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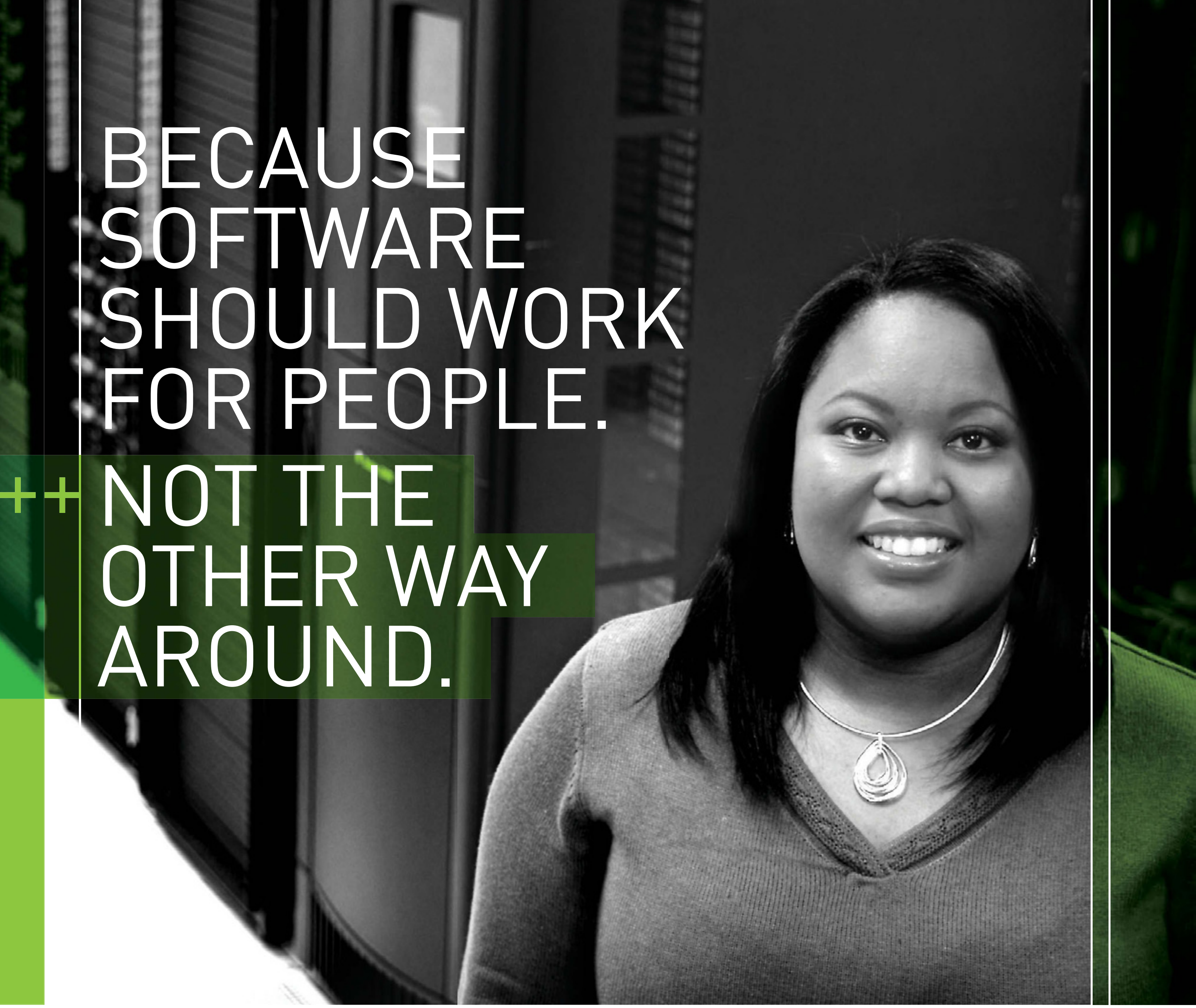
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MEIGHAN FERRIS-MILES

Meighan Ferris-Miles joined Shields O'Donnell MacKillop LLP in 2008 after articling with a national law firm and practising for two years at a boutique firm. She represents employers in all areas of labour and employment law, including employment standards and drafting employment policies and contracts. Ferris-Miles has conducted workplace investigations, has acted and assisted in matters before labour arbitrators and has experience conducting both jury and non-jury trials before the Ontario Superior Court of Justice. She discusses the ramifications of criminal convictions for OH&S matters, on page 17.

CRAIG DOWDEN

Craig Dowden (PhD) is the managing director of the Toronto office of SPB, a Canadian-based organizational psychology consulting firm. Dowden specializes in the custom design and delivery of evidence-based and thought-provoking leadership development services. He is also a highly regarded speaker who has presented to numerous associations, conferences and organizations, passionately sharing the science of individual, team and organizational excellence. SPB assists its clients in assessing, developing and engaging their talent. Dowden suggests business needs more introverted leaders, on page 20.

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Barbara McIsaac is counsel in the Ottawa office of Borden Ladner Gervais LLP, where she is a senior litigator. McIsaac is one of the leading experts in Canada in privacy and access to information law and co-author of *The Law of Privacy in Canada* (Carswell, 2000). She also advises private sector clients, governments and government agencies on issues relating to trade and procurement law, Charter and human rights issues, legislative mandates, jurisdiction and the conduct of investigations. She discusses the recent Supreme Court case dealing with online privacy, on page 36.

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PATRICIA FRIPP

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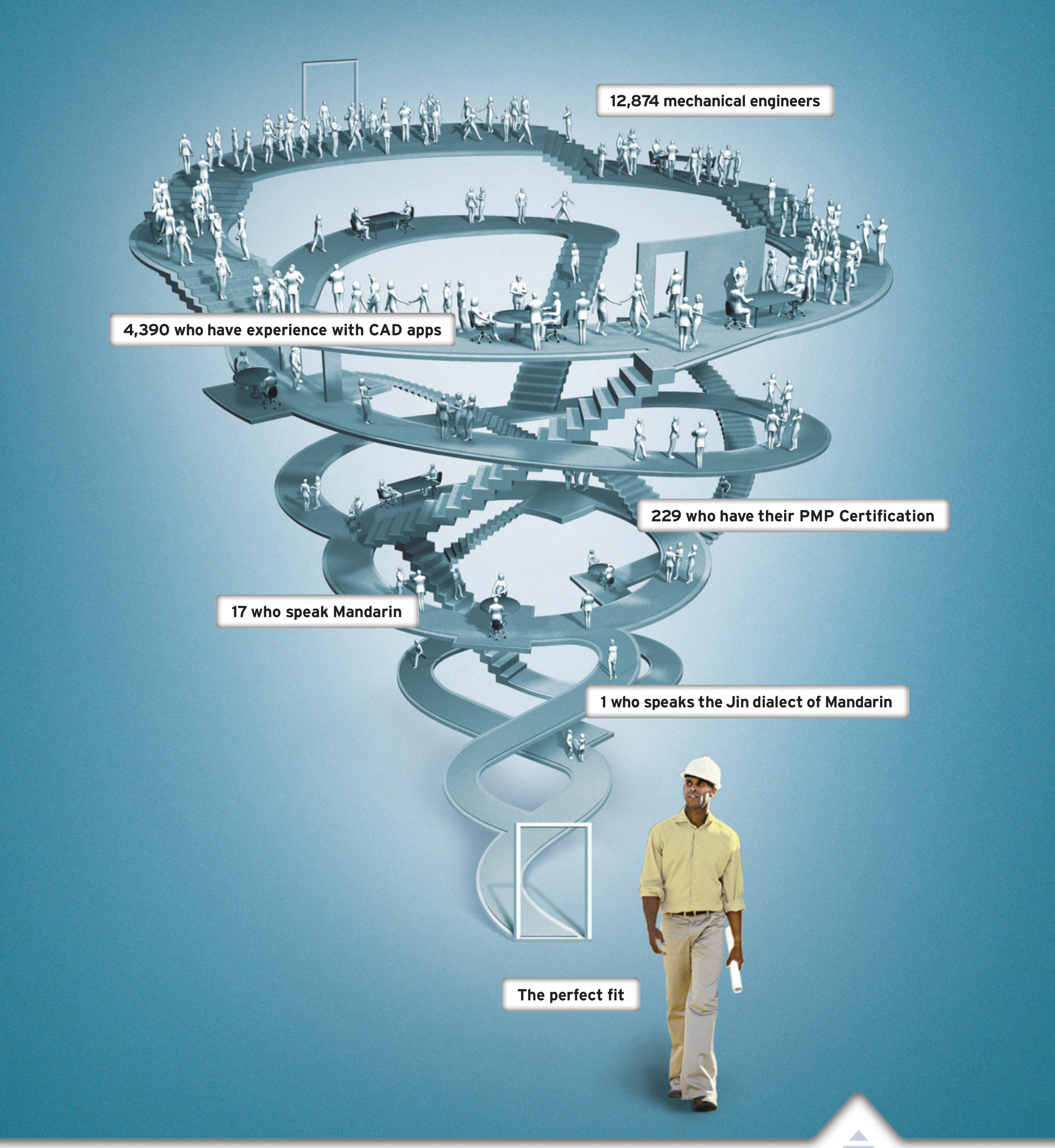

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EDITOR'S LETTER

FUTURE WATCH

As the *HR Professional* team completes this first issue of 2013, we find ourselves doing a bit of crystal-ball gazing because, of course, we're writing before the start of the new year. But, assuming that December 21, 2012 will pass in more or less the same fashion as it always has…we'll stay calm and carry on.

Despite the doomsayers, most of us are intent on developing our current business and personal practices with an eye to the future. As HRPA and Deloitte discovered when developing *CanadaWorks 2025*, there are a number of paths that Canada, and businesses in Canada, could follow as our country moves forward through the next decade or so. Along with our Editorial Advisory Board, we have created an editorial plan for 2013 that will explore some of these paths through emerging trends, innovative approaches and proactive decision-making and leadership.

We're also welcoming a new member to our advisory board: Dr. Parbudyal Singh, professor of human resource management at York University. Dr. Singh made a number of suggestions for our editorial plan and we're pleased with the addition of an academic perspective to our process.

As always, you can contact me directly at lblake@naylor.com, or post on our Facebook page, at www.facebook.com/#!/HRProfessionalMag.

Cheers,

HR PROFESSIONAL

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As the premier HR association in Canada, HRPA is internationally recognized and sought out for its knowledge, innovation and leadership. With more than 19,000 members in 28 chapters in Ontario, and other locations around the world, HRPA connects its membership to an unmatched range of HR information resources, events, professional development and networking opportunities.

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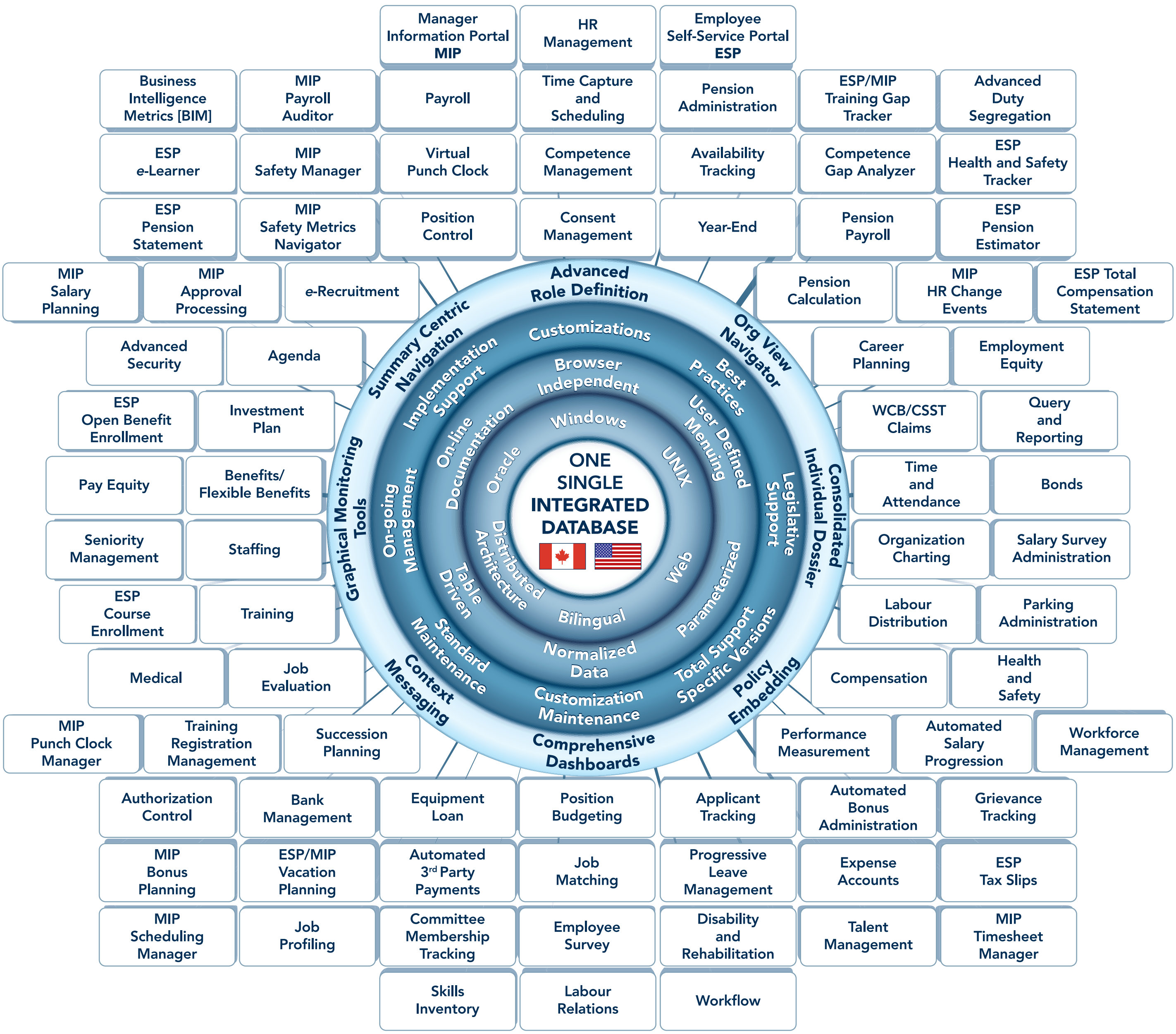

