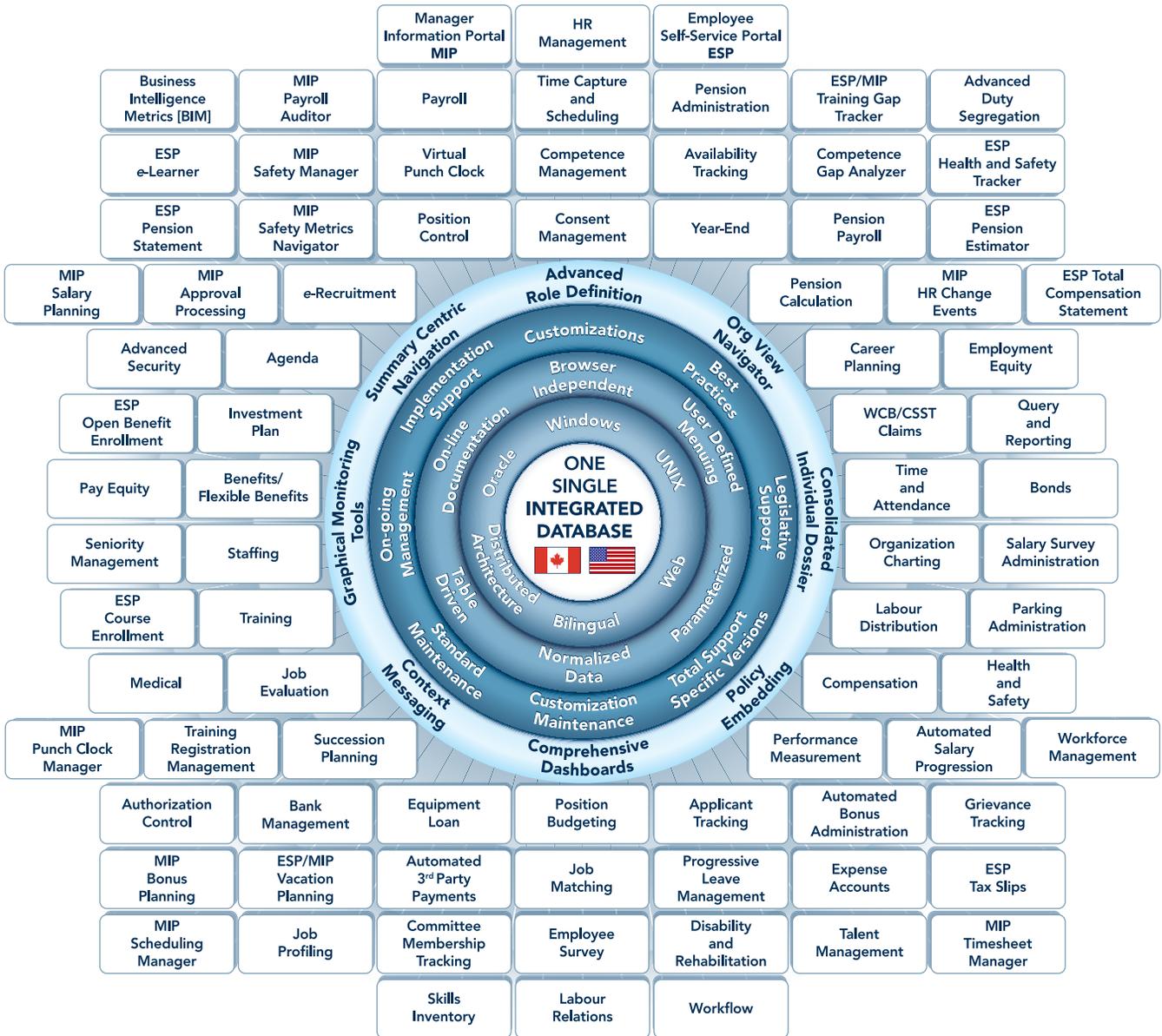
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- Retirees • Staff facing job loss
- Part-time and contract workers
- Students and overage dependents
- Divorcees and surviving spouses

Thankfully, by taking advantage of the economical, yet comprehensive healthcare coverage offered by Green Shield Canada's Prism health and dental programs, these individuals can gain the security they deserve, knowing they have protection against both unexpected and routine healthcare expenses they'd typically have to pay for out of their own pocket, including prescription drugs, dental care, visits to registered therapists and specialists such as chiropractors, and much more.

Understanding that everyone's healthcare needs and finances are unique, Prism offers individuals three programs to choose from – Prism Spectra, Prism Precision and Prism Continuum. Within each of these programs are four different plans, each offering varying levels of coverage.

Eight of the twelve Prism plans available offer guaranteed acceptance if coming off a group plan – with no medical questions or exams required – an important consideration if an individual has any pre-existing medical conditions. **Individuals coming off ANY group plan are eligible to apply, no matter who their prior coverage was with.**

## More out-of-pocket protection than ever

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**Faster underwriting** – We typically process applications in just 10 days, unlike many providers who can take up to 8 weeks

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**Special rates for families** – recognizing that families may have an even greater need for coverage, Prism has separate rates for families, unlike many providers who only offer per person rates

**Fewer rate increases** – Prism Plans typically only incur rate increases every two years, unlike many insurance companies that raise their rates annually

## The smart solution

By providing individuals with information about Prism, you'll help them gain the critical individual healthcare coverage they need. NO employer contributions, contractual obligation or fees are required on your part. Simply distribute our Prism material to those individuals who are losing or not eligible for group benefits and we'll do the rest. You can request Prism brochures and enrollment packages by phone, fax or online – whatever works best for you.

## Learn More

If you have any questions, want more information about Prism or would like to receive Prism packages to distribute to your employees, simply:

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- ▶ Send an email to [hrpa@sbis.ca](mailto:hrpa@sbis.ca)
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You won't get an automated response like you will with many companies. **Instead, you'll speak directly to one of our helpful Customer Service Representatives. We care enough to answer each call personally.**

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As Canada's leading agency for individual health and dental plans and the exclusive partner for Green Shield Canada's Prism health and dental programs, we market and administer the Prism plans, while the billings, claims and risk are managed by Green Shield Canada.





