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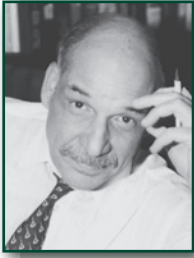
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WINTER 2017 VOLUME 15, No. 1



Brian W. Pascal
RPR, CMP, RPT
President

President's Message

Time for Another Look at Flexible Working Hours

A good option for today's workforce

A few years ago, Marrison Mayer, President and CEO of Yahoo, was pilloried for cancelling working at home agreements with thousands of Yahoo employees and ordering them to show up in person for active duty. The Yahoo management team could not determine how much people were actually doing and in Mayer's view, they were simply not getting value for money. This may have been a case where managers weren't properly supervising staff or maybe there were a few or many employees who were actually abusing the system. We don't really know for sure.

What we do know is that there was an outcry of condemnation from an array of experts who claimed that flexible working arrangements were the only way forward. I may be the only one, but I am starting to doubt this widely held opinion, at least when it comes to benefits for the employer. That is not to say that all workplace flexibility programs are bad, but let's not be afraid to challenge conventionally thinking on this issue.

To begin, let's talk about what does work. I think it's generally agreed that there have to be some accommodations made for people who want to work part-time or share jobs with someone else. That does have some increased costs for the employer who must absorb salary and benefit expenses for more than one employee. But it works for both sides in keeping an older and experienced worker on the payroll longer or allowing a good employee to take time off to care for young children or to provide critical care for a parent or relative.

...there have to be some accommodations made for people who want to work part-time or share jobs with someone else.

I am also not opposed to employee working from home as long as there are clear rules and guidelines and a concrete way to evaluate performance. I would actually prefer some combination of time at the office with some off-site days so that there is a regular check-in, partly for supervision but also to ensure connection with other staff in the organization. Is working at home effective? It seems to depend on the organization of course, but more on the individual. *The Harvard Business Review* studied the issue and found that high performers liked working from home and thrived while many other employees described it as lonely and when given the chance would come back to the office.

There is one form of flexible hours that I simply can't stand. This system, highly popular in government offices, involves working an extra 45 minutes a day to get a day off every two weeks. That means that every Monday or Friday the office is short staffed and I am not really sure how much work gets done in those 45 minute intervals.

As usual, those are my opinions only. Feel free to agree or disagree. We always welcome your comments, eight hours a day, five days a week.

Brian Pascal is President of IPM [Institute of Professional Management].

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Good Talent is Hard to Find

So are Good Recruiters

That's the message from a number of surveys and studies on vacant positions and salaries in both the Canadian and American labour markets. According to one such study reported in the *Canadian HR Reporter*, the most in-demand HR roles across Canada include HR managers and recruiters. Not only that, but the salaries for recruiters are near the top in the business, just below that of the HR Manager.

This is good news and well-deserved recognition of the role that recruiters play in the increasing challenge of finding and screening the best possible talent for their organizations. It is also recognition of the work that accredited recruiters like the 1,400 members of the Association of Professional Recruiters of Canada (APRC) have done to increase their level of professionalism in the HR field. As the only association of corporate recruiters in the country, we at IPM are pleased that the APRC which has been in operation since 1984 has contributed to that ongoing success.

Demand for in-house recruiters has been growing for the last five years in the United States, but according to ERE Recruiting Intelligence which provides news and insights about the recruiting industry, this is a relatively new phenomenon in Canada. ERE reports that since January 2014, the number of job ads posted online for recruiters across Canada has been steadily increasing. In 2015, the percentage of the total HR jobs advertised for recruiters grew to 15% of all ads in the United States and 12.5% in Canada.

They also note that in 2015, Toronto had the most ads and Edmonton had explosive

growth in the number of recruiter jobs posted online. Their numbers increased over 150 percent. In 2016, the market for recruiters also grew in many other areas across the country including Vancouver and Calgary according to the *Canadian HR Reporter*.

Why are corporate or in-house recruiters so hot these days? There are a number of factors, but the bottom line is that they bring a set of skills and expertise to an organization that is becoming essential to their business success. As the job market grows tighter and competition for top talent increases, having that capacity in-house is not just nice to have, it's a necessity.

As the job market grows tighter and competition for top talent increases, having that capacity in-house is not just nice to have, it's a necessity.

So what makes a good recruiter? At one point in time, many experts felt that online recruiters and search engines would replace the corporate recruiter. Then it was thought that social media like Facebook and Twitter and especially LinkedIn would be the solution to corporate staffing and recruitment needs. But even as they all use these vehicles as part of the process, most major organizations still rely on their corporate recruiting staff to complete the mission.