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BY DAPHNE FITZGERALD, CHRP, SHRP

HR AND THE MBA

Is an MBA the HR professional's ticket to a senior management role?

It depends who you ask, according to a recent HRPA/*Canadian HR Reporter* Pulse Survey. The survey found Canadian HR professionals divided on the value an MBA can bring—both in terms of career advancement and the ability to do their jobs.

In the fall survey—*HR Professionals: to MBA or not to MBA?*—sent out to 840 HR professionals across the country, just 18 per cent said the degree was critical to fast-track to a senior role, with 26 per cent saying it was unnecessary and the majority (52 per cent) saying it was helpful but not critical.

> "There was some **common** ground around the need for **HR professionals** to seek additional **knowledge** around finance, accounting..."

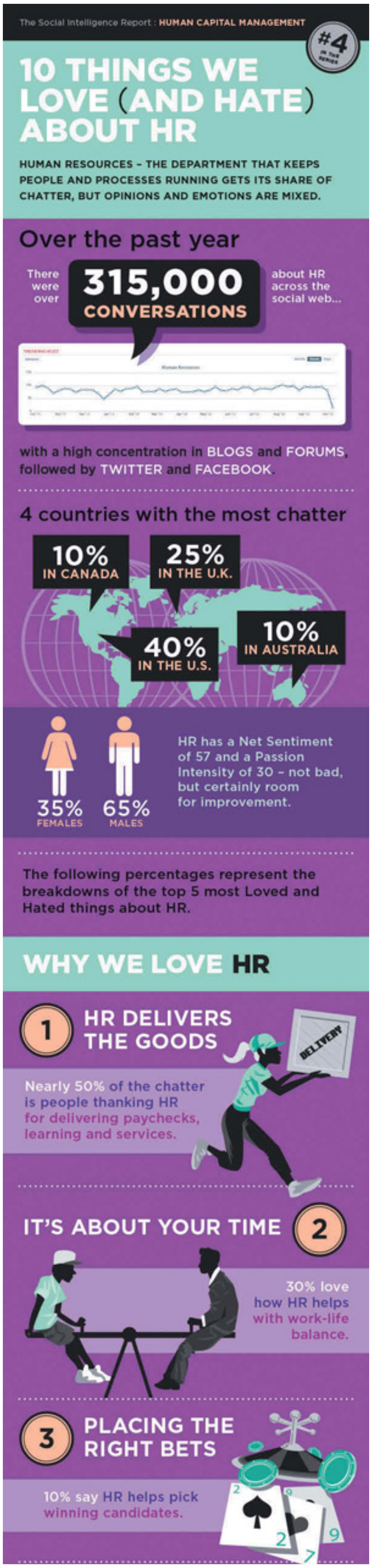
Respondents were also divided on whether their HR training (as certification, experience or both) was sufficient background to take on a senior role. Forty per cent agreed that it was sufficient, 45 per cent said it provided some background, but not enough and 11 per cent said it was insufficient to move up the ladder. (However, only 40 per cent said they were frequently called upon to provide the kind of business analysis—assessing competition, project proposals and budget plans—taught in MBA programs. Thirty-eight per cent said they were rarely asked to do so and 19 per cent said they never were.)

The divisions were echoed in respondents' comments, but where there was some common ground was around the need for HR professionals to seek additional knowledge around finance, accounting and operations to round out their expertise and prepare themselves for more senior roles.

Interestingly, the findings echo similar Pulse Survey results around the value of advanced HR degrees. In that 2009 survey, responses were evenly spread across the spectrum: 24.8 per cent felt that an advanced degree conferred a significant advantage, 28.6% a small advantage, and 29.3 per cent felt that an advanced degree in HR did not confer any particular advantage in HR. Of the degrees respondents were asked to rate (MHRM, the MBA, the MIR, the MIRHR, and the Master's in Industrial/Organizational Psychology), the MHRM and the MBA were rated highest in terms of competitive advantage.

This topic reminds me of the results of the recent HRPA/Knightsbridge survey of Canadian CEOs. They were asked their views as to the value HR brings to their businesses and where they believe HR makes the greatest contribution to organizational success. The consensus was that those HR professionals who truly understand their organization's business model and who have a strong grasp of business issues beyond the borders of the HR function are most likely to have that seat at the executive table.

For some, learning this on the job, if the opportunity presents itself, will make the most sense. For others, having the grounding of an MBA will be more personally rewarding. The respondents in this recent Pulse Survey recognized that at the end of the day, it's a personal choice that each individual must make when determining the best path to career advancement. **HR**



TWO-THIRDS OF EMPLOYERS REPORT

Recruitment or Retention Issues

A sluggish economic outlook is causing organizations to plan for another year of moderate base salary increases for 2013. The Conference Board of Canada's *Compensation Planning Outlook 2013* projects average increases for non-unionized employees of three per cent next year, largely in line with actual gains in 2012.

"Employers have not yet felt the full effects of looming workforce shortages. But it is apparent that the labour market is tightening, especially in Western Canada and in the natural resources and professional, scientific and technical services industries," says Karla Thorpe, director, leadership and human resources research. "Assuming no significant hiccups to the global economy, the unemployment rate is expected to dip in 2014, and labour supply shortages will re-emerge over the medium term."

According to the report, 69 per cent of organizations cite challenges with recruiting and/or retaining personnel. The top professions in demand include engineering, specialist information technology, and skilled trades.

Labour market pressure is most acute in Saskatchewan and Alberta, where 83 and 82 per cent, respectively, of employers face challenges recruiting and retaining employees. The pressure is greatest in the natural resources sector, where virtually all firms responding to the survey are facing challenges recruiting and retaining employees.

The report, *Compensation Planning Outlook 2013*, is based on the responses of 401 organizations across Canada. It is available at www.e-library.ca.

York LAUNCHES BRIDGING PROGRAM FOR INTERNATIONALLY EDUCATED HR PROS

York University has launched a bridging program for internationally educated human resources (HR) professionals to help skilled immigrants fill the gaps between their credentials and what is required to land a position in their profession in Canada.

The program addresses an anticipated need given a recent Human Resources and Skills Development Canada (HRSDC) report that predicts there will be a shortage of human resources professionals over the next 10 years *(Canadian Occupational Projection System 2011 Projections: Imbalances Between Labour Demand and Supply 2011-2020).*

"There is an anticipated future gap for trained HR professionals as baby boomers retire and an obvious solution is to create the ability for talented professionals who are immigrating into the country to address that shortage," says Parbudyal Singh, professor of human resources management at York University. "York's bridging program will help immigrant HR specialists get the Canadian experience and designations required to gain meaningful employment in that field."

The HR bridging program at York taps into the university's School of HR Management, an acknowledged leader in human resources management education. York's bridging programs for internationally educated business, IT and HR professionals are highly customized for each participant, individually tailoring a program based on each newcomer's specific credentials, experience and chosen profession.

York's 11 faculties and 28 research centres are thinking bigger, broader and more globally, partnering with 288 leading universities worldwide. York's community is strong—55,000 students, 7,000 faculty and staff, and more than 250,000 alumni.

OHRC to Survey

CANADIAN EXPERIENCE REQUIREMENT

A new survey launched by the Ontario Human Rights Commission (OHRC) asks job seekers and employers to describe how "Canadian experience" requirements in the Ontario job market have affected them.

"In our conversations with newcomers, they often talk about the requirement for 'Canadian experience' as a big barrier to their entry into the workforce," comments OHRC Chief Commissioner Barbara Hall. "We want to learn more about how this requirement plays out in real life."

The survey targets newcomers to Canada over the last 10 years who have looked for jobs in Ontario since their arrival, and employers or human resources representatives who use "Canadian experience" as a job requirement.

The questions can be accessed online via the OHRC's website, and its Facebook page. Organizations representing the newcomer and employer communities are being asked to take part. Interested parties can use the following URLs to fill out the survey form:

- https://fluidsurveys.com/s/canadianexperience (English)
- https://fluidsurveys.com/s/experiencecanadienne (French)

The survey takes about five minutes to complete. Participants can complete the survey anonymously, or provide contact information so that the OHRC can follow up with questions, if necessary. For those who provide contact information, the information will be kept confidential and not shared with anyone outside of the OHRC. The survey is available online for the next three weeks, although the deadline may be extended.

The survey results will form part of the OHRC's broader consultation on this issue.

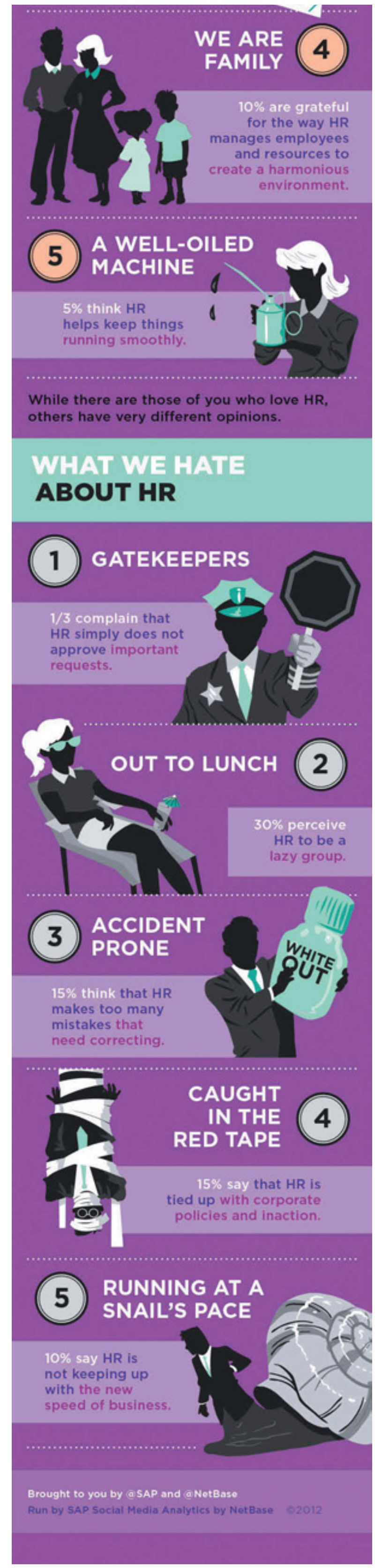
No Thank You

BUSINESS RESPONDS TO INNOVATION CHALLENGE

George Brown College's *Toronto Next: Return on Innovation* study casts a sobering light on the GTA's underperforming record for innovation:

- Half of private sector in GTA believe government is responsible for driving innovation.
- Only 21 per cent believe the responsibility for innovation belongs to the private sector.
- Half of GTA businesses and organizations perceive little to no return on investment in new technologies, innovative skills training product development or fostering R&D partnerships with academic institutions.
- Only 24 per cent of small businesses in the region would invest in innovation if it offered long-term financial gains at the expense of short-term costs.
- 55 per cent of GTA business could not name a successful local innovator.