# LANDMARK *BLUE MOUNTAIN* DECISION NARROWS REPORTING OBLIGATION UNDER OHSA

BY MARK D. MILLS

Employers should be breathing much easier following the release of a landmark decision from the Ontario Court of Appeal, which provides guidance to employers when determining whether they need to report workplace accidents to the Ministry of Labour.

On December 24, 2007, a guest at Blue Mountain Resorts died while swimming in an unattended pool at the resort. When Blue Mountain did not report the incident to the Ministry of Labour, an inspector concluded that this was a breach of the OHSA. Both the Ontario Labour Relations Board (OLRB) and the Divisional Court concluded that the failure to report the incident to a Ministry of Labour Inspector was a breach of the *Occupational Health and Safety Act* (OHSA) because the unattended indoor pool constituted a workplace, even though there were no workers present at the time of the drowning.

The rationale behind the OLRB's decision, and upheld by the Divisional Court, was that even though there were no employees working at the pool at the time of the drowning, an inference could be drawn that employees must enter the enclosed area of the pool on a daily basis in order to clean the pool and check the water chemicals. It therefore concluded that the pool comprised a part of at least one of Blue Mountain's employee's workplaces and did not cease to be a workplace because an employee moves from one area of the workplace to another.

Section 51(1) of the OHSA contains the provisions requiring employers to notify and file reports if a worker is critically injured or killed from any cause at a workplace. In setting aside the decisions of the Board and the Divisional Court, the Court of Appeal stated that giving such a broad interpretation to the meaning of section 51(1) under the OHSA would make virtually every place in the province of Ontario a workplace because a worker may, at some point in time, be at that place. The Court of Appeal also noted that such a broad interpretation of what constitutes a "workplace" would lead to absurd results, requiring employers to provide notice to the Ministry of Labour in situations where:

- A child is injured at home, because the parents have hired a nanny;
- A car accident occurs on a public highway, because the police or other workers may arrive after the accident, or may have previously passed by the area; and/or
- A guest dies of a heart attack or is murdered in their hotel room, because hotel employees periodically enter guest rooms.

In other words, the Court of Appeal concluded that the interpretation of section 51(1) of the OHSA adopted by the OLRB and the Divisional Court would mean that every death or critical injury to anyone, which occurs anywhere in the province, whatever the cause, would have to be reported to the Ministry of Labour. This, in turn, would create confusion for employ-

ers and extend the reach of the OHSA far beyond what was intended by the provincial legislature.

In contrast, and as opposed to adopting an entirely location-based analysis, the Court of Appeal held that there must be some reasonable nexus between the hazard giving rise to the death or critical injury and a realistic risk to worker safety in the workplace. The Court of Appeal then went on to provide guidance to employers by indicating that reporting obligations would only arise in situations where:

- A worker or non-worker ("any person") is killed or critically injured;
- The death or critical injury occurs at a place where a worker is carrying out his or her employment duties at the time of the incident, or where the worker might reasonably be expected to be carrying out these duties in the ordinary course of his or her work; and
- There is a reasonable nexus between the hazard giving rise to the death or critical injury and a realistic risk to worker safety at the workplace.

In overturning the Divisional Court's decision, the Court of Appeal concluded that in the *Blue Mountain* case, there was no evidence that the swimming pool death had been caused by any hazard that could affect the health and safety of a worker, whether present or passing through the area.

In reaffirming that the purpose and objective of the OHSA is to

## health & safety

maintain and promote a reasonable level of protection for the health and safety of workers in and about their workplace, the Court of Appeal commented that the interpretation and

application of section 51(1) must focus on worker safety, and in particular, the connection between a hazard and the potential harm to a worker. It is equally important

to note that this decision does not mean that the reporting requirement under section 51(1) of the OHSA would never apply to a critical injury or death suffered by a non-worker in a workplace where no worker was present at the time of the incident.

The *Blue Mountain Resorts* decision is certainly a welcome reprise for employers in the province of Ontario who will now no longer be required to report all critical injuries or deaths in the workplace regardless of their cause and whether or not worker safety was an issue. However, given the potential liability to employers arising from a failure to report, along with the very real possibility of a prosecution under the OHSA following a workplace injury or death, employers should carefully consider their actions, and seek legal advice if necessary, in the event of any uncertainty about whether to report a workplace incident to the Ministry of Labour.

*Mark D. Mills is a partner in the Toronto office of Mathews, Dinsdale & Clark LLP. He is a go-to trial lawyer for employers, supervisors and others charged with violating the OHSA. Contact him at [mmills@mathewsdinsdale.com](mailto:mmills@mathewsdinsdale.com).*

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# HR101

## CHART A COURSE

EXPERT ADVICE FOR TAKING CHARGE OF YOUR CAREER AND YOUR JOB SEARCH

BY MELISSA CAMPEAU

When former *Vogue* editor Anna Wintour was asked about her greatest strength, she instantly replied, "Decisiveness." Say what you will about Wintour and her rather infamous ways, there's no denying the legendary editor had a clear vision for her professional life.

When it comes to career planning, this kind of decisiveness is a tremendous asset. "A lot of really successful people are like Wintour," says Alan Kearns, founder and president of CareerJoy, a career coaching firm. "They understand what their objectives are, they understand their long-term goals and they have a clear sense of themselves."

Such clear-eyed visionaries are not the majority, however. Few of us are

wired this way or trained to think of careers in this light. Because of this, our careers are sometimes left to chance. "A lot of people don't manage their career," says Kearns. "Their career manages them."

Kearns offers the following tips to chart your career:

**Build a plan.** To take control of your career, it's critical to step back and consider the bigger picture. Think like an architect, suggests Kearns: Just as great buildings start with plans, so do great careers. It might be a three-year plan, it might be a 10-year plan, but some sort of plan will make all the difference.

Even a one-year plan is worthwhile, yet many of us aren't sure what the next 12-months will bring. "If I said

to an HR professional, 'What's your HR plan for your company this year?' and they said, 'Oh, we'll just see how it goes,' how many of them would be fired within 24 hours?" asks Kearns. "But it's amazing how many people have no HR plan for themselves."