The best recruiters are actually a combination of a number of characteristics that you might find in other occupations. Some of these include specialized education, being a good sales person and career counsellor and also a researcher to be able to see inside a candidate's head in a pre-interview or screening process. They are also master builders of networks, connections and interpersonal relationships. Those become crucial elements of finding and securing the best qualified fit for any organization.

According to **Recruiter.com** there are also a few other pieces that a good corporate recruiter must have today. They are the ability to use technology and the capacity to deliver consistent results. On the technology front, recruiters must be able to comb through the mass of resumes generated by social media and analytics to find not only the needle in the haystack, but the perfect pearl in the oyster bed. They have to stay on top of the latest technological solutions and be able to manipulate the data to get results.

Results. That's really what it's all about when it comes to recruiting. Finding candidates is easy. Just post a job on the Internet. Finding good candidates is a bit tougher, but good recruiters know how to do that. Getting the right fit of the perfect candidate who will not just come to your organization but stay—that's what great recruiters do. Excellence and consistency are the keys to success for corporate recruiters. Those that have it are in high demand and that's why they are worth so much and so hard to find.

Members Quarterly Staff Writer



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ASK the Expert

Avoiding Discrimination in the Hiring Process

What questions can employers ask?

The Ontario Human Rights Code (the "Code"), and similar human rights legislation in other jurisdictions, protects job applicants by prohibiting discrimination in the hiring process. The Code expressly prohibits job applications, interview questions or advertisements for positions that directly or indirectly classify applicants based on a prohibited ground. The legislation creates a legal minefield for hiring managers when recruiting and interviewing potential candidates.

The protections provided by the Code to job applicants are broad. Employers can be caught by surprise when served with a human rights complaint as in most cases, the employer did not intentionally discriminate in the hiring process. Here are the answers to some common questions about human rights in the hiring process as well as tips to defend against potential claims.

What are the prohibited grounds of discrimination in the hiring process?

In Ontario, the "prohibited grounds" of discrimination in employment are race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability. These same grounds apply to discrimination in the hiring process.

Employers are not permitted to advertise a position or create an application for employment which directly or indirectly classified or indicates qualifications by a prohibited ground of discrimination. Further, employers are prohibited from asking questions at an interview or in an application form concerning a prohibited ground of discrimination.

What information should not be collected on an employment application?

It is fairly common to see questions about an applicant's age, citizen and gender on a job application form. These questions that directly ask about a prohibited ground are inappropriate and are prohibited by the Code.

Application forms should not collect information which could indirectly result in prohibit grounds being questioned on an application form. For example, it is recommended that the forms not include a gender identifier (such as "Mr.", "Mrs." or "Miss"). The Commission also cautions against asking for a photograph of the applicant as it will disclose to the employer the applicant's gender, race and other prohibited grounds. Many people also find it surprising that the Commission advises against requesting a copy of the applicant's driver's license — even if a requirement of the job is to drive. Instead, this information should be requested afterwards as part of a conditional offer of employment.

What about criminal offences? What information can we request?

It is common for an employer to want to know about an employee's history — including whether or not the employee has been involved in any criminal activity in the past. Generally speaking, the only permissible question that can be asked of a candidate is whether the candidate has "ever been convicted of a criminal offence for which a pardon has not been granted?" You are not permitted to ask generally about whether or not a candidate has been convicted of any offence, generally, about time spent in prison.

Do I need to accommodate individuals with disabilities in the hiring process? How can I do so if I cannot ask questions about whether or not an individual has a disability on an application form?

Employers should offer and provide accommodation to job applicants in the application and interview process to avoid allegations that the process is discriminatory. The Commission recommends that employers offer accommodation to all candidates who need it when inviting them for an interview or to complete a pre-employment test.

It is considered best practice to indicate on job applications and promotional materials that an employer is willing and able to accommodate individuals with disabilities on request from

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Dan Palayew and Erin Durant will be presenting on:
Law Update: Mental Health and Medical Issues in the Workplace
at IPM's Ottawa April 6, 2017 Conference.

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Avoiding Discrimination

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candidates in all aspects of the hiring process. A person who needs accommodation is responsible for advising of this need in enough detail, and co-operating in consultations to enable the employer to respond to the request before the interview or testing. Employers need to make all efforts to accommodate an applicant in the hiring process — up until the point of “undue hardship.”