The full report is available at www.georgebrown.ca/releases/George_Brown_Toronto_Next_Report_2012.pdf.



NATIONAL HR COMPETITION | POTENTIAL

Quebec's CRHA Drops National Aspect of Excalibur Competition

BY SHELAGH CAMPBELL

Quebec's HR professional body is limiting participation to the Excalibur HR competition to Quebec human resources students. For many years, Excalibur, The Canadian University Tournament in Human Resources competition has been national in scope and participation has been strong from universities across Canada; the opportunity to meet and develop contacts among students, academics and business leaders from across the country is a key benefit of the competition.

Competition organizer, L'Ordre des conseillers en resources humaines agrées (CRHA), has decided to discontinue the national aspect of Excalibur, in order to focus exclusively on Quebec students, whose participation rates have been disappointing.

CRHA, the HR professional association in Quebec, recently revised its strategic plan for 2012-2015, with the clear intention of raising the profile of the profession in the eyes of the public, the business community and the world of work. One of their principal aims is to increase membership with a particular emphasis on students and early career entrants. L'Ordre has identified the path to this goal through collaboration and participation on university and college campuses.

While some university-based case competitions have an HR component, Excalibur embraces the full range of HR sub-specialities and involves the business community in developing cases based on their actual circumstances and needs. Executives from the finalist business case adjudicate competition results.

Shelagh Campbell is post-doctoral fellow at the Université du Québec à Montréal.

Is your High Potential Program

NOT SHOWING ANY POTENTIAL?

In order to gauge the level of confidence Canadian companies have in their high-potential practices, Professor Igor Kotlyar (University of Ontario Institute of Technology) and Professor Len Karakowsky (York University), in cooperation with *Canadian HR Reporter*, conducted a nationwide survey. The respondents were HR professionals from more than 200 organizations across a variety of industries.

The findings were disconcerting as there was little indication that such programs effectively contribute to identifying and developing the next-generation of leaders. Nearly half of the respondents rated their organization as either "highly ineffective" or "somewhat ineffective" at accurately identifying high-potential employees. Only 17% said they were satisfied with their company's practices.

Further, few organizations have a clear handle on the qualities they are looking for; even fewer claim to be measuring those qualities accurately. Thus, they don't know if they're choosing the right people to train as leaders—or whether that training is successful?

What should companies do to improve their eye for talent? First, they need to properly evaluate the effectiveness of their high-potential programs. While organizations recognize the importance of leadership development, only 13% said they had systematically evaluated the accuracy of their identification process.

Kotlyar are Karakowsky are continuing their investigation into the best practices of high-potential programs by conducting interviews with high-potentials and HR managers in leading companies in a range of industries. If you would like to contribute to this research, contact igor.kotlyar@uoit.ca.

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BY MEIGHAN FERRIS-MILES

WHEN DOES A HEALTH AND SAFETY CONCERN BECOME A CRIMINAL MATTER?

The Ministry of Labour engaged in an inspection blitz of construction projects across Ontario last fall. Specifically, inspectors were checking on supervision of construction projects and workers on those projects. They were looking for inadequate supervision that could lead to injury or death. This initiative, as part of the ministry's "Safe at Work Ontario," was driven by the general desire to raise awareness and increase compliance with health and safety legislation and specifically in response to the tragic Metron Construction Corporation accident.

On December 24, 2009 at approximately 4:30 p.m., five workers and a supervisor, all of whom had been working on the 14th floor of an apartment building, climbed onto a swing stage at a construction project in order to travel back to the ground to get ready to close up and leave the project site for the day. The platform collapsed and five of the men on it fell 14 floors to the ground. Four of the five who fell, including the supervisor, died as a result of injuries suffered in the fall. The fifth person survived but suffered serious injuries. The sixth person was properly attached to a safety line which prevented him from falling; he was not injured.

Subsequent testing of the swing stage and investigation into the accident revealed that the swing stage had not been properly constructed. It would not have been safe for two workers, let alone six, with tools and other materials. In addition, toxicological analysis determined that at the time of the accident, three of the four deceased, including the supervisor, had marijuana in their system at a level consistent with having recently ingested the drug.

The president and sole director of Metron plead guilty to four violations of the regulations under the *Occupational Health and Safety Act* arising from the accident (see *R. v. Metron Construction Corporation,* 2012 ONCJ 506 (CanLII)). He was fined $90,000, plus the statutorily required surcharge of 25 per cent under the OHSA. This amount was well above his annual earnings. He was given one year to pay the fine.

In addition, Metron plead guilty to one count of criminal negligence causing death under the *Criminal Code.* The finding of criminal negligence was based on section 22.1(b) and 217.1 of the Code, which were first introduced in 2004. This is one of the first cases in which charges were laid pursuant to the new sections of the Code. These new sections, which are directed towards corporate liability for criminal offences, provide as follows:

> **22.1** In respect of an offence that requires the prosecution to prove negligence, an organization is a party to the offence if …
> (b) the senior officer who is responsible for the aspect of the organization's activities that is relevant to the offence departs—or the senior officers collectively depart—markedly from the standard of care that, in the circumstances, could reasonably be expected to prevent a representative of the organization from being a party to the offence.
>
> **217.1** Everyone who undertakes, or who has the authority, to direct how another person does work or performs a task is under a legal duty to take reasonable steps to prevent bodily harm to that person, or any other person, arising from that work or task.

In regards to sentencing, the Ontario Court of Justice held that a fine of $230,000 was appropriate in the circumstances. It is important to note that the total financial penalty to the president (for the OHSA violation) and Metron (for the Code conviction) was more than three times the net earnings of Metron in its last profitable year. The Court stated that by ordering such a fine it intended to "send a clear message to all businesses of the overwhelming importance of ensuring the safety of workers whom they employ."

The Metron case is the high-water mark for penalties for corporations under the OHSA and the Code. Nevertheless, the Ministry of the Attorney General has reportedly filed an application for leave to appeal the sentence related to the criminal conviction. The ministry is seeking an opportunity to argue that the fine should be "increased substantially." This case is not over yet.

In addition to the significant fines awarded, the Metron case is remarkable because it highlights that it is now easier to obtain convictions for criminal negligence against corporations. Here, liability is founded on the behaviour of a supervisor. Prior to the amendments to the Code, a supervisor is not someone whose conduct would likely attract criminal liability for a corporation.

Moving forward, it is important for human resource professionals to note that criminal liability of an organization may be grounded on the conduct of anyone with localized responsibility, such as a supervisor, store manager, plant manager, branch manager or other similar position. It is prudent to regularly remind individuals holding these positions of their obligations under the OHSA.

Finally, although there is a certain degree of overlap in the OHSA and the Code, it is important to recognize these key differences:

1. Due diligence is not a defence to criminal liability, whereas it is for certain provision of the OHSA; and,
2. The mere breach of the OHSA is not sufficient to establish criminal negligence. There must be wanton or reckless disregard for safety before any breach of the OHSA becomes criminal.

In summary, in light of the Metron case and the increased financial consequences for breaches of the OHSA and the increased likelihood of charges under the Code, companies should train supervisors and/or management level employees regarding the risks in their operations. Companies should also consider setting up a formal documented system where the company does its own periodic safety audit. **HR**

Meighan Ferris-Miles is an association with Shields O'Donnell MacKillop LLP. She can be contacted at mferris-miles@djumlaw.ca or by visiting www.djmlaw.ca.

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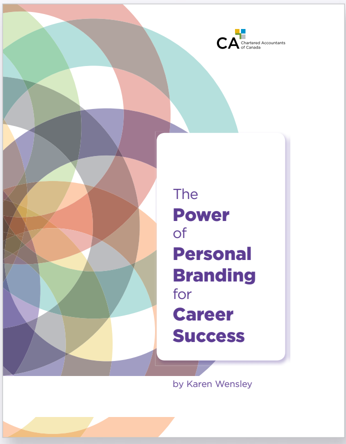

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BY CRAIG DOWDEN

QUIET NO MORE: THE PROFOUND INFLUENCE OF INTROVERTED LEADERS

If asked to describe the profile of an effective leader, what words would come to mind? Chances are, your answer would include words like: charismatic, dominant, persuasive, action-oriented, driven and passionate. We would likely be surprised if someone responded with: reserved, humble, reflective or quiet.

As Susan Cain outlines in her recent international best-seller *Quiet*, our society celebrates the extroverted ideal. Our schools and communities strive to bring out the extrovert in all of us. Not surprisingly, perhaps, this extroverted bias is present within our corporate boardrooms as well. Indeed, research has consistently shown that extroverted employees are perceived to be more effective leaders than their introverted counterparts. The keyword here is "perceived." We assume extroverts will be more effective, even when this may not be the reality.

Professor Adam Grant of the University of Pennsylvania's Wharton School of Business and his colleagues Francesca Gino and David Hofmann wanted to examine this question more closely. In particular, they were keen to understand whether extroversion was the ideal leadership style in all cases. Although extroverted leaders would undoubtedly bring benefits in certain circumstances, they were curious as to whether these same benefits would manifest when leading a team of proactive employees. Specifically, they questioned whether employees who took initiative to speak up and offer ideas might pose some challenges for extroverted leaders, since these leaders were accustomed to being the centre of attention and generally desire to be dominant.

Grant and his team surmised that conflicts might ensue in situations where proactive employees intersected with extroverted leaders. Given their more reserved and reflective style, introverted leaders seemed like a more natural fit to manage and engage proactive employees. Introverts would likely tend to listen more than talk, and would also ask their team more probing questions. Their lower levels of assertiveness, along with their decreased desire for the spotlight, may make them more likely to reflect on and implement employee ideas. This would create a positive feedback loop in which employees would be inspired to be more proactive and offer up more innovative solutions or suggestions. Proactive employees exposed to extroverted leaders, however, might quickly stop doing so, as they would likely be met with criticism or negative reactions.

To test this idea, Grant and his team conducted their research across a chain of pizza stores. Given the consistency of the environment and the tasks involved, it provided an ideal setting in which to explore these effects. If there were any

differences in performance, it could be correlated to the interaction between leadership style and team proactivity.

What they found was incredibly fascinating. In stores where employees exhibited more proactivity, introverted leaders led them to significantly higher profits. In stores where the employees were less proactive, extroverted leaders were most effective in terms of delivering bottom-line results.

How do you apply these findings to your organization?

According to Grant, employee proactivity has arguably never been more important: “Organizations in general are more dynamic and uncertain than probably any time in human history, in light of globalization and the increasingly rapid pace of change facilitated by competition and technological advances,” he says, “In a dynamic, uncertain environment, it’s impossible for leaders to spot all of the opportunities and threats on the horizon; ideas and suggestions from proactive employees can fill critical gaps and suggest new strategic directions. Since introverts tend to be more effective than extroverts in leading proactive employees, this may be the dawn of the introverted leader advantage.”

Given the increasing importance of introverted leadership within our organizations, what can we do to leverage this to our advantage? To translate these findings into practice, I recently spoke with Dr. Grant and Susan Cain to obtain their insights. Here are their suggestions:

1. **Promote more introverts into positions of leadership:** While difficult, it is important to move away from the belief that extroverted leaders are always the most effective. To counteract possible biases, Grant advocates giving “a little more consideration than we would naturally do” to potential introverted leaders. Cain recently reinforced this point, noting that “people who talk really well in the interview may not be the best person for the job.”

2. **Provide mentors and examples of introverted leaders to aspiring leaders:** In many cases, introverts can get swept up in the extroverted ideal. After his talks on “leading quietly,” many audience members have approached Grant to discuss how they feel pressured to act out of character in order

to gain a leadership role. As a consequence, many highly qualified introverts may self-select out of these roles or mask their natural strengths in an effort to conform. He explains, "We need to identify more introverted leaders who are successful. Employees should be able to look up the ladder and see introverted leaders who will be great mentors and role models, which will help to illuminate the path."

3. Strive for balance: As Grant's research demonstrates, effective leadership is highly situational. Organizations may benefit from promoting a more balanced and reflective leadership ideal, in which understanding of situations is the driver of subsequent action. In this regard, extroverted leaders can leverage the advantages of an introverted style of leadership just as "quieter" leaders have learned to capitalize on some of the behaviours of their more outspoken counterparts. Encourage extroverted leaders to ask questions, listen more frequently and know when to take a back seat. These introverted characteristics could serve them well in their roles and lead to better performance, for both the team and the organization. Grant shared a profound observation from an interview he conducted with the former CEO of a large consulting firm, "I don't learn a lot when I'm talking, but I learn a lot while I'm listening." This executive challenged himself to only speak for 20 per cent of scheduled meeting times.