A plan should be revisited periodically, but it's unlikely to need a complete overhaul at every turn. When it comes time to look for a new job, the big-picture plan should be your framework. "This is an ongoing thing," says Kearns, "so you shouldn't



ILLUSTRATOR: MICHAEL EDDENDEN

## BUILD A BETTER CAREER

HRPA's online Career Centre offers tools, information and resources to start, build and advance your HR career.

The Career Class live webinars, for example, can help HR pros develop a solid career plan and think about the bigger picture. *How to Develop, Leverage & Advance in Your Career* offers a boost to those already in the profession, while *Launching Your Career – Setting Yourself Up for Long-term Career Success* is designed to offer new grads a leg up.

Members can also take advantage of the Career GPS for HR Professionals online tool, which helps professionals pinpoint and track career development goals.

To equip job seekers with the necessities, the Career Centre offers tips on interviewing and creating a strong resumé. These skills can be put to the test through the Hire Authority job board, Canada largest HR-specific job board, where members can post resúmes at no cost.

If personalized coaching is in order, members referred by a chapter executive can also book individual, complementary 30-minute Skype consultations with CareerJoy's experts, covering interview and resume writing skills.

have to start from scratch every time you think you want to move on."

**Take stock.** If it seems like time for a change, a skills inventory is in order since we tend to acquire new abilities with professional experience. "Take a good, hard look at your strengths and your weaknesses," suggests Kearns. Ask yourself what you want out of the next stage in your career and what you bring to the marketplace.

"A recent Gallup poll reported 83 per cent of professionals don't have a clear sense of their strengths," notes Kearns. "They let the three Ms—money, market, momentum—manage their career." Instead, says Kearns, you should be considering what you want, where you want to go and what your objectives are.

Tune in to your inner compass, Kearns suggests. "People who go on to reach their potential have a real sense of that."



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**“SOCIAL MEDIA IS ALL ABOUT THE ROAD FROM DIGITAL TO ANALOG, NOT THE OTHER WAY AROUND.”**

**Get out and network. Early.** Once you know what you want your next move to be, Kearns suggests starting your search with the people you already know. Job boards are certainly worth investigating but they shouldn't be your only move. Kearns advises his clients to spend 80 per cent of their search time networking and 20 per cent on job boards, rather than the other way around. "It's a very, very competitive landscape," says Kearns of positions posted in open job boards. "Often your highest return

is going to come from the unseen opportunities."

Ideally, networking isn't something you suddenly start doing when you're looking to find a new job. Instead, work on building your network naturally, over time. Kearns points out a lot of people looking for work will begin to attend industry events and network in earnest, all of a sudden. But being the fresh face in a network won't produce the same results as stronger and wider-ranging relationships established over time. The

next career opportunity is generally just one or two degrees of separation away, notes Kearns. "The more diverse and broad and connected your network, the more connected you are," and therefore the more likely you are to discover that hidden opportunity.

**Manage your brand.** Many professionals will spend a great deal of time nurturing an online brand through tweets, status updates and collecting endorsements on LinkedIn. There's no denying social media can help shape your brand and your professional profile, particularly if someone is conducting preliminary online research. Ultimately, though, "People hire people," says Kearns. "These tools are fantastic, but you have to get in front of people. Social media is all about the road from digital to analog, not the other way around." ●

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# Interview

WITH AN  
HR HERO

BY KIM SHIFFMAN

## Jan Boase:

A little bit HR, a little bit **rock 'n roll**

She may be a senior vice-president of a multi-national insurance company, but Jan Boase isn't your traditional, buttoned-up HR executive. She didn't do an MBA; she didn't start off her career in human resources; and in her spare time, she plays guitar in a rock band, and once took a year of improv classes at Second City.

Boase, currently senior vice-president of human resources at Liberty International Underwriters—a division of the global commercial insurance company Liberty Mutual—is proof that there isn't only one "type" of person who can succeed in a human-resources career. That said, she does believe that there are certain skills that every HR person needs. Read on to find out what they are, and to learn more about how this HR Hero climbed the corporate ladder.

**HRP: WHEN DID YOU DECIDE YOU WANTED A CAREER IN HR?**

**JB:** When I was working at a computer hardware company, 20-plus years ago, I observed two computer-technical employees try and fail at running the HR function. I was fairly confident I could do significantly better. With degrees in business applications and psychology, I felt well equipped to take on the role.



**HRP: WHAT WAS YOUR FIRST HR JOB?**

**JB:** That was my first HR job. I had a steep learning curve, but I knew the business well; I just had to learn to see it through the lens of HR. I enjoyed working with the executives to align processes and programs with the strategic direction of the organization. It was challenging, uncharted (for them and for me), with nothing but upside for everyone. I enjoyed having the responsibility of being “the voice” for the employees when business decisions were taken.

**HRP: YOU’VE COME A LONG WAY SINCE THEN. TELL US ABOUT YOUR CURRENT JOB.**

**JB:** I am the senior vice president of human resources for Liberty International Underwriters (LIU), a division of the Liberty Mutual Insurance Company. LIU provides commercial products and service to clients through the broker community. I am matrixed, in that I report to both the Canadian president of LIU

**BUSINESS LEADERS SEEK THE EXPERTISE OF HR FOR GUIDANCE AND PERSPECTIVE WHEN STRATEGICALLY POSTURING THE COMPANY FOR GROWTH.**

and the global SVP, HR, for Global Specialty in Boston. I manage the Canadian HR operation as part of a global team that includes every aspect of HR for Canadian employees and the business, as well as a contributing member of the global team on project implementations and strategic HR. I am “at the table” with other SVP product line and operational leaders where collectively and collaboratively we make decisions that impact the business and the people. I am as much a businessperson as I am an HR executive and have responsibilities that fall outside of the realm of HR, such as business continuity and disaster recovery.

**HRP: WHAT DO YOU LOVE ABOUT YOUR JOB?**

**JB:** What I have always enjoyed about HR is that I can make a significant contribution to both the people and the business. Aligning HR initiatives to the strategic direction of the organization is rewarding when the predicted results materialize, and I enjoy being the “lens” of HR through which decisions are considered. Without that HR filter, the outcome may not be as positive or as impactful overall. It adds a dimension that covers more bases and the result is multi-dimensional. I am also very privileged to work in tandem with a team of executives for whom I have the greatest respect. If

## *in a nutshell*

**FIRST JOB:** I wrote singing telegrams. I loved it—and I also loved the fact that I didn’t have to deliver them.

**CHILDHOOD AMBITION:** To be a nurse; that is, until my brother came home with a cast on his leg and I was terrified of it.