Turning to the interview, are there any best practices to avoid discrimination complaints arising from the interview itself?

The questions asked and the comments made by an interviewer during the hiring process are very important. When an inappropriate question is asked or when an offensive comment is made during an interview, an inference may be made by an unsuccessful applicant that a decision not to hire the individual was made due to the answer to an inappropriate question. A discrimination complaint can be made – and can be successful – even if there was no intention to discriminate. According to the Commission “The fact that improper questions have been asked is sufficient to prove discrimination, even if the applicant is ultimately given the job.” This can be terrifying to employers.

Care needs to be taken to ensure that interviews only solicit information about qualifications and job requirements needed for the hiring decision. Draft your interview questions before bringing in any candidates. Review your draft questions with the Commission’s guide on interviewing and making hiring decisions (available online). Finally, ensure that the

individuals conducting the interview “stay on script”.

How does an employer defend against allegations of discrimination in the hiring process?

If a job applicant is not selected for a position and alleges that it was for discriminatory reasons, it will be up to the employer to demonstrate that there was a non-discriminatory reason for not hiring the individual — particularly if the individual selected for the position that is not protected under the *Code*. There are a few simple things that employers can do to assist their lawyers in defending a complaint:

- (1) Provide training to employees responsible for interviewing new candidates on discrimination in the hiring process. Keep copies of the training materials on file.
- (2) Interview in diverse teams if possible. Interviewing in teams that reflect the diverse groups within an organization has been shown to help reduce unconscious bias in

hiring. Interviewing in teams also ensures that there are multiple employer witnesses to the interview in the event of a future discrimination claim taking place.

- (3) Keep copies of interview questions and notes from the interview. These documents will become important evidence at a hearing.
- (4) Develop objective criteria to rank candidates based on non-discriminatory criteria. This will assist at a hearing in demonstrating why one candidate was chosen over another.

Following these tips should help your organization defend against a human rights complaint in the future.

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*"Welcome aboard, Johnson!
Bruno, your acting supervisor, will get you started."*



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Random Drug and Alcohol Testing: Navigating the Legal Maze

Case law updates

There are many types of drug and alcohol testing. Some employers test before employment starts, some test after an accident or near-miss and others test with reasonable cause. Some employers do all three.

All such tests are designed to deter employees from being impaired while on duty or to check that they are not impaired. Therein lies the problem. Testing does not necessarily achieve that specific purpose. While alcohol testing does show current impairment, drug testing does not. Employers are left with imperfect tools in an attempt to achieve a safe work environment. Employees are left feeling that their privacy rights have been violated. Perhaps unsurprisingly, this has led to litigation.

The 2013 Supreme Court of Canada case *Irving Pulp & Paper* is the most recent Supreme Court of Canada case addressing how to properly balance the employer's safety interests and the employee's privacy rights. Over three years later, there remains some confusion over the proper thresholds to be applied and the implementation of random drug and alcohol testing continues to be a tricky exercise for employers.

In *Irving*, the Supreme Court upheld the arbitration decision that the drug and alcohol testing at issue was not justified in the circumstances. However, the Court was clear that "this is

not to say an employer can never impose random testing in a dangerous workplace. If it represents a proportionate response in light of both legitimate safety concerns and privacy interests, it may well be justified."

The Court in *Irving* indicated that such justification of random alcohol or drug testing for employees in "safety sensitive" positions would occur in situations where there is

- (1) a dangerous workplace; and
- (2) enhanced safety risks, such as evidence of a general problem with substance abuse in the workplace.

However, the Court was not specific regarding the threshold required to establish the existence of a "problem".

Soon after *Irving*, the Alberta arbitration Board decision in *Re Suncor Energy Inc. and Unifor, Local 707A* was released. This case considered the balancing act discussed above but also considered whether or not Suncor could unilaterally impose random testing for its unionized employees under the terms of the applicable collective agreement. Relying on *Irving*, the arbitration Board held that Suncor's random drug and alcohol testing policy was not justified. The Board noted the lack of guidance in the jurisprudence regarding the threshold of establishing "a general problem in the workforce." It did not find that Suncor had demonstrated

that the problem with substance abuse in its oil sands operations was sufficiently serious nor that any such problem was linked to accident or injury incidents.

Another Alberta arbitration Board came to a similar conclusion in a 2015 decision, *Re Teck Coal Ltd and UMWA, Local 1656 (Drug and Alcohol Policy)*. The Board did not find that the evidence of drug or alcohol use in the workplace met the threshold set out in *Irving* mainly because there was no evidence establishing a link between workplace safety incidents and the use of drugs or alcohol.