As the speed of our work lives continues to increase, the need for thoughtful reflection, and taking the time to do so, may seem counterintuitive. Although leaders may be enticed to exert power and express dominance, perhaps their greatest strength will come from having the courage to lead quietly. Cain summarized it best when she concluded, "We are sitting on the next great diversity revolution. Organizations who get out in front of it are going to be seen as pioneers because they are going to be harnessing talent in ways that their competitors do not." **HR**

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LEGAL RELATIONS

Are you helping or hindering your relationship with your lawyer?

BY SARAH B. HOOD

A good relationship with a trusted legal advisor is worth gold, but if that relationship breaks down, the consequences can be very costly—in every sense of the word. So, what makes a good relationship work?

"I can't speak highly enough about the relationship between the HR professional and the legal counsel," says Jane Kilpatrick, divisional VP for Aryzta (formerly Maidstone Bakeries). "The reason I stay with the legal firm I deal with is the relationship of respect we've built over the years. He listens carefully to what I say and respects that I know a lot about employment law plus the environment in which I work, because it's not just about the letter of the law; there's a lot of leeway."

"What I'm looking for in a good employment and labour lawyer is a strategic thinker," says Roy Male, executive director of human resources for the City of Burlington and past president of the Ontario Municipal Human Resources Association. "I like someone who trains and educates you as you go along on files."

Male's ideal lawyer also has "a heavy dose of common sense, and prefers mediation to litigation. But when we go to arbitration, they should be assertive and well prepared. I like a lawyer who responds quickly to phone inquiries, because they may stop me from stepping on a rake if I can have a quick consultation on the issue over the phone," he says.

"As you work with a lawyer over time, you develop an understanding of their style and approach, and they develop an understanding of your company," Male sums up. "It helps to build that relationship up slowly over time." What is the best way to achieve this?

BUILDING THE PARTNERSHIP

"The top thing, and probably the overriding message, is to treat us as your partners, to maintain an ongoing dialogue and to speak with us before any decisions are made that could have legal ramifications," says Stuart Rudner, partner in the Labour and Employment Law Group with Miller Thomson.

"Legal fees are expensive, but they're like insurance: a smaller upfront cost is usually going to avoid a much more significant cost later," Rudner says. "When it comes to dismissals, don't just call us to help you put out the fires; let us help you prevent the fire. When I get the call that says 'We dismissed an employee last month and we just got an angry letter from his lawyer,' if I don't know anything about the dismissal, that's a bad sign."

Rudner recommends a five- to 10-minute weekly or monthly update phone call, and says, "If there is a hiring, or an employee who needs discipline or dismissal, always call your lawyer first to talk about it." He recalls one case in which a client responded directly to an aggressive demand letter without asking for advice first. "We could have put them in a much better position to show just cause for dismissal, but because they had done it on their own, they had limited or reduced their rights."

"A few tweaks that we make might save a lot of problems later," concurs Lauren Bernardi, lawyer and HR advisor with Bernardi Human Resource Law. Even in an investigation of a harassment complaint, she advises clients to "get advice about how to do the investigation rather than doing it themselves and having a complaint filed with the Human Rights Tribunal."

"A little time at the outset can save a lot of time and money down the road," says Laurie Jessome, partner with Cassels Brock & Blackwell. For

instance, she notes, "Whenever the company is implementing a policy change or adjusting compensation for a group of employees, it's best to approach that situation with an eye to a potential wrongful dismissal claim."

In cases of harassment or discrimination in the workplace, Jessome says, "Often the HR professional will run the investigation prior to consulting with legal and then comes to legal with the results to ask for advice at that stage. I don't fault them for this, because they are trained to do this, but you do need to craft the investigation and implement it in a way that brings out the points that the Human Rights Tribunal or a court may later view as the real issues in the case."

PUT A STRATEGY IN PLACE FIRST

"When decisions are made, lawyers have less flexibility; lawyers can't change the facts," says Malcolm MacKillop, partner at Shields O'Donnell MacKillop. "When things are unfolding, the sooner the strategy is put in place with counsel, the less chance there is of going to litigation, and if litigation does ensue, the case will usually be stronger if a strategy has been put in place."

MacKillop says the most common example would be terminating an employee without carrying out a full investigation and evaluating the chances for success. "Let's say the company finds out that the employee is looking for employment somewhere else—it's only rumour—and they go ahead and terminate someone with 20 years of service who makes $200,000 per year. That little impulsive decision, which could have cost $1,000 for a lengthy discussion with your employment lawyer, instead exposes the company to half a million dollars in damages."

"The reason I stay with the **legal firm** I deal with is the relationship of **respect** we've built over the **years**."

“Many people focus on **compliance** and **reducing liability**, but a good employment **lawyer** can also help an employer **maximize** its **rights**.”

Bernardi notes that “often HR people will try to avoid getting a lawyer involved in reviewing a contract or policies, so they’ll go on the internet or call the Ministry of Labour.” However, this route is fraught with dangers.

“Sometimes you’ll have an employment contract that references the wrong legislation or policies.” For example, in harassment cases, “they might have the wrong grounds for discrimination because they’ve pulled it off a U.S. website.” A best-of-both-worlds solution would be for the HR professional to assemble the material themselves and have it reviewed. “You’re saving maybe $200 at the beginning, but you’re spending thousands in litigation when you don’t get it right in the first place,” Bernardi says.

She also cites the example of an employment contract that uses the terminology or names of Acts from a different province. “If it uses an Act that doesn’t exist, you can’t enforce it.” Unfortunately, the potential for this type or error is not only limited to the HR side.

“More companies are becoming international or global, and I deal with a lot of clients who are based in the U.S. In many cases, they’re getting advice from their corporate counsel somewhere in the States, and they don’t understand that employment law is quite different in Canada,” says Rudner. “If they’re getting advice based on American law, they’re inevitably going to be exposing themselves to liability. The most common example is that most states have at-will employment, so you can terminate at any time with no cause or notice. That’s—no pun intended—a foreign concept here.”

COMMUNICATE WITH YOUR LAWYERS

Another point, says Jessome, is not to “be afraid to ask your lawyer to spend time getting to know your organization and how it works. If you've got a good relationship with your lawyer, they can pick up on your organizational shorthand." She names "job classifications and the processes for implementing discipline or other job changes; even something as simple as an organizational chart showing the management structure could help."

"Let us know what your plans are; if the goal is to sell the company, expand nationally or eliminate a department in the next three to five years, let us know so we're not operating in a vacuum," Rudner says. "The more we know about an organization, the more we can develop a strategy that encompasses HR concerns as well as legal concerns."

Recently, Rudner was asked to develop a social media policy. "We put together a fairly generic one, but at the last minute we were told they wanted to roll out a viral media campaign. We ended up wasting a lot of money because we had to go back and rewrite the policy [taking that into account]."

"Many people focus on compliance and reducing liability, but a good employment lawyer can also help an employer maximize its rights," says Rudner. "The default in Ontario is that an employer generally has minimal rights, but they can legally expand them through the use of contracts and policies." For example, in the case of mandatory overtime over 44 hours week, "you can put in place an averaging agreement," he points out. "Similar but different is the obligation to provide notice of dismissal; you can put 'reasonable notice' into the contract to limit your obligation."

Among other practical tips, MacKillop mentions sticking to verbal communication about sensitive issues internally and limiting the amount of email. "In the course of litigation, when there's a request to disclose all pertinent documentation, email is not privileged," he says. "One email can create a nightmare."

Above all, "What would help is for HR professionals to see us as partners in managing the employee relationship and the overall workforce," says Bernardi. "Instead of coming to us at the end, when there's a problem, come to us at the beginning, to help prevent those problems." HR

EDUCATING, TRAINING AND DEVELOPING THE TALENT OF TOMORROW

How HR can, and must, help tomorrow's talent develop, today

BY STEPHEN MURDOCH

From coast-to-coast, Canadian employers are searching for the next top talent. At the same time, many potential employees are just as actively searching for jobs. There are students just entering the workforce, those who have lost their job and even folks re-entering employment after retirement. Unfortunately, for many, their search will be long and arduous.

How can employers reach out and find the talent their organizations need? And, more specifically, how can those working in HR today bring along those who want to work in HR in the future? Recently, *HR Professional* had the opportunity to speak with industry stakeholders about how we can better get in touch with and prepare tomorrow's talent pool, today.

INTERACTING WITH STUDENTS

Christopher Chan, associate professor of Human Resource Management with York University is a believer in establishing a stronger rapport between human resources professionals and those working in academics. "There is a need for greater interaction between those working in the field and academics. Both parties would benefit from formal discussions around industry-related topics of interest. There would also be value in research partnerships that look at talent management," Chan says.

Having worked as a human resources educator for 13 years, Chan has helped numerous students gain an understanding of what the industry has to offer. "Through the years, I have talked to students outside of the classroom setting to better understand their career ambitions. Often, these talks are organized by a student-run association. If nothing else, I quickly learned that young people need to be challenged to think outside of the box."

For human resources professionals looking to work with schools, Chan encourages them to reach out and make the connection, noting, "The insight offered by those working in the industry is invaluable. I would highly recommend human resources professionals to reach out to post-secondary institutions in their respective community. Students want to get their hands dirty and see what works and doesn't work in a live environment. The real opportunities afforded to students today can go a long way to shaping their careers in human resources."

In the coming months and years, Chan feels those working in the field will play a pivotal role for those looking to make their entry into human resources. "Human resource professionals can certainly help students who are entering the field. Working together, we can create and provide the environment to develop human resource leaders," he says. "This means allowing people to safely learn from their mistakes and develop their leadership skills."

COACHING TO OVERCOME CHALLENGES

Having spent 20 years in the field of human resources and leadership, Alan Kearns of CareerJoy is well aware of the important role industry practitioners can play. "Human resources professionals play a pivotal role for those that may become unemployed. Working with the individual, the human resources professional can help to prepare them for the challenges that may lie ahead. Providing independent coaching and other likeminded services can go a long way to helping someone secure their next placement. As human resources professionals, we need to empathize with the job-seeker and more importantly, put the 'human' back into human resources," he says.

The long-time career coach is a firm believer that there must be a better fit between new Canadians coming into the workforce and the jobs made available to them. "When it comes to helping new Canadians find work, human resource professionals can play a greater role. I truly feel that the industry and the many people that work within it have a lot to offer," Kearns says. "Whether it's providing feedback on résumé writing, providing interviewing coaching or even volunteering our services, we can help those that are new to Canada and are actively seeking employment."

For those who are unemployed, Kearns feels there is an opportunity to bridge the gap in working with human resources professionals. "All too often, there is a lack of recognition of the many services a HR professional can offer. Working with the job-seeker, we can help them to understand their strengths and where opportunities may lie. The world is much more competitive and working with human resources

tial employers should be working to identify the transferable skills that fit into a variety of positions, and allow new Canadians the opportunities to develop themselves in the local market," Toughlouian says.

Toughlouian and his team have worked with new immigrants across the country and is impressed with what they have to offer. "Many foreign professionals bring a wealth of useful and transferable skills, which Canadian employers can leverage. In some cases, it may be the soft skills that these job-seekers need to work on and become accustomed to. There is certainly opportunity for Canadian employers that are willing to work with those that have just moved to Canada."

Furthermore, he believes the programs and offerings currently in place are providing Canadian companies with the talent they need: "Programs in community colleges and universities produce workplace-ready job-seekers who have the conceptual and technical skills companies are seeking. Some community outreach programs are also preparing foreign professionals by acclimatizing their skills to the local environment, which may provide companies with a viable pool of job seekers to select from."

Looking ahead, Toughlouian feels there is ample opportunity for unemployed Canadians to work with HR professionals. "Professionals looking for work should utilize recruiters and HR professionals as some of the many tools available to assist them with their job search. While both parties can be very useful, job-seekers should look into all of their options when searching for a job. When possible, we need to work with job-seekers to help them tap into internet job searches, social media web sites, networking events and look for the chance to help them self-market themselves to potential employers."

professionals can help someone to sharpen their networking skills and more importantly, help them with their job hunt."

Furthermore, having worked with new immigrants to Canada, Kearns believes the match between what Canadian employers need and what they are getting is quite close. "There's no doubt, we are slowly closing the gap. When you look at the challenges facing new Canadians from 20 years ago versus today, we are certainly headed in the right direction. Canada is receiving an influx of highly motivated individuals with a desire to work. Globalization has led to a number of great candidates who are more than qualified for a number of positions," Kearns says.