**BEST BOSS AND WHY:** Pam McIntyre, HR VP at Liberty Health. She was so inspiring and represented everything I wanted to be in an HR professional. She knew her discipline cold, was a businessperson first and an HR professional second, and when on a mission, she took no prisoners. She was a true leader, someone I’d have followed to the ends of the earth if she said that’s where we were headed.

**SOURCE OF INSPIRATION:** Just knowing that I can make a difference. We all can, just by doing what we do well. If you don’t think small things have impact, imagine yourself in a tent with a mosquito.

**IDEAL VACATION DESTINATION:** Vienna. I have a thing for Johann Strauss and terrible Victorian protocols.

**FAVOURITE MEAL:** Mac & cheese, but I’d have to run to Montreal and back to consume the calories.

**BEST PIECE OF ADVICE YOU EVER GOT:** Feel the fear and do it anyway. Fear is not to be avoided. It’s to be faced, embraced and reduced to something over which it no longer has control over you.

**FAVOURITE WAY TO RELAX:** Connecting with friends. There is no better sleep aide than laughing a night away. Also, playing my Strat (electric guitar) and cranking up the amp to full capacity offers endless healing potential.

**LAST MUSIC YOU LISTENED TO:** My band East of Burden’s recording of Lemonhead’s version of “Mrs. Robinson.”

## Interview

you look up “team” in the dictionary, there we will be.

### HRP: WHAT ARE THE CHALLENGES IN YOUR JOB?

**JB:** A shrinking and cost-prohibitive talent pool. In days past, when you needed “X”, you went and bought it and usually had several Xs to choose from. But the war for talent has only

just begun and is but a street fight compared to what’s to come. It’s predicted that the first wave of boomers will begin exiting the workforce in significant numbers in 2015, and that’s not a comforting thought. That intellectual capital, the experience, history, intuitive business savvy and maturity will be potentially forever gone when they walk out the door.

We also have to be creative in what we do to tap into what motivates an unprecedented five generations in the workforce. What motivates a Gen X is different for a Y, Millennial, Traditionalist or a Boomer. It is incumbent upon HR to understand what each group values in order to provide relevant programs to attract and retain talent from all generations.

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### HRP: WHAT’S A COMMON MISCONCEPTION ABOUT WORKING IN HR?

**JB:** One misconception is that HR stands alone and it is something that is applied to the organization. It isn’t. HR is very much an integral part of the organization’s fabric. HR is a business partner and contributes to the decision-making process, as does any other operation. Having an HR influence serves to enrich the solution to a problem by minimizing exposures where they might otherwise exist.

### HRP: WHAT SKILLS ARE IMPORTANT FOR SUCCESS IN HR?

**JB:** Business. You have to understand the business to be a successful partner. You wouldn’t start your own company with a partner who offered no value on your product, the market, the competition, the risk and the opportunities.

You do not need a psych degree to be in HR, but you do need to have the capacity to understand people, and 80 per cent of that involves listening. Vehicles need to be provided to allow employees the confidential voice to express their opinions and ideas, e.g., informal and formal surveys or something as simple as a drop box. I think you have to be detached at times, from information to constructively assess the content and take action, without altering it through personal judgment.

The proven ability for demonstrating sound and reliable business judgment is also essential, as is the ability to communicate, both verbally and in

### NEW PUBLICATION

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writing. I am continually surprised by educated professionals' inability to write without making grammatical or spelling errors.

**HRP: WHAT TIPS DO YOU HAVE FOR NEW GRADS OR THOSE IN ENTRY-LEVEL HR JOBS WHO ARE LOOKING TO CLIMB UP THE LADDER AND EVENTUALLY MOVE INTO A SENIOR HR ROLE?**

**JB:** Learn, learn, learn and learn some more. Never stop learning. Having a well-respected mentor can provide perspective and a role model. Exposure to all aspects of HR will help you determine where your strengths are—then work to those strengths. You can always improve on a weakness, but it's leveraging from your strengths that will launch you. You'll love what you do and be doing what you love. How can success not come from that?

**HRP: BEST OVERALL ADVICE FOR JUNIOR HR PEOPLE?**

**JB:** We all started at the beginning and Rome wasn't built in a day. Drinking from a fire hose is neither sustainable nor comfortable for extended periods of time, so keep filling that pipeline

with new experiences, opportunities, mentors and knowledge.

**HRP: WHAT'S THE FUTURE OF HR?**

**JB:** The complexity continues to expand, which is incredibly exciting for HR professionals. It provides opportunities to take a deep dive to specialize in an area of HR or take more of a broad-brush approach by embarking on the career of a generalist.

Business leaders seek the expertise of HR for guidance and perspective when strategically posturing the company for growth. To grow you need talent—top talent. Bleeding-edge talent. And that involves attracting and retaining the best. Then, you have to compensate them to market, train them for today as well as tomorrow, identify capacity and ways to accelerate their progress, engage them and keep them challenged in preparation for more senior roles within the company, all of which feeds the succession plan. Identifying leaders is one thing. Hanging on to them and facilitating growth is another. You can never stop looking for new ways to educate, motivate and compensate. ●

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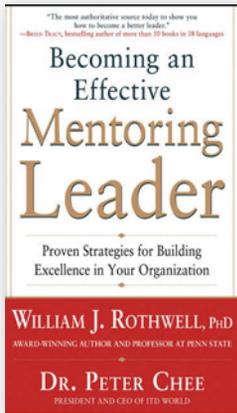
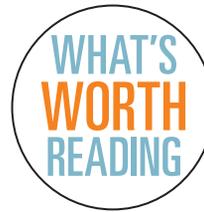
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# off the shelf

BY ALISON NYIRI



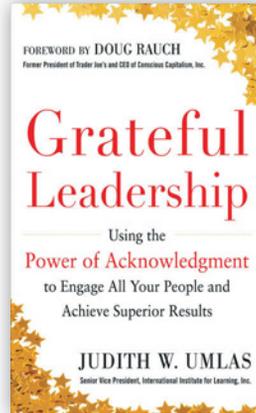
## BECOMING AN EFFECTIVE MENTORING LEADER: PROVEN STRATEGIES FOR BUILDING EXCELLENCE IN YOUR ORGANIZATION

*William Rothwell and Dr. Peter Chee*  
McGraw-Hill, 2013

The authors take a different approach to mentoring by focusing on what mentors do rather than how they do it, and addressing the mentor's willingness to mentor. Offering self-assessments and case studies, HR practitioners can better assess and assist leaders toward effective mentoring relationships that support new employees, identify talented employees, and develop and retain talented employees.