Unifor was judicially reviewed and deemed by the Court of Queen's Bench to be unreasonable. The Court of Queen's Bench applied an interpretation of *Irving* that is much more favourable to employers wanting to implement random drug and alcohol testing than the arbitration decisions following *Irving*. The Court of Queen's Bench relied upon the dissenting reasons in *Irving* to hold that evidence of a substance abuse problem in the workplace does not need to be 'significant' or 'serious' in order to justify random drug and alcohol testing, and further, that a problem of substance use does not need to be linked to accident or injury incidents in order to justify random drug and alcohol testing.

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Feature



**Duncan Marsden will be presenting on:
Today's Critical Issues in Employment Law
at IPM's Calgary May 2, 2017 Conference.**

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Drug and Alcohol Testing

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While the Court's decision in *Unifor* seems to provide some further guidance to the application of the Supreme Court's test for the justification of random drug and alcohol testing by clarifying that the evidence need not support a 'serious' or 'significant' problem, it still fails to answer the question that remains from the decision in *Irving* — what is the threshold of a "problem" with substance abuse in the workplace? What evidence must an employer establish to show the existence of such a problem? This remains the greatest challenge to employers in defending their random drug and alcohol testing policies in the courts.

The *Unifor* decision is currently being appealed to the Alberta Court of Appeal. The

outcome of this appeal will significantly affect the ability of employers to implement random alcohol and drug testing. Permission to intervene has been granted to the Mining Association of Canada, Construction Labour Relations, Electrical Contractors Association of Alberta, Enform Canada and the Construction Owners Association of Alberta. Hopefully the Court of Appeal will provide some much-needed clarification on this highly important issue.

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Jeff Aplin
President,
David Aplin Group

New Technology Fueling Changes in Talent Acquisition

It's going to be a wild ride

2016 brought real changes in the industry dynamics, technology advances and competitive forces of the staffing industry and talent acquisition.

Industry changes are cyclical and now we are in the cycle where change is accelerating and the industry is restructuring in many ways. Whether you are an executive or manager leading (and hopefully retaining) top talent, an HR professional or anyone looking to make a career move, this is definitely going to impact you.

Talent acquisition is changing for all of us and it's important to look closely at the implications.

Significant moves signaling industry evolution include:

- Microsoft acquiring LinkedIn for \$26 Billion USD (June 2016)
- Indeed acquiring Simply Hired (July 2016)
- Ranstad acquiring Monster.com for \$450 Million (August 2016)
- eHarmony launching Elevated Careers (April 2016)

These deals are signals of how the talent acquisition landscape is changing for everyone. The common thread of the accelerating changes is advances in new technology.

Microsoft was attracted to LinkedIn for many reasons but specifically for their global user base in the professional social networking space.

Indeed was attracted to Simply Hired's job search engine capability and their large global user base.

Ranstad was attracted to Monster for their job board technology and systems.

eHarmony entering the talent matchmaking space is an attempt to use their dating matching algorithm in the talent acquisition space. Their algorithm has resulted in 2 millions couples getting married so a big question is whether that will work in career matchmaking.

Navigating the new technology in talent acquisition can be a daunting task with daily changes and new entrants continuously appearing on the scene. There is a recent report from Talent Tech

Labs, "The Evolution of the Talent Acquisition Ecosystem" (available at <https://talenttech-labs.com/download-ecosystem-report/>) which is an excellent survey of the technology landscape. Talent Tech's approach is to take the four broad areas of:

1. Sourcing Stage
2. Engagement Stage
3. Selection Stage
4. Hiring Stage

The four broad areas are then subdivided into 14 sub verticals, and then 28 finer categories within the sub verticals. Each of the 28 finer categories has between 10 and 20 examples of apps and online services and systems represented. For example, getting more granular to the level of actual apps, online services and systems the Talent Tech taxonomy is:

- Sourcing ⇒ Job Advertising ⇒ Job Board Aggregators
- Sourcing ⇒ Online Staffing ⇒ Crowd Sourced Recruitment
- Engage ⇒ Employer Branding ⇒ Employer Reviews

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Feature



Jeff Aplin will be presenting on:

Human Cloud, Gig Economy and the Future of Recruiting in Canada
at IPM's Calgary May 2, 2017 and IPM's Edmonton May 4, 2017 Conference.