SOURCING NEW JOB OPPS

As division director with Accountemps, a temporary staffing division of Robert Half, Toughlouian knows first-hand the challenges of developing the talent of tomorrow. "As a recruiting firm, we assist job-seekers in finding temporary employment; in addition, we also provide counselling services to assist them during their job search—advice pertaining to résumé content and presentation, interview coaching and techniques to proactively conduct a job search. Our belief is that temporary employment allows the job-seeker to work and keep their skills up-to-date, while they continue to search for a permanent role."

The nine-year recruiting veteran is a firm believer that several parties can play a crucial role in helping new Canadians source jobs. "Recruiters and potential employers can assist new Canadians with their transition into the local job market by leveraging the easily transferable skills that job-seekers bring from overseas. Job-seekers may have desired experience or technical skills, regardless of whether they are from Canada or the overseas marketplace. Recruiters and poten-

HR LEADERSHIP

Donna Smith, vice-president of Career Edge Organization, a not-for-profit service provider connecting businesses with talent, is a staunch supporter of preparing tomorrow's talent pool. "In a tough economic climate, rebounding from job loss is an increasing challenge for Canadians, both unemployed as well as underemployed individuals. To address this challenge, Canadian employers guided by and in partnership with HR professionals, need to demonstrate leadership in developing opportunities that are based on realistic job expectations," Smith explains.

With experience in a number of senior level roles as it relates to HR, Smith believes there can be a better fit between new Canadians and the jobs that are made available with some careful planning. "Human resources professionals and Canadian employers can support the integration of new Canadians by developing and implementing a supportive and inclusive on-boarding process. Many employer organizations utilize the Career Bridge internship on-boarding model that includes supportive coaching and mentoring activities, knowledge sharing, on-the-job learning and networking opportunities. The model will provide organizations with the tools to assess a newcomer's fit within an organization since there is alignment upfront of what is expected," she says.

Like her industry counterparts, Smith feels new immigrants represent an untapped labour market. "Internationally qualified professionals, without a doubt, represent a highly educated and experienced talent pool that can bring unique global expertise and cultural perspectives to address the needs of Canadian employers. Not only are they determined to succeed in their chosen careers, but can hit the ground running due to their wealth of experience acquired abroad."

Throughout her 15-year career in HR, Smith has also worked with many Canadians that at some point were unemployed. "As an industry, we can support unemployed as well as underemployed Canadians to better market their skills, to talk about their abilities more effectively, represent themselves well with an effective résumé, provide interview practice, coach on how to develop an effective professional network and leverage social media sites to find possible job opportunities and as a vehicle to present themselves to employers." **HR**

THE TRANSFORMATION OF HUMAN CAPITAL MANAGEMENT

What HR needs to know about evolving HCM technology

BY JAMES ARSENAULT

Human capital management (HCM) technology, processes and objectives have evolved dramatically over nearly a century. In the early- to mid-1900s, most human capital management activities (such as payroll and tax, workforce management, benefits, human resources, and talent management) were performed by a single administrator or office. With no automation or digitization, processes and calculations were entirely manual, making human capital management a predominately tactical endeavour.

As new technologies have become available, HCM has been repeatedly transformed. Technology has progressed from manual processes to automated, digital, web-based and now cloud-based services. In parallel, HCM as a business function has undergone a shift from tactical to strategic. Over this period of evolution, each aspect of human capital management developed separately, driven primarily by innovations in time and pay. It became a collection of disparate processes driven and supported by different vendors. Furthermore, as more information and processes moved from manual efforts to siloed solutions, management of employees and information across multiple systems became increasingly difficult.

However, the latest innovations in HCM technology are once again uniting HCM capabilities in a single application. Here's a quick history of these innovations.

Manual Entry: Before the introduction of HCM technologies, administrative offices served as the collection point employee time and labour records and the calculation. Organizations were responsible for maintaining tax tables and observing compliance with federal, state and provincial regulations.

Mechanical Time Clocks: Beginning in industries such as manufacturing and mining, the next major step forward in HCM technology was the use of mechanical clocks for time collection. These clocks eliminated a large amount of manual administration while improving the accuracy of time records.

Bureau Businesses: Over the same time period, bureau organizations emerged leveraging economies of both scale and specialization to deliver outsourced pay and tax calculation and filing services to companies of all types. These companies developed the infrastructure that today underlies the physical and electronic payments distribution process.

In-House Pay and Automated Time: Payroll companies developed and deployed initial mainframe-based systems to support in-house payroll solutions. Separately, early workforce management vendors delivered automated solutions for zero-to-gross calculations using the first digital time-clocks. Each of these innovations delivered increased visibility and control of workforce data and analytics, particularly with regard to labour cost.

Integrated Time and Pay Systems: As mainframe solutions for both time and pay were replaced with client-server and web-based technologies, the first integrated solutions were developed. Interface technology linked time and pay (in addition to human resources, benefits and talent solutions), allowing organizations to manage the complete process, from zero to net. Interfaces also helped organizations take their first steps to return to a single employee record.

Today—Consolidation and the Cloud: Solutions have overwhelmingly moved to the cloud. Software across the entire HCM industry is being sold and delivered using the software-as-a-service model, with organizations recognizing the advantages SaaS offers with regard to cost, security and ease of deployment and use. At the same time, the HCM industry is experiencing a tectonic shift towards consolidation. This movement is happening on two fronts: consolidation of solutions within single vendors, and consolidation of business processes within single applications.

The first of these trends is easily evidenced by the acquisition of multiple solutions across the entire HCM portfolio by large software providers, such as the recent acquisitions of SuccessFactors and Taleo by SAP and Oracle, respectively.

The second trend is more visible within client organizations. HR professionals and strategic-minded executives are recognizing that integrated solutions (i.e., multiple applications connected by interfaces) present significant barriers to achieving robust, real-time and accurate employee information management, including:

- Fragile interfaces technology
- Transmission errors
- Interface security concerns
- Batch and latency issues
- Rigid business processes
- Duplicate or inconsistent data
- Required manual workarounds
- Difficulty troubleshooting between multiple vendors

Today, best-in-class solution providers are eliminating these barriers by delivering a complete solution for HCM in a single application. With a single application and database, organizations can perform real-time calculations with no interfaces to maintain and no issues with data synchronization.

Organizations are also recognizing that, by implementing a single application, there are significant project management advantages. Consider that, in any implementation of a HCM application—regardless of functional area—there are many repeated discrete tasks and configuration elements. By consolidating functionality in a single application, these repeated tasks are performed only once, and can be leveraged in the future as organizations opt to expand the scope of their solution by including additional modules.

Looking forward, there are several key themes that will resound in the Human Capital Management industry as both technology and the role of HR professionals continues to evolve. These include:

HCM as a Strategic Function: In the past, some organizations have struggled with the perception that HR is a tactical administrative function, to be operated as a cost centre with little bearing on achievement of strategic objectives. However, mirroring the reshaping of North America as a knowledge-based economy, the role of HCM is being redefined. Employees are increasingly viewed as an organization's most important and strategic asset and HR professionals are accordingly being viewed as stewards of the workforce and cultivators of top talent.

Mobile Access: Mobile technology has moved well beyond the "consumer trend" phase. Access to mobile functionality for both consumer and business applications is quickly becoming the status quo. This is driven by an increased expectation by employees that the information they require will be available to them at the time and place of their choosing as well as on the device of their choosing. Solution providers of all types will begin to lead with mobile functionality, particularly for transactional day-to-day features. The most successful strategies will be those that encourage and achieve multiple employee touches on a daily basis.

Employee Engagement: As organizations deploy solutions to manage their HCM functions, the ability to encourage employee adoption and frequent use will be critical in achieving a strong return on investment. The most successful solutions and initiatives will be those that are able to touch the entire workforce on a frequent basis, providing the foundation for improved communication, real-time data and decision-making, and increased connectedness across business functions. HR

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BY BARBARA MCISAAC AND NEIL GUTHRIE

RECENT DECISION: EMPLOYEES DON'T CHECK THEIR PRIVACY RIGHTS AT THE DOOR

WHAT YOU NEED TO KNOW WHEN ISSUING TECHNOLOGY

The use of employer-provided technologies such as computers, tablets, smartphones and just plain cell phones is ubiquitous, and employers struggle with the issue of when, and to what extent, employees can make personal use of these devices. What privacy rights do employees have when using employer owned and supplied technology? What rights do employers have to monitor personal use? Where should the line be drawn?

The Supreme Court of Canada has now made it abundantly clear that employers should have policies in place to govern the use of employer owned technology. In its *R v Cole* decision, issued on October 19, 2012, the court held that an employer's ownership of a laptop, its workplace policies and practices, as well as the technology in place can diminish an employee's reasonable expectation of privacy, but they do not eliminate it.

Cole, a high-school teacher, was charged with possession of child pornography, which he stored on a laptop issued by his employer. A member of the school's IT department had noticed unusual internet usage patterns on Cole's part and was directed by the principal to search the laptop. Cole acquiesced to the search but declined to give his password (which wasn't needed to access the computer). Sexually explicit photos of a naked girl, later identified as a Grade 10 pupil at the school, were found on the computer. Cole apparently found the images in another student's e-mail account, using his domain-level access to the school network. The principal passed this evidence and a disk containing a history of Cole's internet browsing to the police, who conducted a warrantless search of the laptop and charged Cole.

The trial judge excluded the evidence from the laptop on the grounds that it had been obtained in breach of Cole's section 8 *Canadian Charter of Rights and Freedoms'* right to be secure against unreasonable search and seizure and violated his reasonable expectation of privacy. This was overturned on appeal to the Superior Court. A further appeal was allowed by the Ontario Court of Appeal, where the court agreed with the trial judge that Cole had a reasonable expectation of privacy in the computer's contents because he had exclusive possession of the laptop and permission to use it for personal purposes (including at home), and (crucially) because the school board did not monitor usage or have a policy in place with respect to monitoring.

This expectation of privacy was modified, however, by the finding that the school's IT person was operating within the scope of his functions in maintaining the integrity of the network and the particular laptop. The school was also justified in passing the evidence on to the police as a means of protecting students.

The problem? Lawful search and seizure by the school did not mean lawful search and seizure by the police. Cole's expectation of privacy with respect to the laptop itself and his browsing

> "…while an employer's **ownership** of a laptop, its workplace **policies** and **practices**, and the **technology** in place can diminish an **employee's** reasonable expectation of **privacy**, they do not **eliminate** it."

history continued when that evidence was transmitted to the police, whose subsequent search was therefore unreasonable.

In the Supreme Court of Canada, Justice Morris Fish, writing for the majority, held that, while an employer's ownership of a laptop, its workplace policies and practices, and the technology in place can diminish an employee's reasonable expectation of privacy, they do not eliminate it. There is no definitive list of factors to determine the extent of an employee's reasonable expectation that the contents of a work-owned computer will be private, but the more the information on the computer relates to "the biographical core of information" about the employee (including the information at issue in this case), the more reasonable that expectation. An employer will need to have a serious reason to search an employee's computer.

The school board did have a serious reason for the search, in light of its statutory mandate to maintain a safe school environment, but this did not justify a warrantless search by the police. The police, who acted independently of the board, clearly breached Cole's Charter rights. The majority did not think, however, that the evidence obtained from the police search ought to be excluded. The police acted in good faith and in something of a legal vacuum on the whole issue of privacy expectations in work computers; and Cole's expectation of privacy was, in any event, attenuated by the realities of his workplace. There were also good reasons to conclude that the evidence obtained was critical to the prosecution. On balance, admitting the evidence obtained from Cole's laptop would not bring the administration of justice into disrepute. A new trial was directed on that basis.

Justice Rosalie Abella, in dissent, agreed there had been a Charter breach but also agreed with the Ontario Court of Appeal that the evidence obtained should be excluded.

Policies Must be in Place

There are important lessons to be learned from this case. If an employer provides computers and cell phones that employees can use for personal purposes—whether at work or at home—there should be clear policies in place explaining what uses are permissible and what monitoring can be expected. Can the employee use the computer to browse the web for information about an upcoming personal trip? To do personal banking? To shop?

Employees do not check their privacy rights at the door when they come to work; some permitted personal use of employer technology is both necessary and probably beneficial to the employment relationship. However, employers can be put at risk. There is the danger of loss of productivity if an employee spends all of his or her time shopping or gaming online. There could be safety concerns if portable devices are being used in a way that could distract the employee. Not too long ago, a major accident on a California commuter train was blamed on cell phone use by the engineer.