### TALKING POINT

*Development targets, unlike performance targets, are typically several years out and are broader in scope. Which should mentors and mentees focus on?*



## GRATEFUL LEADERSHIP: USING THE POWER OF ACKNOWLEDGEMENT TO ENGAGE ALL YOUR PEOPLE AND ACHIEVE SUPERIOR RESULTS

*Judith Umlas*  
McGraw-Hill, 2013

Grateful leaders see, recognize and express appreciation and gratitude for their employees' and other stakeholders' contributions and for their passionate engagement on an ongoing basis. Umlas lays out how grateful leaders lead their companies to greater success through building a culture of acknowledgement.

### TALKING POINT

*Umlas argues that acknowledgment is very different from a thank you. What has been your experience?*



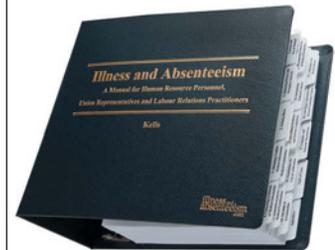
## LEADERSHIP-DRIVEN HR: TRANSFORMING HR TO DELIVER VALUE FOR THE BUSINESS

*David Weiss*  
Jossy-Bass, Wiley, 2013

Weiss has written this book directly to HR professionals. He argues that the HR function still needs to transform with a primary focus on being leadership-driven. He illustrates how HR can deliver value through its leaders while maintaining a clear line of site to the external customer. Full of strategies and practical tools necessary to transform HR's priorities and accountabilities, this book will be invaluable to both practitioners and students.

### TALKING POINT

*HR is challenged to "lighten up its work" to have time to deliver the value that the business requires. How can HR balance its priorities to focus on high priority work?*



## ILLNESS AND ABSENTEEISM: A MANUAL FOR HUMAN RESOURCE PERSONNEL, UNION REPRESENTATIVES AND LABOUR RELATIONS PRACTITIONERS

*Denny Kells*  
Dunlop Publishing, 2013

Updated on an annual basis, this manual offers readers both a "how-to" and a comprehensive resource of legal principles and rulings regarding illness and absenteeism. The manual covers issues of proof, dealing with disabilities and absenteeism in a straightforward manner, including all relevant principles, arbitral awards and cases where applicable.

### TALKING POINT

*How often do you consult case law or other legal resources when dealing with illness and/or absenteeism?*

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# INSPIRE YOUR PEOPLE WITH PURPOSE

BY JEREMY KINGSLEY

As the leader of your team, you must clearly understand and be able to pass on the purpose of your organization and your team's role within that organization. If you don't know the purpose of your efforts, you certainly won't be able to inspire your team to success.

Communicating purpose is more than requiring your team to memorize the company mission statement. It must become part of the culture of what everyone in your organization thinks about, says and does each day. It will influence decisions made at the top and choices made by the "lowliest" employee.

Keep your own sense of purpose honed and sharp. You are the leader. Keep that big picture in mind and know exactly where you are and where you are going. Communicate your enthusiasm and dedication. Carry everyone else along with you. It will take energy

and effort, but no one said that being a leader was easy.

At times, it may seem that everyone has a different purpose and that paths are diverging. Make sure that everyone sees the way back to the common goal, and that the impact their work will have on it is clear to them. It is as if each team member must make a brick, ensuring that it is strong and free from flaws, and then firmly set it in place, among others, so that the next course can rest safely upon it.

Friday is a great time to bring your team together, to review the week, discuss the one to come, and end the working day with a sense of triumph, feeling united, energized, and eager for what lies ahead.

I'm a runner, I know how my legs ache halfway through a race, and at work my head often hurts at some point during a week. It is purpose that

carries tired limbs and overburdened minds on until a second wind comes and that tape is in view. Purpose fathers that final burst of energy that carries your team over the line, with the broken tape fluttering at their feet. Purpose paves the way to victory. Good leaders, it's been said, create an organization with a purpose that rises above the bottom line; great leaders go a step further, finding ways to leverage the passion of each employee in order to create incentives that transcend financial rewards.

What does this statement mean? I think it's saying that to be an exceptional leader, you must discover ways to link the passions of each individual on your team with the purposes of your organization. You may have to find ways to do this that go beyond traditional methods. As you get to know your team, you'll discover more about their individual desires and goals and how they define their purpose in life. It may be based on their family values, faith, or recent experiences. Pay attention to these clues! The more you can find common ground between your organization's goals and purposes and the individual goals and purposes of each member of your team, the more effective and happy they will be on the job.

You won't regret making purpose a priority. ●

*Jeremy Kingsley is a professional speaker, best-selling author, and the president of OneLife Leadership. Learn more at [www.jeremykingsley.com](http://www.jeremykingsley.com).*



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1. 2012 Express Scripts Canada Research

2. Express Scripts Canada 2011 Drug Trend Report

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# ONLINE EXCLUSIVES

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# MANAGEMENT FUNDAMENTALS

Spring 2013



## 1. Managing Employees in a Unionized Environment

Thunder Bay	May 27, 28 & 29	Windsor	June 10, 11 & 12
Toronto	June 3, 4 & 5	Sudbury	June 12, 13 & 14
Hamilton	June 5, 6 & 7	Ottawa	June 17, 18 & 19



## 2. How to Become a Better Manager of People

Hamilton	May 6, 7 & 8
Toronto	May 13, 14 & 15
Ottawa	May 29, 30 & 31



### Our Clients' Comments:

*"Absolutely phenomenal. Learned a great deal of vital information. Exposure was realistic, facilitator was engaging and presentation was excellent."*

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*"Excellent Course! Not the first course I have attended by CPMS and certainly not the last. The facilitator has had a direct impact on my success."*

**Sherritt International**

*"I feel better prepared to support a unionized client group."*

**Shaw Communications**

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**RCMP**





# 1. Managing Employees in a Unionized Environment

**Why do some unionized employees believe that they can't be touched**, and why is it that if it is not in their existing job description then they think they don't have to do it? Sick time is used as an entitlement rather than a benefit and any form of coaching is seen as discipline and therefore challenged. No wonder supervisors cringe at the site of the Shop Steward and freeze in astonishment when an employee says 'no' to an instruction and walks away! Most supervisors and managers do not know their rights and do not have the skills to manage these issues when they arise. They start to feel that they are at the mercy of their union and become disillusioned and frustrated.