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New Technology Fueling Changes

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- Selection ⇨ Interview Process ⇨ Video Interviewing
- Selection ⇨ Assessment Tools ⇨ Psychometric Assessment
- Hiring ⇨ Vendor and Freelance Management Systems ⇨ Vendor Management System (VMS)
- Hiring ⇨ Applicant Tracking Systems ⇨ ATS for Employers – ATS for Staffing Agencies

The Talent Tech Labs report is one of the best I've seen to segment the different niches in each step in the process.

If you are looking to improve your results in talent acquisition, it is increasingly important to keep abreast of the expanding technologies and how they all fit together.

In such a busy space, a key consideration is how all these apps, services and systems weave together. From my perspective, how the many technologies are integrated for each of the employer, the

candidate/employee and their staffing partners will be where the magic is. With the explosion of apps and online services, a global personal or reputation management platform could be critical.

Enabling people to more seamlessly experience more of the ever increasing parts of the talent acquisition cycle would be an exciting next step. The future is coming and it's going to be a wild ride.

Jeff Aplin is President of the David Aplin Group and can be reached via email at japlin@aplin.com.

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Contracting out of Common Law Reasonable Notice

“Enforceable” termination clauses deemed “unenforceable”

The Nova Scotia Supreme Court had a recent opportunity to assess the enforceability of a termination clause found in an employment agreement. The Court took a strict approach to the language required to oust entitlement to common law reasonable notice and expressly rejected the “rule of thumb” regarding common law reasonable notice.

The Decision

In *Bellini v Ausenco Engineering Alberta Inc.*, 2016 NSSC 237, Mr. Bellini, a Senior Mechanical Engineer, was terminated by Ausenco without cause. Following termination, Mr. Bellini brought an action for damages for wrongful dismissal against Ausenco. Mr. Bellini’s employment contract with Ausenco included a provision governing termination without just cause which stated:

...If it becomes necessary for us to terminate your employment for any reason other than cause, your entitlement to advance working notice or pay in lieu of such notice will be in accordance with the provincial employment standards legislation.

It is a general principle of employment law that clear and unambiguous language is required to effectively rebut the presumption to an employee’s right to common law reasonable notice. Mr. Bellini argued that the language in the termination provision was not sufficiently clear to limit his entitlement to the minimum amounts set out in the *Nova Scotia Labour Standards Code*,

Employers in Nova Scotia and all jurisdictions in Canada should carefully review termination clauses in their employment agreements to ensure they are enforceable.

and as a result, he was entitled to reasonable notice in accordance with the common law.

Justice LeBlanc examined several cases from jurisdictions across Canada and determined that the language contained in the termination provision did not effectively limit the employee’s entitlement to the statutory minimum. Importantly, Justice LeBlanc stated the following at paragraph 43:

...The provision in this case is at best ambiguous as to whether the parties intended the statutory minimum to apply, or simply whether the applicable notice would be consistent with the legislation. It would not be difficult for an employer to draft a termination clause that leaves no doubt as to the parties’ intention to oust common law notice. This language does not do that. I am not convinced that the court should apply a strained interpretation to attribute such meaning to contract language that does not specifically say so. As such, I am not convinced that the termination provision ousted Mr. Bellini’s right to common law notice.” (emphasis added)

In determining reasonable notice, Justice LeBlanc considered the character of employment, length of service, age and availability of similar

employment and expressly rejected the “rule of thumb” of one (1) month of notice per year of service, as not being an individualized approach to determining reasonable notice. Ultimately, Mr. Bellini was awarded six (6) months’ reasonable notice and CPP contributions.

Important Considerations for Employers

Employers in Nova Scotia and all jurisdictions in Canada should carefully review termination clauses in their employment agreements to ensure they are enforceable. Termination clauses with reference to statutory minimums should also contain express language rebutting the employee’s entitlement to common law notice. Courts will critically assess a termination clause to ensure that it meets the test of clearly and unequivocally rebutting the employee’s common law entitlements.

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Feature



Kyle MacIsaac will be presenting on:
Today’s Critical Issues in Employment Law
at IPM’s Halifax May 3, 2017 Conference.

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Accommodating Employees with Childcare Needs

Ongoing obligations for employers

One of the fastest-growing issues facing employers is the need to accommodate employees with childcare and eldercare needs. As these issues emerge with more regularity in our workplaces, our courts and tribunals appear to be prepared to weigh into the debate — with consequences for employers.