The need for policies is clear. How to go about developing them? There are resources available from the federal and provincial privacy commissioners of British Columbia and Alberta. Take advantage of them. Be aware of the applicable privacy legislation. Be aware of collective agreement provisions that might apply. Do privacy assessments when developing policies and procedures. Make sure the policies and procedures are reasonable—and make sure your employees are aware of them. HR

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 BY ERIC SIKOLA

ARM YOUR ORGANIZATION AGAINST EXPENSE REPORT FRAUD

In Harold Robbins' novel *The Carpetbaggers*, Jonas Cord—a fictionalized version of Howard Hughes—entices an executive to join his company by telling the man that he can bank his salary, put his personal living expenses on his business expense reports and live off the reimbursements. The Cord character's offer would be considered fraud today, but you don't have to limit yourself to fiction to find some pretty outrageous examples of expense report fraud.

Consider the cosmetic surgery, lottery tickets, pet food, family reunion trailer rental, speeding ticket, teepee, $12,000 family trip and fine for crashing into a toll booth that ended up on recent business expense reports, according to the 1,600 U.S. and Canadian chief financial officers interviewed for a Robert Half Management Resources survey.

And the perpetrators of expense report fraud come from literally every level of management, too. Take the case of former Hewlett-Packard chief executive Mark V. Hurd who was fired when it was discovered that he had filed and approved false expense reports and payments totaling $75,000 for an infrequently used female contractor. After Hurd's dismissal, a conference call between Hewlett-Packard executives and the *New York Times* revealed that the inaccurate expense reports were believed to have been intended to conceal a "personal relationship" between Hurd and the contractor. By the way, the contractor later sued Hurd for sexual harassment and the case was settled out of court.*

The sheer audacity of trying to hide an unsavory relationship or to charge your cosmetic surgery or lottery ticket to the company you work for may elicit some chuckles but even so, expense report fraud is a serious problem with bottom-line business consequences. A 2002 study by the Austin-based Association of Certified Fraud Examiners estimated that the average expense reimbursement fraud scheme—which often involves a mid- to upper-level executive—costs a company $60,000 and takes an average of two years to detect.

Obviously, the more colourful expense report examples—Hurd and his exploits, the teepee, speeding ticket and family reunion for example—grab headlines, but it is probably the smaller, more mundane, ongoing expense report scamming that collectively causes the greatest financial loss. That's because those illegal activities are easier to hide from reviewers and approvers and so continue on unabated. The techniques people use to falsify expense reports are innumerable; however, some of the most frequently used ploys include:

- Double billing;
- Turning in a receipt and a credit card statement on separate reports for the same purchase;
- Exploiting policy loopholes;
- Putting in multiple false expense reports for amounts that are so low the company expense policy doesn't require a receipt for reimbursement;
- Circumventing company spending limits by spreading high-ticket purchases over several expense reports;
- Exchanging a full-fare airline ticket for a non-refundable coach fare and pocketing the difference;
- Collecting multiple taxicab receipts each time a single ride is taken and submitting them with inflated fare and tip amounts;
- Filling up the company car and a family member's or friend's as well while at the gas station; and
- Expensing personal purchases, particularly restaurant meals, as business ones.

NOT a Part of Doing Business

Surprisingly, many corporations are resigned to expense report fraud and

*BusinessInsider.com: Accessed on August 27, 2012 at: http://articles.businessinsider.com/2010-08-06/tech/30038960_1_expense-reports-hp-shareholders-hp-ceo-mark-hurd.

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HRPA Human Resources Professionals Association consider it the price of doing business. Often, businesses don't even conduct audits to identify abuse because the audit can cost more than the fraud it discovers.

Fortunately, there are some relatively low-cost safeguards that some businesses have implemented in order to lessen the chance that expense report fraud occurs or to prevent it altogether. The following represent just a few of the things companies can do to arm themselves against expense report fraud.

Have a Policy: This is probably the most important thing a company can do to control expense-report fraud. A reasonable, company-wide expense report policy that spells out the specifics of what is, and is not, considered a legitimate business expense provides both submitters and approvers with set guidelines to follow. Items that are not reimbursable should be specified. Once in place, the protocols of the policy should be communicated to employees.

Set Allowable Rates: Some companies reduce expense fraud by setting specific allowable rates for things such as travel, meals and other travel-related activities. For instance, a company might have a set limit of $150 per day allowable for hotel, meals and rental car. The business traveller automatically receives that amount whether his or her actual out-of-pocket tally is under or over the limit.

Online and Mobile Expense Management: Online expense management streamlines the expense reporting process and can automatically flag purchases that deviate from the company expense policy. Mobile phone expense applications let businesses set up expense policies on company mobile devices so both the report submitters and approvers are informed when an expense policy violation has occurred.

Corporate Credit Cards: Many companies now require travellers to use a company credit card exclusively for business purchases. Such cards can be programmed to block usage at certain locations—such as an ATM near a casino—and to decline certain purchases that are forbidden by the company expense policy. Because corporate card purchases go directly onto the electronic expense account form and can't be changed, another layer of control is established.

At the end of the day, expense report fraud is unethical behaviour. It's stealing. Mark Hurd may have ended up with a $50 million severance payout after his misadventure but the more likely consequence for most of those falsifying their expense reports is the same outcome Hurd also experienced—hearing the words "You're fired!" On a more positive note, a 2009 survey conducted by *T&E* Magazine found that 83 per cent of participating employees said they were totally honest about the things they put on their expense reports. That's a significant improvement compared to the 70 per cent indicated by employees on the same survey conducted five years earlier. Perhaps it's a trend. **HR**

Eric Sikola is general manager and founder of ExpenseCloud, a TriNet Company. Prior to ExpenseCloud, Sikola worked in the software industry for 15 years in various sales management positions.

 BY PATRICIA FRIPP

8 WAYS TO BE MEMORABLE AT NETWORKING EVENTS

There is no point going anywhere if people don't remember you were there! Networking is an important part of building your business and developing strong social contacts. However, if you go to business events and no one remembers you afterward, what was the point in attending? Such contacts only work if you make yourself memorable. Happily, this doesn't mean you have to be bizarrely dressed or loud and boisterous.

My professional life is spent helping professionals speak more effectively to large and small groups. It never ceases to amaze me how many talented and well-educated people attend networking events, yet overlook their big chance to be memorable by developing a mini-presentation for audiences of one to five. All speaking is public speaking. Outside the privacy of your own home, you are speaking in public no matter the size of your audience.

Here are some strategies that let you walk into a room with quiet self-assurance, confident that people will enjoy meeting you and will recall you afterwards:

1. Arrive looking your best. If you have a hectic day before going to a business meeting, keep a change of clothes in your office or car so you can arrive unwrinkled.

2. Wear your name tag. We're all more likely to retain information that we see and hear at the same time, so wear your name tag up on your right shoulder. That way, people can read it as they hear you say your name. Some women put their name tags down on their handbags or in the most inappropriate places. Put it where people are not afraid to look!

3. Develop a memorable signature. Men can wear ties that people will comment on. An investment banker I know wears a money tie. At certain meetings, industry events and the National Speakers Association, I stand out because I wear distinctive hats. When people are asked, "Do you know Patricia Fripp?" the usual reply is, "Yes, she's the one who always wears the amazing hats."

4. Develop an unforgettable greeting. When you introduce yourself, don't just say your name and job title. Instead, start by describing the benefits of what you do for clients. A financial planner says, "I help rich people sleep at night." One of my responses is, "I make conventions and sales meetings more exciting." Almost invariably, my new friend has to ask, "How do you do that?" Immediately, I get to market myself: "You know how companies have meetings that are supposed to be stimulating, but they're often dull and boring? Well, I present practical ideas in an entertaining way so people stay awake, have a good time, and get the company's message. My name is Patricia Fripp, and I'm a professional speaker." People remember the vivid pictures you create in their minds more than the words you say.

5. Greet everyone. Don't ignore people you recognize if you've forgotten their name. Smile and ask a provocative question

ILLUSTRATION BY MICHAEL EDDENDEN

like, "What is the most exciting thing that has happened to you since we last met?" or "What is your greatest recent success?" or "What are you most looking forward to?" And never be afraid to say, "The last time we met, we had such a great conversation. Will you remind me what your name is?" Best-selling author Susan RoAne (*The Mingling Maven*) tells people, "Forgive me for forgetting your name. Since I passed 40, it's hard to remember my own."

6. Overcome any shyness. Much of the value of networking events can be lost if you allow yourself to focus on being unassuming or fundamentally shy. For many people, mingling with a room full of strangers can be an unpleasant or even scary experience. Focus on the benefits of meeting exciting new contacts and learning new information instead of any butterflies in your stomach.

Until you've gained confidence, a good way to do this is to offer to volunteer for a job that requires interacting with other attendees, such as volunteering to be a greeter. A greeter stands at the entrance, with a label on their name tag denoting them as "Greeter." They have a specific job: "How do you do? I'm Chris Carter. Welcome to the Chamber mixer. Is this your first event? Please find your name tag; the food is in the next room, and our program will start in 30 minutes." Soon you will start feeling like the host of the party. You've met many new people and will get cheery nods of recognition throughout the event, making it easy to stop and talk later. When you focus on helping others feel comfortable, you are not thinking about your shyness!

7. Travel with your own PR agent. This is a powerful technique that maximizes your networking. Form a duo with a professional friend. When you arrive, alternately separate and come together, talking-up each other's strengths and expertise.

Suppose you and Fred are secret partners. As Fred walks up, you say to the person you've been talking to, "Jack, I'd like you to meet our sales manager Fred. Fred has taught me nearly everything I know about sales and our product line. In the 16 years at our company, there has never been a sales contest he has not won." Then, Fred can say, "Well, Jane is being very generous. It's true; I've been with our company for 16 years, and Jane has been here for only six months and has brought in more new business in six months than any other person in the 53-year history of our firm. Thank goodness I'm now the sales manager and can't compete. She is going to overshadow the rest of us. Her ability to listen to clients' needs gives her a competitive edge."

When you do this, you're saying about each other exactly what you would love your prospects to know, but modesty prevents you from telling them. Also, by saying something interesting, memorable, or funny, you become objects of interest to your listeners. Imagine the next day when they go to work and talk about the networking event they attended. They will repeat your funny lines, making themselves an object of interest. Any time you can make someone feel good about themselves, they are very likely to remember you!

8. Always send a note or brochure the next day to the people you have met. Keep business cards, and make notes of what you said for when you meet them at another event.

These are all positive, pleasant, easy ways to be memorable. Get the most out of your networking time and energy by making yourself worth remembering. **HR**

Patricia Fripp, CSP, CPAE, keynote speaker, executive speech coach, and sales presentation skills expert, works with organizations and individuals who realize they gain a competitive edge through powerful, persuasive, presentation skills. She builds leaders, transforms sales teams, and delights audiences. Fripp is past-president of the National Speakers Association. To learn more, contact her at www.Fripp.com, (415) 753-6556, @PFripp, or PFripp@ix.netcom.com.

INTERVIEW WITH AN HR HERO

MARIA GRAHAM: GO-TO HR

At this point in her career, you could say that Maria Graham is holding all the aces. A Certified Human Resources Professional since 1998, Graham has spent the majority of her professional life in lottery and gaming organizations. She was once the executive director of HR for the Ontario Lottery & Gaming Corp., where she led a team of 110 HR professionals located throughout the province. Today, she is the vice-president of human resources at Niagara Casinos (or, as they are more commonly known: Fallsview Casino Resort and Casino Niagara).

Arguably one of the country's top HR professionals, having acquired her Senior Human Resources Professional designation in 2009, Graham also proves that specializing in a specific industry can be hugely beneficial to one's career. She's authored a number of papers and articles for business publications within the gaming industry and has served on boards and committees focused on the changes occurring within the business. Graham has slowly but surely become the go-to HR professional of the entire gaming industry in Canada.

IN A NUTSHELL: MARIA GRAHAM

First job: Road construction flag person.
Childhood ambition: It changed regularly and encompassed every profession you can imagine—including a phase of wanting to be Mary Poppins.
Best boss and why: My current boss has a management style that works well for me—sounding board when needed, strong business acumen, astute, doesn't micromanage, will make a decision, trusts me to get the job done and has a great sense of humour.
Source of inspiration: I find it everywhere—in books, social media, magazine articles, movies, conversations, songs, the web.
Ideal vacation destination: Spain, Portugal or Costa Rica.
Best piece of advice I ever got: Wait for the dawn of a new day to bring a different perspective when things are falling apart.
Last music you listened to: Mumford & Sons
Favourite author or book and why: I'm a voracious reader and have many favourites. Three that trigger thought and imagination for me are *American Gods* by Neil Gaiman, The *Once and Future King* by T. H. White and *A Fraction of the Whole* by Steve Toltz.