**Why is it that even the most successful organizations have difficulty managing in a unionized environment?**

Ironically, most progressive Unions also want better management. They also believe that if management knew how to properly manage, there would not be as many problems in the workplace. They also do want better processes, consistency and fairness, but they can't be the ones teaching the managers!

Most people in management roles have never been taught how to successfully apply management rights in the workplace. The employer typically leaves it up to the individual to learn by experience. The problem with that is, by the time you learn from your mistakes, you would have

lost the respect of most of your employees, your team would have developed a poisoned work environment, and you would have been so badly beaten up that you would have lost all sense of empowerment and in fact would want to quit! Is learning from your mistakes the only way to do it? No! This is why this program is important to you if you want to succeed and even thrive in a unionized organization. Learn what your rights are, and learn how to apply them in order to become confident.

## LEARNING OBJECTIVES

- ✓ Understanding management rights and obligations
- ✓ Setting the standard of expectations
- ✓ Learning how to enforce rules in a unionized environment
- ✓ Understanding what arbitrators look for in disciplinary issues
- ✓ Managing excessive absenteeism
- ✓ Developing rational policies and procedures for the workplace
- ✓ Building defensibility in your ability to manage a unionized workplace

## PROGRAM INFORMATION

- ✓ Breakfast and lunch are included daily
- ✓ Program materials will be provided
- ✓ Certificates will be presented upon completion of the program
- ✓ Program is in session from 9:00 am to 4:00 pm

## LOCATIONS & DATES

Thunder Bay	May 27, 28 & 29	Windsor	June 10, 11 & 12
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*“Positive labour relations starts with understanding your rights!”*

# Program Content

## DAY 1

---

### UNDERSTANDING MANAGEMENT RIGHTS

- Bargained rights vs. Residual rights
- Making and enforcing rules
- Setting expectations and performance standards
- Management rights – what rights do you have
- Employer policies and procedures
- Side deals – limiting your rights

### UNIONS AND THEIR ROLE

- Duty of fair representation
- Carriage of collective rights
- The Shop Steward and their role
- Leaves for Union Business – your rights
- Representation during investigations
- Dispute resolution – the alternative

### THE COLLECTIVE AGREEMENT

- Becoming familiar with employment laws
- Intent of collective agreement language
- Learning to read collective agreement language
- What are ‘letters of agreement?’
- The use of headings in a collective agreement
- What are mandatory provisions?
- Management rights clause

### BUILDING CULTURE IN A UNIONIZED ENVIRONMENT

- The six pack of culture
- Defining acceptable norms and mores
- Building positive traditions
- Recognizing positive role models
- Recognizing sub-cultures and cultural skewing
- Positive labour relations – it really can happen
- Disclosure of relevant information

## DAY 2

---

### GRIEVANCE MANAGEMENT

- Writing effective grievance replies
- Understanding grievances and hidden issues
- What the Union and Management are responsible for
- 7 steps to an effective grievance investigation
- What information must you gain from the investigation process
- How to effectively use ‘step 1’ and ‘step 2’ meetings to your advantage
- What information should and must you disclose
- ‘Without prejudice’ – what does it mean?

### MANAGING PERFORMANCE

- Setting the standard
- Communicating in a unionized environment
- Identifying performance problems
- Coaching and assistance
- Proving poor performance
- Creating a performance based culture

### MANAGING ABSENTEEISM

- Doctrine of Frustration
- Doctors’ notes and Dr. Automatic – what can you do?
- Culpable vs. non-culpable absenteeism
- The ‘do’s and don’ts’ of a good absenteeism program
- Last chance agreements – what should they say?
- Considerations regarding non-culpable absenteeism
- Eliminating ‘patterned’ absenteeism

### USING PROGRESSIVE DISCIPLINE

- Progressive discipline – when all else fails
- Discipline models
- How to develop discipline guidelines
- 3 principles of progressive discipline
- The ‘dirty dozen’ – 12 key considerations of discipline
- Mitigating and aggravating principles



# Managing Employees in a Unionized Environment cont'd

## DAY 3

---

### USING THE DISCIPLINARY PROCESS

- Consistent treatment does not mean identical treatment
- How to write effective disciplinary letters
- Culminating incidents – ‘the straw that breaks the camel’s back’
- What is the standard of proof?
- Considering fairness and natural justice
- Why is timing of discipline important?

### DOCUMENTATION & INVESTIGATIONS

- When and what to document
- Formal versus informal conversations – is there a difference?
- Understanding how to use warnings to correct behaviour
- How to properly conduct an investigation
- Confidentiality does not guarantee anonymity
- The ‘do’s and don’ts’ of disciplinary meetings

### WORKPLACE ISSUES

- Dealing with uncooperative employees
- Harassment of other employees
- Setting precedent – do you really want to?
- Consistency in the workplace
- Confronting to resolve
- Using sick days as an entitlement

### CASE STUDIES

- Insubordination and misconduct
- Absenteeism – setting expectations
- Enforcing workplace rules
- Standard of proof – balance of probability
- Breach of trust – the end of the relationship

### Why Our Clients Are Repeat Clients:

---

- ✓ Small interactive hands-on programs
- ✓ Role-playing and simulation of real workplace situations
- ✓ Group activities, open discussions and case studies
- ✓ Experienced program presenters who are leaders in their field
- ✓ Practical content and information that you can use in your everyday work environment
- ✓ You will not be pressured to purchase books or videos as all program materials are provided at no additional cost
- ✓ **Program satisfaction guaranteed!**

### What Our Clients Have Said About Us:

---

“Very clear presentation of concepts. Tools helpful. Stories and past experience really add to the learning. Great course.”