In May 2014, the Federal Court of Appeal clarified employers' obligations in a decision called *Johnstone*. Unfortunately, a subsequent Ontario decision may have muddied the waters once again. *Partridge v. Botony Dental Corporation* provides a tutorial for employers on what not to do when an employee is returning from maternity leave.

First, the employer stripped her of the office manager position she had held for four years and demoted her to be a dental hygienist, despite her clear legal right to be returned to the position she held before her leave.

Next, the employer changed her hours of work in a way that it knew would interfere with her daycare arrangements. These arrangements had been in place for several years since her older child was born.

Finally, when the employee complained about these changes, the employer accused her of being insolent, insubordinate and even harassing him. As a result, her employment was terminated, allegedly for cause.

Not surprisingly, the Ontario Superior Court of Justice concluded that the employer had breached its obligation to reinstate the employee to her same position following her maternity leave, and that there was no cause for her termination. This was not at all a surprise.

But the court, perhaps influenced by its distaste for the other bad things the employer had done, then went a step further. It concluded that the employer had also violated the employee's human rights by interfering with her daycare arrangements. Its conclusions on that point are somewhat concerning.

In *Johnstone*, the Federal Court of Appeal had decided that an employer only needs to accommodate employees' childcare needs if the employee has already made reasonable efforts to address the problem, and other solutions are not reasonably accessible. In other words, it is primarily the parent who must work out childcare arrangements. The employer's obligation kicks in when the parent, despite best efforts, cannot do so without accommodation in the workplace.

In this case, the employee had been asked to work until 6:00 pm instead of 5:00 pm. She lived in Barrie, a large city with multiple daycare options. Her husband was self-employed, so he probably had some flexibility

in his work hours. Surely, with reasonable efforts, the family could have ensured their children were cared for during the one extra hour the employee was required to work. Yet, although the court claimed to be applying *Johnstone*, it found without much analysis that the employee couldn't find a "sustainable" childcare arrangement on her own. Therefore, the employer had an obligation to accommodate her by going back to the original work schedule, and since it breached that obligation, it was ordered to pay her \$20,000.

The lesson for employers is to continue to take accommodation requests based on childcare and eldercare very seriously. An employer should feel free to ask the employee about his or her childcare situation and what other care options they have explored before jumping to the conclusion that a workplace accommodation is necessary. All the same, as this case demonstrates, there is still some uncertainty as to when accommodation is necessary, and it is better for employers to be safe than sorry.

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Feature



Ruben Goulart will be presenting on:
Today's Critical Issues in Employment Law
at IPM's Toronto May 3, 2017 Conference.

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Murray Janewski
President, ACT One
International Corp.

Your Written Communication

What image are you leaving?

Almost every organization I walk into “complains” about problems with communication. When you hear that, what jumps to your mind? People withholding information? Leaders having trouble speaking? Somebody sore because they missed out on some gossip? The list is endless, and I believe the statement “The problem in this company is communication” is really a cop-out for a lack of truly wanting to be understood.

If you really want to improve your image and the image of your company, start with writing skills — your writing skills. Let’s take the example of the company vision. Whose responsibility is it ultimately to make sure the vision is clear, understood and inspiring? Clearly this lies with the CEO. Communication is definitely sender oriented — true communication occurs only when the received or created meaning is the one intended by the sender. Now look at the roots of the word communication. The word comes to English from Latin and has two roots: com (for the Latin “cum” meaning “together”) and munis (“binding by obligation”). It probably seems pretty alien to a lot of leaders that communication might imply a binding obligation together with the people they are leading. And it starts with the written word.

What creates the image of a leader? I believe that how you present yourself is the key to success in business (or any walk of life for that matter).



You communicate your total image in four related parts:

1. Your appearance and how you look after yourself.
2. Your writing skills.
3. Your face-to-face communication skills.
4. Your presentation skills.

Assuming you are looking after yourself, the starting point is to work on your writing skills — and there is plenty of opportunity. I quote Lee Iacocca:

“The discipline of writing something down is the first step toward making it happen. In conversation you can get away with all kinds of vagueness and nonsense, often without even realizing it. But there’s something about putting your thoughts on paper that forces you to get down to specifics. That way, it’s harder to deceive yourself or anybody else.”

Good advice. However, there is a huge problem in the workplace today and it’s only getting worse — that is the ability to write. The advent of the computer and e-mail has

exacerbated the problem to the point where anything goes. What happened to the binding obligation?