We sat down with Graham to find out where her HR career began—and where she thinks those in entry-level HR should be headed.

> “... diplomacy and finesse go hand-in-hand with courage; these skills are needed to artfully manoeuvre through obstacles.”

HRP: How and when did you decide you wanted a career in HR?

MG: I went to school for business in the UK, at the University of Liverpool. Back then, not many people were going to school for HR.

When I came to Canada, I got an entry-level HR assistant role at CIL Paints. I was given more and more responsibility, then a promotion and the scope of the job just kept broadening, which made it more interesting. I get really engaged when I learn something new. It was in this position that I realized the talent in an organization is what sets it apart from its competitors, so the role HR performs is significant in terms of contributing to the success of the business.

I decided I wanted to make HR my career, so I went back to school, to York University, for HR management certification.

HRP: Tell me about your job now. What are your main areas of responsibility?

MG: As vice-president of HR at Niagara Casinos, I oversee a complete portfolio of services and programs for an organization of about 4,200 employees that operates on a 24/7 basis. Along with my team, we design HR strategy to synchronize with the objectives of the business.

HRP: What do you love about your job?

MG: The sense of accomplishment when something starts as a concept, ignites, then all the pieces come together in the implementation stage and I know that we've made a tangible improvement for the business. That gives me a real boost. Or, being told by a front-line employee that something we introduced into the workplace made a positive difference for them—that validation is a tonic.

HRP: What are the challenges in your job?

MG: The backbone of our business is outstanding, memorable customer service. This means that we have to maintain strong employee engagement levels. It's constantly on our radar and we try to optimize the delivery of programs and services that translate into an engaging workplace environment; coupled with an overarching caveat that cost containment must be considered in anything that we do.

HRP: What's key to leading HR during a difficult time for an organization?

MG: It's important not to lose sight of the end goal or the desired outcome: knowing what's mission critical; having a viable plan; and defining the milestones to gauge progress is vital. Transparent communication is also essential to ensure that people are in the loop and they're cognizant of expectations.

HRP: What skills are important for success in HR?

MG: Courage is important. If there are decisions to be made that will affect the workforce, then you need to be in the middle of the scrimmage when the conversations are occurring. If you adopt a spectator role, watch events unfold and accept outcomes that you haven't made a concerted effort to influence (the ability to influence by the way, is another essential skill!), then you're missing critical opportunities.

By the same token, diplomacy and finesse go hand-in-hand with courage; these skills are needed to artfully manoeuvre through obstacles.

Well-developed listening skills are also a must-have. You can't truly understand the issue at hand without really listening. This falls under the communication cluster of skills which are also must-haves—being able to communicate in a variety of mediums to clearly articulate a particular program or service is essential.

The last is the ability to build relationships. It's vital. When you can forge strong relationships with peers and co-workers, your work becomes easier to accomplish, as the trust factor has been established.

HRP: What tips do you have for new grads or those in entry-level HR jobs who want to move up the ladder?

MG: Learn the business. Learn every aspect you can about how the operation works, from the ground up. Job shadow the front-line employees; you'll walk away with a deeper understanding of what makes the organization tick. Attend operational meetings, interview line-managers; learn the lingo unique to the company. You can't understand the HR needs of an organization or the challenges of the business without a comprehensive grasp of how it works.

HRP: What's your overall advice for students or recent grads in HR?

MG: Don't pass on opportunities to become involved in projects or initiatives. For example, if your organization is launching a fundraising or charitable campaign, get involved. It provides you with exposure to individuals from other parts of the business, it helps with networking and it expands your experience and skills.

HRP: Where do you think HR is going? What's the future of HR?

MG: We'll continue to optimize technology to streamline what we do and how we do it. Mobile applications will be leveraged—applications for training, recognition, engagement, benefits, etc. The possibilities are endless.

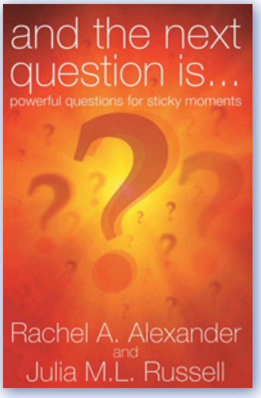
Another significant factor are the various social media platforms. They are already allowing us to enrich communication channels, acquire talent and execute engagement initiatives—I believe they will continue to evolve at a rapid pace and are a great opportunity for HR to influence two-way dialogue and reach the audience faster and more efficiently.

Organizations will continue to have multi-generational workforces. From boomers to Gen X, Y and Z, this means that one size doesn't fit all and there is growing need to recognize that the employee value proposition needs to be structured to appeal to the diversity of the workforce.

OFF THE SHELF

BY ALYSON NYIRI

WHAT'S WORTH READING



and the next question is… powerful questions for sticky moments

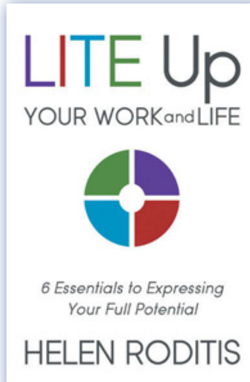
Rachel Alexander and Julia Russell

MX Publishing, 2012

With more than 500 questions on topics ranging from managing client sessions, goals and outcomes, leadership and career transition, this slim volume is an excellent tool for any coach's toolkit. For experienced and new coaches, managers or leaders, the book's structure allows you to select powerful questions when you need them.

Talking Point

Masterful coaches ask well-timed questions. Where do you get stuck with clients?



Lite Up Your Work and Life: 6 Essentials to Expressing Your Full Potential

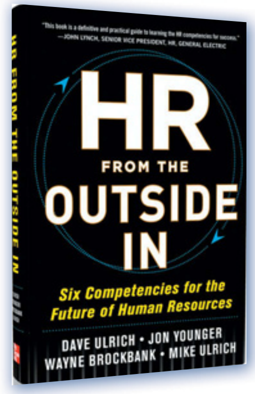
Helen Roditis

Morgan James, 2012

Focusing on potential, innate strengths, passions and gifts is the new normal in personal and professional development. Roditis offers a holistic process for coaching individuals, leaders and teams by connecting both heart and mind. The chapters on leadership and team unity offer gentler ways to encourage potential and performance.

Talking Point

How have you engaged employers and employees to explore potential, passions and strengths?



HR From the Outside In: Six Competencies for the Future of Human Resources

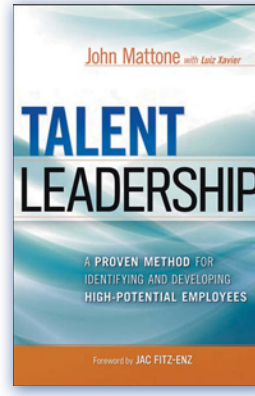
Dave Ulrich, Jon Younger, Wayne Brockbank, Mike Ulrich

McGraw Hill, 2012

Drawing on the sixth round of a 25-year research project, this powerhouse team has produced a game-changing platform for the HR profession. This first volume outlines what HR professionals need to know to be personally effective, improve business success and business performance. The six competencies include: strategic positioner, credible activist, capacity builder, change champion, HR innovator and integrator, technology proponent.

Talking Point

The business of HR is the business. How does this impact your role?



Talent Leadership: A Proven Method for Identifying and Developing High-Potential Employees

John Mattone with Luiz Xavier

Amacom, 2012

Sourcing and developing talent is a priority for companies worldwide. Mattone presents a Stealth Fighter Model to explain the predictive relationships between leadership assessment and development practices and achieving operating success. Using leading indicators, such as capability, commitment, and alignment Mattone presents well researched and applied methods of sourcing and developing talent.

Talking Point

How can HR move beyond lagging indicators such as cost per hire, turnover, exit interviews to leading indicators? **HR**

BY NANCY HARRIS

10 TIPS TO PREPARE FOR AN EMERGENCY

Hurricanes, flooding, forest fires and even mudslides can be a frequent occurrence in various Canadian regions. These situations take both an emotional and financial toll on those who live and do business in those areas.

Yet, a recent study of Canadian small business owners conducted by Sage North America indicated Canadian businesses may not be sufficiently prepared for a crisis. While 98 per cent of respondents said they backup their financial data, 71 per cent said they do not have a formal emergency or disaster preparedness plan in place. Respondents cited that they haven't had any issues in the past that influenced the decision to develop a plan (41 per cent), they hadn't thought about it (33 per cent) or they don't think it's important for their business as reasons for not having a plan.

Although some companies may believe they are not at risk for disaster, it's crucial to prepare for a worst-case scenario. Below are a few tips for businesses to consider as starting points to help prepare for, deal with and overcome an emergency situation.

1. Develop a basic emergency plan: Outline the main issues your business could potentially face and the actions to take to prevent and/or resolve crisis situations. Research government agency or business association websites, such as the Canadian Centre for Emergency Preparedness, for resources and strategies to deal with both natural and manmade disasters.

2. Educate and prepare your staff: Only share sensitive information in the plan with those who need to know it, but do share general actions and perform emergency drills and exercises with your whole team. The more prepared they are for an emergency, the more they will be able to help your business respond and recover.

3. Designate an emergency point person: It's essential more than one person knows critical information such as passwords or the location of important documents. Select a trusted person who can implement the emergency plan, handle financial or legal matters, or recover information in the event that you are unable to do it.

4. Back up essential data: Whether you choose an on-site system, an off-site server or the cloud, backing up your information could be the difference between emergency recovery and the end of your business. Backups should be performed a few times a week and whenever you upload a large amount of information.

5. Develop a business continuity plan: After developing an emergency plan, your team should know their responsibilities and how to react should those circumstances arise. But what happens after the emergency situation happens? This is where a business continuity plan comes into play. It is a proactive plan that ensures that operations continue during a disruption.

6. Create an exit strategy: Although you may think this step is not essential to your business, defining an exit plan may save you trouble in case of an unforeseeable situation.

7. Hire a lawyer: A lawyer can help guide and protect you through the legal aspects of preventing or solving an issue, such as an accident in your facilities or a product recall.

8. Invest in prevention: Whether it's the installation of a security system or a waterproof safe, investing now may save you thousands if and when a crisis hits.

9. Get insurance: The best return on insurance is no return at all.

10. Consult with a professional: A professional will not only be able to recognize possible crises you may not have considered, but will also inform you of the best solutions for your type of business.

Nancy Harris is VP and general manager for Sage 50 Accounting—Canadian Edition (http://sage50accounting.ca).

INDEX TO ADVERTISERS

BY MARIA COLLAR

MORE SALT, PLEASE?
IDENTIFYING CRITICAL COMPETENCIES

Once there was an old king who had three daughters. He wanted to find out which daughter would lead the kingdom and thus called each one to ask how much she loved him. "Father" replied the oldest, "I love you as my own eyes and heart." The middle daughter said, "I love you as I love rubies." Lastly, he asked the youngest how much she loved him. "Dearest father," she eagerly answered, "I love you as much as salt."

The old king was displeased; he could not believe he had been compared to something as common as coarse salt! Such was his rage that she was banished from the kingdom. To everyone's surprise, as soon as the princess left, all salt began to disappear. People started getting sick and the kingdom grew weaker. Finally, it was decreed that salt was needed or the kingdom would perish; until then, no one knew that salt was essential for life. When the princess heard of the predicament, she returned, carrying nothing more than a small box of salt. The king never again looked down upon his youngest daughter, for when she said "I love you as much as salt," it meant she loved him as much as that which sustains life itself.

Being as essential as salt in a competitive 21st century world can be described as many things but ordinary. As organizations become flatter and more globalized, leaders have been forced, just as the old king, to engage in the succession of today's skills. Leaders wonder: what competencies do our talented employees need today to address the challenges of tomorrow? And, which creative change must take place to find the talent with the skills needed? This quandary weakens efforts to effectively equip talent for meeting the needs of today's economy and achieving the overall strategic goal. To bridge the skills gap, high-performing entities around the world have embraced the essential competency model, which includes:

- ***Critical Thinking:*** Being able to effectively identify and bring together a broad range of talent in a problem-solving procedure (Teerlink & Ozley, 2000, p. 26). Above all, possessing the ability to create and sustain an environment that enables strategic direction within all levels of the organization.
- ***Creative Thinking:*** Being an innovator and pioneer of new ideas, capable of effortlessly equipping for the jobs and products of tomorrow while building upon the skills of today.
- ***Attitude:*** Having the ability to inspire inclusion and passionate commitment through positive relationship building. Essentially, enabling collaboration, transparency, accountability and empowerment with the purposefully forward-thinking of embracing talent at all levels as unique partners.
- ***Entrepreneurship:*** Capable of understanding the true meaning behind words; which allows one to easily detect, interpret and translate needs from the market into new behavioural responses. More than anything, proficient at effortlessly leading strategically with cutting-edge initiatives that redefine the industry.
- ***Leadership:*** Recognizing the fundamental difference between managers and leaders, being that "managers know how to do things whereas leaders know exactly which thing to do" (Fifty Lessons Limited, 2010, p. 12).
- ***Charisma:*** Seeking to transmit a robust focused attitude that is outcome-driven and produces positive results within a multigenerational and multicultural 21st century world.
- ***Passion:*** Act to eliminate any barriers that might block success towards "true north destination". (George, George, & Sims, 2007). Specifically, capable of engaging and mobilizing talent in a way that drives change throughout the entity. HR

References:
Fifty Lessons Limited. (Ed.). (2010). Lessons learned: Unleashing talent. Boston: Harvard Business Press.
George, W. W., George, B., & Sims, P. (2007). True north: Discover your authentic leadership. San Francisco: Jossey-Bass.
Teerlink, R., & Ozley, L. (2000). More than a motorcycle: The leadership journey at Harley-Davidson. Boston: Harvard Business School Press.