**Meyers Norris Penny**

“Great program & facilitator.”

**RBC**

“This program gave me a very solid knowledge base to address any issues I might have as well as material to pass on to my supervisors and HR.”

**Sheep Country Canada**

“An exceptional presentation expertly facilitated. Very effective use of case studies.”

**John Howard Society**

“I would recommend CPMS to anyone considering these trainings. I wish my school instructors could have relayed material so clearly, concisely, and freshly. Great work.”

**GERDAU**

“This course exceeded my expectations.”

**Bell Mobility**

“Very useful and insightful program. I will be recommending all my colleagues to attend.”

**Peter Kiewit Sons**

“This was a very informative and educational session. The relaxed environment is such a pleasure to be a part of. Lots of practical examples and ideas.”

**Canadian Blood Services**

“Good course, gives you confidence and tools on how to run a unionized shop more effectively.”

**Bailey West Processing Inc.**

“The presenter was extremely engaging, encouraging, humorous, well-spoken, and thoughtful; an obvious fountain of knowledge. Well presented and I am definitely looking forward to other programs.”

**SGS Canada Inc.**

“One of the best training sessions I’ve attended.”

**Lafarge**



## 2. How to Become a Better Manager of People

**Where do you learn the right skills** and how do you put them into practice? Typically, organizations do themselves harm by poor promotion decisions. Albeit with good intentions, we promote individuals based on strong technical skills but fail to consider the more important attribute - their ability to manage people. However, it is common knowledge that as you climb the corporate ladder, the role becomes less technical in nature and more managerial. This explains why good employees become poor supervisors!

### What exactly does it take to become a **better** manager of people?

A skilled manager of people drives expectations to achieve organizational goals. They are able to maintain positive organizational culture and increase morale, while motivating their team towards greater goals. Do you currently have the right skills and knowledge to achieve all of this?

Whether you have been recently promoted or have managed for a number of years, there is always room for improvement. Retooling is constantly required if you want to continue to succeed and to advance in your career. This is even more imperative when you are in a position of responsibility and authority. Some say “bad bosses aren’t good for your health.” Wouldn’t you agree? But how many of us have vowed that we would never be like that, but find ourselves struggling and making poor decisions?

With this program you will learn PRACTICAL TOOLS, TECHNIQUES AND CONCEPTS that will help you to become a better manager of people. You will learn how to motivate your team, set expectations, make the tough decisions and build a positive team culture. Your employees rely on your leadership skills, your organization expects you to achieve, and your career depends on your ability to manage...and now you can depend on us to show you the way!

### LEARNING OBJECTIVES

- ✓ Building a managerial tool box
- ✓ Understanding and applying motivational theory
- ✓ Developing a decision making model
- ✓ Dealing with poor performance
- ✓ Coaching employees for success
- ✓ Handling common management dilemmas
- ✓ Using progressive discipline when all else fails

### PROGRAM INFORMATION

- ✓ Breakfast and lunch are included daily
- ✓ Program materials will be provided
- ✓ Certificates will be presented upon completion of the program
- ✓ Program is in session from 9:00 am to 4:00 pm

### LOCATIONS & DATES

Hamilton	May 6, 7 & 8
Toronto	May 13, 14 & 15
Ottawa	May 29, 30 & 31

### Past Participants from Leading Organizations:

Air Liquide Canada, Waterloo Regional District School Board, Armtec, Colliers International, Ledcor Construction, University of Victoria, Daimler Chrysler, The Salvation Army, Deloitte, PCL Construction Management Inc, Alberta Health Services, Brinks Canada, YWCA, Gibson Energy, Imperial Parking, Vancouver Police Department, Waste Management of Canada, Calgary Airport Authority, University of Regina, Cameron Canada Corporation, United Mine Workers of America, Victoria Fire Department, Ramada Hotel, Canadian Tire, United Steel Workers, Ministry Of Housing And Social Development, Kal Tire, Association of Allied Health Professionals, CGA-BC, Sleeman Breweries Ltd, Coast Capital Savings, CIGI, Canadian Wheat Board, Boilermakers, Dalhousie University, and more...





# How to Become a Better Manager of People cont'd

## Program Content

### DAY 1

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#### CRITICAL DECISION MAKING SKILLS & DELEGATION

- Using decision making models – knowing who, when and what to delegate
- Asking the right questions
- Analysis and piloting – keys to success
- Managing risk successfully
- The delegation model
- Creating critical check-points
- Learning to let go

#### LEADERSHIP & MANAGING YOUR TIME

- Understanding the four quadrants of time
- Organizational saturation
- Time blocks and scope statements
- Developing critical paths
- Identifying key attributes of an effective leader
- 3 key components of leadership
- Avoiding common leadership errors

#### BUILDING POSITIVE CULTURE

- The six pack of culture
- Understanding how organizational culture develops
- Avoiding destructive sub-cultures
- Initiating team traditions
- Building common norms and mores
- Guarding your culture – your shield
- Strategies leaders use to improve culture

#### EFFECTIVE COMMUNICATION SKILLS

- What are effective communication strategies?
- The power of role modeling
- The 'Art of Persuasion'
- Short term vs. long term communication strategies
- How you unknowingly contribute to communication failures
- Verbal communication – the lost art
- Fostering two-way communication

### DAY 2

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#### SETTING EXPECTATIONS

- Constructing reasonable expectations
- Communicating and building consensus
- Setting the rules and guidelines
- Building flexibility while attaining accountability
- Linking individual performance objectives to a greater goal
- Using the power of a 'file of accomplishments'

#### MANAGING PERFORMANCE

- Creating a performance plan and developing 'buy-in'
- The primary reasons why employees don't perform
- Why managers fail to recognize performance issues
- Objective and subjective criterion
- How to develop employees to become peer supporters
- How to gauge when performance has improved