You can improve communication throughout your organization by starting from within and learning to write better. Your messages will become clearer and you can insist on others improving the same way. Just think of the clarity that can be achieved inside your organization and with customers, suppliers, regulatory bodies, etc. Then you will have a professional image. And there’s a bonus: writing helps define you. Once you master creating the intended message so that the receiver grasps your meaning, you will be in a far stronger position to transfer this professional ability to your verbal communication with people. Then you can communicate the image you want, be it the vision, a strategy or needed information.

Murray Janewski is President, ACT One International Corp. and can be reached at murrayj@aoic.ca.

Feature



Murray Janewski will be presenting on:
The Work of Leaders: Connect to real-world demands
at IPM's Halifax May 3, 2017 Conference.

FOR DETAILS, GO TO [WWW.WORKPLACE.CA](http://www.workplace.ca) (CLICK ON EVENTS).



Judy Suke
President,
Triangle Seminars

Attracting and Retaining Star Employees

It's not just about the salary

In today's highly competitive job market, we all want to attract the star employees. In an environment where people are known to relocate often during their careers, we want to retain those star employees for as long as possible. I believe that this can be accomplished when we get our compensation plan perfect and have a winning company reputation.

According to the textbook "Managing Human Resources, Fourth Canadian Edition", authors Belcourt, Bohlander and Snell define a Strategic Compensation Plan as "the compensation of employees in ways that enhance motivation and growth, while at the same time aligning efforts with objectives, philosophies, and the culture of the organization." This is not just about salary. It is the whole package: salary, benefits, vacation time, ongoing training, sales incentives, bonuses, community involvement, environmental sensitivity and a system of showing appreciation towards employees. Getting your compensation plan right will not only help you to attract and retain the star employees, it will also create loyalty and a dedication to excellence in your existing employees.

Formal Compensation Policy Statements cover the following:

- The rate of pay within the organization and whether it is to be above, below, or at the prevailing community rate. To find the community rate, go to www.Jobs4Canada.com, www.monster.ca or www.worldatwork.org. Your goal is to remain competitive in the labour market.

- The ability of the pay program to gain employee acceptance while motivating employees to perform to the best of their abilities. You reward employees for their experience, education and ongoing training.
- How to mesh employee's future performance with organizational goals. In other words, if you want the latest and greatest information in technologies, your compensation plan encourages and rewards constant training. If you stand for continuous improvement, you reward innovation.
- The pay level at which employees may be recruited and the pay differential between new and more senior employees. Be careful that in your vigour to recruit star employees, this does not get out of proportion. There is a need to insure fairness to all employees.
- The interval at which pay raises are to be granted and the extent to which merit and/or seniority will influence the raises.
- The pay levels needed to facilitate the achievement of a sound financial position in relation to the products or services offered.

Creating Pay Equity

"Research clearly demonstrates that employees' perceptions of pay equity, or inequity, can have dramatic effects on their motivation for both work behaviour and productivity." – (Ramon J. Aldag, *Organizational Behaviour and Management*) Simply defined, pay equity embraces the concept of fairness. Individuals are paid according to their inputs (abilities, skills, experience and education) and outputs (the value of the work performed, stress level, responsibilities); and then the outcome (salary and benefits) are compared to other jobs both within the company and externally. For more information you can go to www.payequity.com.

To determine what is fair you need to create a clear chart of all positions within the company, illustrating the education, training and tasks required for the position. You also want to evaluate the mental demands, problem-solving issues, risk tolerance and stress tolerance related to the job. Other things to consider are travel and safety hazards. This chart will also help you to show employees what they need to accomplish to reach the next level or take on a different role within the company.

From my personal experience as a HR Manager and also acting as a consultant with other companies, I have seen the power of this chart. When you get this right and are able to show the employees the chart, it

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Feature



Judy Suke will be presenting on:
Harmonious Relationships: Keeping Them All Happy
at IPM's Toronto May 3, 2017 Conference.

FOR DETAILS, GO TO www.workplace.ca (CLICK ON EVENTS).



Carol Ring
Founder,
The Culture Connection

Is There Sludge in Your Corporate Culture Fuel?

Improve culture and reduce your costs

Have you been worn down by year after year of cost cutting? Every budget cycle brings back the mantra of “do more with less”. Maybe you’ve flattened out your organization by taking out layers of management or scaled back to focus on core competencies. Perhaps you’ve reduced travel costs by implementing virtual meetings and conference calls. Maybe you’ve gone so far as to cut employee training or employee recognition events. Eventually you run out of options and become frustrated by the constant demand to find more areas to cut.