Maria Collar is is a consultant at Serendipity Consulting Services.


Louise Taylor Green, MBA
Executive Vice-President Corporate Affairs and Strategy at Hamilton Health Sciences
Wife, Mother, Volunteer, Nighthawk
Hamilton, Ontario, Canada
We cannot change our past, but we can change our future. In 2007, I was working in financial services but dreaming of a career that would really benefit my community. AU's MBA program helped me discover my untapped potential and design the future of my dreams, including a career in healthcare that touches millions of lives each year.
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ONLINE EXCLUSIVES

The following pages are provided as an extra value for the online readers of this publication

ONLINE EXCLUSIVES

The following pages are provided as an extra value for the online readers of this publication

Executive Certificate in Conflict Management


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University of Windsor, Faculty of Law Certificates are awarded at the end of every in-class public workshop.

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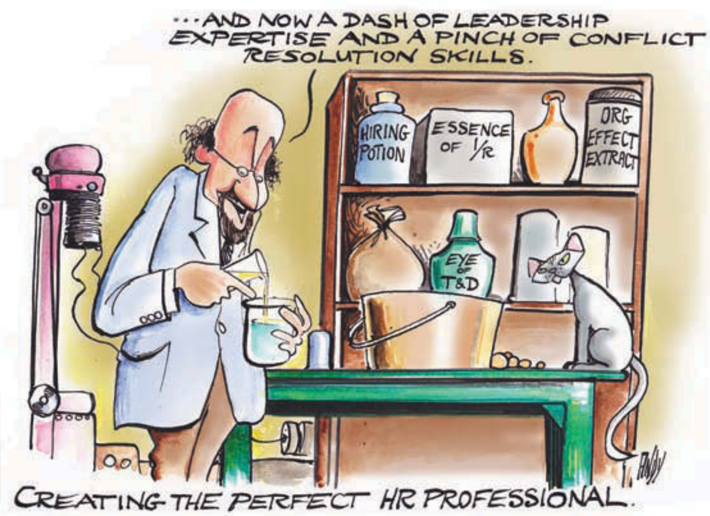
- Gerry Walsh, HR AOC Resins and Coatings Company, Guelph

We are extremely excited to announce the University of Windsor Law School Executive Certificate in Conflict Management. You can complete it in under one year, without quitting your day job. To earn the Executive Certificate, you must complete the following six courses:

- Alternative Dispute Resolution
- Advanced Alternative Dispute Resolution
- Applied Alternative Dispute Resolution
- Dealing With Difficult People
- online Difficult Conversations
- online Negotiation



Our training helps people learn new approaches to issues such as:

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- termination of employment
- timeliness of grievances
- employee/employee disputes
- effective collective bargaining
- aligning people with the right job

Tackling the HR Challenge

Everyone expects you to solve their problems. How do you deal with upset and stubborn people? Do you have the tools to resolve conflicts effectively? How well do you deal with employee disputes? Do you help employees negotiate when they have problems? Can you identify talents and personality types? Are you expected to implement people strategies that support the organization's business objectives? Do you find yourself playing the role of a linchpin - working with finance and operations to help drive business? Our training will provide you with the tools you need to excel at the tasks you face every day. We have taught over 28,000 people worldwide, many of them in the HR field. We have conducted programs for the HRPA and understand the issues that you face.

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ADR processes provide practical ways to resolve workplace disputes. Two of the processes we focus on are principled negotiation and interest-based mediation. Principled Negotiation, developed at Harvard, is an approach to negotiating that allows you to look behind the positions and focus on the underlying interests in order to find a solution that makes sense and maintains relationships. In an interest-based mediation, a mediator assists disputing parties to negotiate. Mediation can help re-establish trust and prevent damage to relationships. Mediation can save time and reduce financial and emotional costs.

"Employers who provide mediation training for staff are likely to have significantly less disciplinary cases.... Training in conflict management and mediation is essential if managers are to become more competent and confident in managing conflict. Only then will the waste of management time be reduced and more harmonious, more productive relationships at work develop."
UK Chartered Institute of Personnel & Development

At this workshop you will learn how to mediate disputes while preserving relationships and how to negotiate your way through tough situations.

Day 1

- What causes conflict?
- What are your negotiation tendencies?
- How do you avoid negotiation pitfalls?
- Which style is better, a competitive or cooperative one?
- How can you avoid making dangerous assumptions?

Day 2

- 7 Elements of Principled Negotiation?
- How do you deal with difficult people?
- How can you be creative to get better results?
- What should you disclose in negotiation?
- When should you say yes and when should you walk away?

Day 3

- How do you prepare for a negotiation?
- How do you deal with strong emotions?
- How can you be more persuasive?
- How can you get people to listen to you?
- How do you handle a number of people at the table?

Day 4

- How do you find people's underlying interests?
- How do you mediate to resolve disputes?
- How can you resolve workplace conflict?
- How can you prevent mediations from getting out of control?

"The ADR Workshop was by far the best course I have attended in my 30+ year career in HR. A must attend for HR Professionals. I have used the tools on a regular basis."

- Dan Heard, HR
Ministry of Community & Social Services
Bleinheim

"Absolutely essential to anyone in a people management role. I wouldn't change anything! The instructors were very effective and speaking from personal experience was very helpful"

- Danielle Germansky, Manager, Scotiabank
Toronto

40 CHRP recertification points by HRPA

Workshop includes 6 negotiation case studies, 3 mediation case studies, 1 video and a mediation demonstration.

Experienced coaches supervise mediation case studies.

Dealing With Difficult People Workshop

You will learn how to prepare for difficult conversations, deliver messages powerfully, confront someone calmly and respectfully, overcome the fears that lead you to avoid conversations, how to end a difficult conversation and recognize personality differences. You will have the opportunity to complete the Myers-Briggs Type Indicator-Step II ® * and receive a customized report containing insights into your personality type and the personality types of others.

* Myers-Briggs Type Indicator Step II (Form Q) Interpretive Report © 2001, 2003 by Peter B. Myers and Katharine D. Myers. All rights reserved.

Day 1

- What makes a conversation difficult?
- How do you start a difficult conversation?
- How do you confront bad behaviour?
- How do you deal with difficult people?
- How do you identify personality types?
- How do different personality types contribute to problems in the workplace?

Day 2

- What triggers you and others?
- How do you avoid common mistakes?
- How do you manage emotions?
- How do you get to the root of a problem?
- How can you disagree without escalating the conflict?
- How do you prepare for a tough conversation?

Day 3

- How do you deal with difficult conversations in the workplace?
- How do you deal with difficult conversations at home?
- How might you manage your own responses better to make the conversation less difficult for you?
- How do you know when to end a difficult conversation?
- What is the best way to end a difficult conversation?
- How do you conquer fears around a difficult conversation?

"I would recommend this course to any HR Professional!"

- Susan Broniek, HR Toral Cast Precision Technologies Mississauga

"Instructor was hilarious, intelligent and great communicator/ presenter. Role plays and exercises were great! Loved the opportunities to practise with different individuals."

-Alicia Bone, HR Vicwest, Oakville

30 CHRP recertification points by HRPA

Workshop includes the MBTI exercise (all of day 1), 5 exercises, and 3 case studies.

On day 3 you will also practise a specific skill or conversation that you have identified. The facilitators will be available to answer any questions.

Registration Information

Please register me for the following workshop(s):

visit sfhgroup.com/ca for more dates.

☐ ADR WORKSHOP, Toronto, February 11-14, 2013, $2,350+HST
☐ ADR WORKSHOP, Toronto, March 4-7, 2013, $2,350+HST
☐ ADR WORKSHOP, Ottawa, March 19-22, 2013, $2,350+HST
☐ ADR WORKSHOP, Thunder Bay, April 9-12, 2013, $2,350+HST
☐ ADR WORKSHOP, Toronto, April 23-26, 2013, $2,350+HST
☐ ADR WORKSHOP, Windsor, April 23-26, 2013, $2,350+HST
☐ ADR WORKSHOP, Iqaluit, May 7-10, 2013, $2,350+taxes
☐ ADR WORKSHOP, Toronto, May 28-31, 2013, $2,350+HST
☐ ADR WORKSHOP, Toronto, July 9-12, 2013, $2,350+HST
☐ ADR WORKSHOP, Toronto, August 13-16, 2013, $2,350+HST
☐ ADR WORKSHOP, St. John's, October 8-11, 2013, $2,350+HST
☐ ADR WORKSHOP, Ottawa, November 5-8, 2013, $2,350+HST
☐ ADR WORKSHOP, Toronto, October 1-4, 2013, $2,350+HST

☐ ADVANCED ADR WORKSHOP, Toronto, March 19-22, 2013, $2,800+HST
☐ ADVANCED ADR WORKSHOP, Ottawa, March 25-28, 2013, $2,800+HST
☐ ADVANCED ADR WORKSHOP, Thunder Bay, May 28-31, 2013, $2,800+HST
☐ ADVANCED ADR WORKSHOP, Toronto, June 4-7, 2013, $2,800+HST
☐ ADVANCED ADR WORKSHOP, Toronto, August 20-23, 2013, $2,800+HST

☐ APPLIED ADR WORKSHOP, St. John's, May 21-24, 2013, $3,150+HST
☐ APPLIED ADR WORKSHOP, Toronto, June 11-14, 2013, $3,150+HST
☐ APPLIED ADR WORKSHOP, Toronto, September 24-27, 2013, $3,150+HST

☐ DEALING WITH DIFFICULT PEOPLE WORKSHOP, Toronto, Jan 30-Feb 1, 2013, $1,995+HST
☐ DEALING WITH DIFFICULT PEOPLE WORKSHOP, Ottawa, March 6-8, 2013, $1,995+HST
☐ DEALING WITH DIFFICULT PEOPLE WORKSHOP, Toronto, April 17-19, 2013, $1,995+HST
☐ DEALING WITH DIFFICULT PEOPLE WORKSHOP, Toronto, June 26-28, 2013, $1,995+HST
☐ DEALING WITH DIFFICULT PEOPLE WORKSHOP, Toronto, September 18-20, 2013, $1,995+HST

☐ BECOME A POWERFUL NEGOTIATOR WORKSHOP, Toronto, February 20-22, 2013, $1,995+HST
☐ BECOME A POWERFUL NEGOTIATOR WORKSHOP, Toronto, October 9-11, 2013, $1,995+HST

☐ Mr. ☐ Mrs. ☐ Ms ____
(Please print name in the form you wish it to appear on your Certificate)

Job Title: ______________________________ Industry: ______________________

Organization: ____

Address: ____ ☐ Home ☐ Work

City: _______________ Province: _________________ Postal Code: __________

Phone #: (____)_____________________ Fax #: (____)______________________

E-Mail: __________________________ Name on name-tag: ___________________

☐ I would prefer a vegetarian meal Any dietary restrictions?___________________

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4 ways to contact us and to register:

ONLINE
At *sfhgroup.com/ca*

MAIL
Fill in and send the registration form to:
Stitt Feld Handy Group
112 Adelaide St. East
Toronto, Ontario, M5C 1K9

FAX
Fill in and fax the registration form to:
(416) 307-0011

PHONE
(416) 307-0007
1-800-318-9741

DISCOUNTS
A 20% discount applies if 5 or more people register from the same organization within the same calendar year. A $150 discount applies if you register for the ADR and Advanced ADR Workshops at the same time.

CANCELLATION POLICY
Up to two weeks before the workshop - 50% of workshop fee. In the two-week period prior to the workshop - full fee. We accept substitutes.