#### COACHING & MOTIVATING YOUR EMPLOYEES

- The motivation formula
- Leading with the early adopters
- Performance coaching – how it works
- Understanding the motivation stimuli – intrinsic versus extrinsic stimuli
- Using coaching sessions to achieve goals
- Dealing with problematic behaviour and insolence
- Building a coaching culture

#### USING THE POWER OF TEAM BUILDING

- Team formation and culture
- Setting team goals
- Personality and its impact on a team
- How to foster a sense of belonging
- Utilizing each individual's strengths to complement the team
- Building a team's shared vision



*“It is your people skills that determine the success of your career!”*

## DAY 3

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### USING PROGRESSIVE DISCIPLINE AS A MANAGEMENT TOOL

- Progressive discipline – when all else fails
- Discipline models
- How to develop discipline guidelines
- 3 principles of progressive discipline
- The ‘dirty dozen’ – 12 key considerations of discipline
- Mitigating and aggravating principles

### USING THE DISCIPLINARY PROCESS

- Consistent treatment does not mean identical treatment
- How to write effective disciplinary letters
- Culminating incidents – ‘the straw that breaks the camel’s back’
- What is the standard of proof?
- Considering fairness and natural justice
- Timing of discipline

### DOCUMENTATION & INVESTIGATIONS

- When and what to document
- Formal versus informal conversations – is there a difference?
- Understanding how to use warnings to correct behaviour
- How to properly conduct an investigation
- Confidentiality does not guarantee anonymity
- The do’s and don’ts of disciplinary meetings

### CASE STUDIES

- Your best employee is cancerous to your culture
- Motivated employees, but no resources
- Managing those who were once your peers
- When your boss is the problem
- Dealing with poisoned work environments

**Canadian Professional Management Services** is a management consulting firm that focuses on ‘People and Leadership.’ For over 20 years, our consultants have been providing advice and education on labour relations, strategic planning, leadership, professional development and board governance. Our clients include entrepreneurs, boards, associations, and organizations in both the public and private sectors from boutique companies to multi-site international organizations. We combine our Canadian experience and education with an interactive facilitation style to provide a learning experience that is second to none. Some of our areas of expertise include:

#### LABOUR RELATIONS

- Labour-management consensus building
- Collective agreement administration
- Labour contract negotiations
- Grievance management
- Arbitration presentation
- Facilitation/process consultation

#### EXECUTIVE DEVELOPMENT

- Organizational development
- Ethics and ethical conduct
- Leadership and supervisory excellence
- Developing intelligent organizations
- International leadership conferences

#### On-Site Facilitation & Consulting

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Our mission is to assist the professional development of organizations by providing you with sound advice from our leading consultants who work with Fortune 500 companies year after year. Should you require a customized program or prefer the convenience of bringing a facilitator to your organization, we are here to deliver the results you seek. We will design a program curriculum to specifically meet your learning objectives, using scenarios and case studies that are applicable to your industry while tailoring the discussions to meet the education and experience level of the participants. In this setting, participants will gain the added advantage of learning with their peers while discussing situations that they may currently experience.

**Please call us at 1-888-452-6422 or visit [www.cpmnational.com](http://www.cpmnational.com) to learn how we can assist you.**

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## Enrollment Form



### TO REGISTER:

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**By Tel:** 1-888-452-6422 / 604-688-2641  
**By Email:** registrations@cpmsnational.com  
**By Mail:** 388 - 1111 West Hastings Street, Vancouver, BC V6E 2J3  
**By Fax:** 604-688-2642

### STEP 1: SELECT PROGRAMS

#### 1. Managing Employees in a Unionized Environment

- Thunder Bay - May 27, 28 & 29 - Victoria Inn Hotel & Convention Centre - 555 W. Arthur Street
- Toronto - June 3, 4 & 5 - Marriott Downtown Eaton Centre, 525 Bay Street
- Hamilton - June 5, 6 & 7 - Sheraton Hamilton Hotel - 116 King Street West
- Windsor - June 10, 11 & 12 - Hilton Windsor - 277 Riverside Drive West
- Sudbury - June 12, 13 & 14 - Radisson Hotel Sudbury - 85 Ste. Anne Road
- Ottawa - June 17, 18 & 19 - Marriott Ottawa – 100 Kent Street

#### 2. How to Become a Better Manager of People

- Hamilton - May 6, 7 & 8 - Courtyard by Marriott - 1224 Upper James Street
- Toronto - May 13, 14 & 15 - Marriott Downtown Eaton Centre, 525 Bay Street
- Ottawa - May 29, 30 & 31 - Marriott Ottawa – 100 Kent Street

### STEP 2: REGISTRANTS

Name: \_\_\_\_\_ Title: \_\_\_\_\_ 1  2  Both

Name: \_\_\_\_\_ Title: \_\_\_\_\_ 1  2  Both

Name: \_\_\_\_\_ Title: \_\_\_\_\_ 1  2  Both

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Email for Confirmation: \_\_\_\_\_

### STEP 3: PAYMENT INFORMATION



\$1499 per registration per three day program plus tax.  
**Save \$600** when you and/or your colleagues register for three or more programs at the price of **\$1299 plus tax per program**. Breakfast and lunch are included daily.

[GST/HST# 874032162]

Credit Card (Visa/MC/Amex)

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Card Holder: \_\_\_\_\_ Signature: \_\_\_\_\_

Cheque enclosed is payable to CPMS  Invoice my organization (PO Number: \_\_\_\_\_)

### What You Can Expect

- ✓ Take home material for future reference
- ✓ Small interactive programs, limited seats
- ✓ Open discussions, interaction and real life examples
- ✓ Facilitators who are leaders/practitioners with real life experience
- ✓ Guaranteed program satisfaction

### Who Should Attend These Programs:

- ✓ Managers and Supervisors
- ✓ Human Resources and Labour Relations Specialists
- ✓ Directors and Board Members
- ✓ Administrators
- ✓ Members of the Negotiations Team
- ✓ Future Managers, Supervisors and those in leadership positions

### Upcoming Programs



**Strategic Leadership  
Hawaii**  
April 1-5, 2013



**Half Day  
Management Skills**  
Summer 2013



**Labour Relations**  
Summer 2013

### We are the Curriculum Developers for the



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