Have you looked at the cost of your culture? Surely one of the most visible costs of a terrible culture is high employee turnover which results in increased hiring and training costs. But what about productivity costs associated with bureaucratic or fragmented cultures where employees don’t feel empowered? What should your company focus on when trying to cost out the impact of your culture?

The first step is to identify the elements of a “bad” culture. Several models have tried to define the values that contribute in a negative way to the performance of your organization. Whether we call them “limiting” or “negative” values, they drag a business down rather than propel it forward. You can build the best racecar in the world and hire highly trained drivers.

However, if there’s sludge in the fuel, your race is destined for mechanical failure.

I remember a time when I was managing a division in corporate Canada. We thought our division was performing pretty well. We undertook an overall cultural assessment and discovered a few limiting values. To our surprise, bureaucracy, finger-pointing, blame and inward focus all made the list.

We realized that acting on these results could have significant effects on our costs and revenues. Clearly, if we shifted more of our inwardly focused energy to customer service, we could improve customer satisfaction and loyalty.

When we dug deeper, we found even more impacts. Our employees estimated they were spending almost 15 percent of their time doing paperwork, managing the circulation of documents for approval and writing daily status reports. In addition, every week they sat through four-hour meetings recapping the prior week’s activities in excruciating detail. A whole tier of managers spent their time collecting and reviewing reports only to pass them further up the organization. We had checkers checking the checkers in order to make sure that when directors presented their reports, they incurred no risk of someone else at the table contradicting them.

Finally, we identified another alarming misuse of time — the total hours employees spent in coffee or smoke breaks, gossiping about co-workers or complaining about problems and barriers. When our accountant brought me the time-study results, the dollar value of the time employees spent grumbling was more significant than I’d dared to imagine. Previously, I had been charged with developing cost-saving programs and we were digging madly through ways to improve process or performance. Suddenly, I knew the cost of the company’s limiting values — a gold mine by comparison!

Too often, leaders underestimate the impact of limiting values in their organization. When it comes to putting dollars in the budget for programs focused on culture improvements that will ultimately result in cost savings, these initiatives are rarely on the radar. Leaders often regard changing the cultures as something they should do to boost employee satisfaction and reduce employee churn. Yes, improving culture certainly has these benefits, but it’s clearly worth the effort to attach a financial cost to limiting values.

The cost doesn’t need to be accurate down to the last penny. Realistically, the cost will be plenty large enough when you get through the analysis. In our case, when we calculated 20 percent of inefficient time on a

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Feature



**Carol Ring will be presenting on: *Ignite Your Culture!*
6 Steps to Fuel your Organization’s Profits, People and Potential
at IPM’s Ottawa April 6, 2017 Conference.**

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Is There Sludge in Your Corporate Culture Fuel?

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base of 400 employees at an average hourly rate of \$20, the cost was more than \$2.5 million a year. While it's unrealistic to think any company could eliminate all inefficient time, you can imagine what a difference it would make to even cut it by half.

Addressing your limiting values is a root-cause analysis. It gets to the foundational issues rather than quick fixes,

which is like simply putting additives into your existing fuel system. Instead of dreaming up nickel-and-dime, one-time cost savings programs such as eliminating travel or employee events, make the time to analyze the costs of your limiting values.

Imagine the competitive impact you can make when you improve the culture of your organization while reducing

your costs by six or seven figures! Without the sludge, you'll have a high-octane fuel capable of launching your organization out of the middle of the pack.

Carol Ring is the founder of The Culture Connection and author of Ignite Your Culture: 6 Steps to Fuel your People, Profits and Potential (www.carolring.ca). She can be reached at carol@carolring.ca.

Attracting and Retaining Star Employees

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is possible to encourage them to strive towards excellence in their role which means greater productivity, increased employee learning, improved staffing flexibility and reduced absenteeism. The increase in pay levels allows the company to consider specific job responsibilities, individual skills and competencies, and career mobility patterns.

In his book *"The Healing Spirit"*, Paul Fleishman says, "It is not enough to feel significant, it has to be witnessed and appreciated." Never underestimate the power of employee appreciation certificates and awards. People love to hear their names read out in front of others and the sound of clapping warms the heart. According to Gallup research, the number one

reason employees leave their organization is not because they were not being paid enough — they leave because they were not given enough appreciation.

Judy Suke is President, Triangle Seminars (www.triangleseminars.com) and can be reached via email at judysuke@bell.net.

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