

THE MAGAZINE OF HUMAN RESOURCES THOUGHT LEADERSHIP | OCTOBER 2012

HR

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ALL THINGS LEGAL

A few months ago, HRPA conducted a reader survey to assist us as we plan our upcoming issues. It surprised no one to find that the top information topics requested were those on legislation and compliance issues. It was great to receive that confirmation as we were putting together this issue, which is traditionally our legal issue leading up to HRPA's 2012 Law Conference on October 4.

First to share her insights is lawyer and *HR Professional* editorial board member Lauren Bernardi, who highlights her warning about unintentional racism with some recent decisions. Then, writer Melissa Campeau brings us up-to-date on current thinking surrounding drug and alcohol policies and testing in the workplace. And, later in the issue, you will discover that just when you thought you could forget about pay equity—you'll discover the requirements are still there and ready to cause problems, if your organization is not paying attention to them.

For those having trouble staying current on legislation and other compliance information, writer Susan Stanton queried some HR professionals from across the country to discover their top online tools. But, as J. Lynn Fraser writes, it's important to protect the information you store on laptops and online; it may not be as secure as you think—but there are resources in place to help.

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

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LEADERSHIP MATTERS

BY DAPHNE FITZGERALD, CHRP, SHRP

THE MENTALLY HEALTHY WORKPLACE

This month's cover story discusses the development and use of drug and alcohol policies in the workplace. Whether you work in a safety sensitive industry or in an office environment, no workplace will run smoothly and happily if the problems associated with employees in distress are left unattended.

However, in addition to putting in place the policies necessary to ensure everyone understands the rules against drug and alcohol use in the workplace and the consequences for violating those policies, employers must realize that drug and alcohol abuse and addiction are themselves mental health conditions—like stress, anxiety and depression. And, employee mental health is a serious issue that's finally getting widespread attention across Canadian workplaces.

Pervasive problem

Last year, the Conference Board of Canada released *Building Mentally Healthy Workplaces*, a study based on a national survey of more than 1,000 employees—including almost 500 front-line managers.

The study showed 44 per cent of Canadian workers have dealt with a mental health problem (either currently or in the past). But despite efforts to destigmatize mental health issues, most of those surveyed feared disclosing such problems would jeopardize their future success in their organizations; and that they would feel uncomfortable discussing the matter with their manager or even colleagues.

While managers play a critical role in helping or hindering employees' mental health, many are not equipped to help. Forty-four per cent of managers surveyed in the report said they had no training on how to manage employees with mental health issues.

There was also a disconnect around perceptions of organizational culture and its impact on mental health. While 82 per cent of senior executives surveyed stated that their company promotes a mentally healthy work environment, only

30 per cent of employees believe that is the case.

The business case for a mentally healthy workplace

With one-fifth of Canadian workers missing three or more work days a year due to depression, stress, anxiety and other mental health-related disorders (according to a 2007 Ipsos Reid Poll), doing all you can to protect the mental health of your staff is not only the morally right thing to do, but also a bottom-line necessity to cut absenteeism costs.

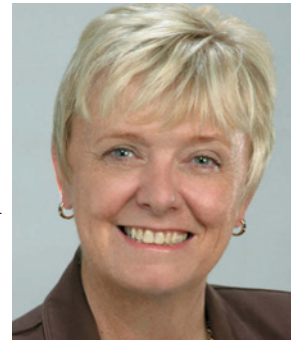
Nor is absenteeism the only cost associated with workplace mental health. These types of disorders also cause productivity declines and safety risks due to "presenteeism"—people being at work, but not concentrating on their jobs because of mental health issues. And then there are workplace morale issues, where other team members have to pick up the slack of an ailing co-worker; or misinterpret behaviours or performance issues as something other than a mental health issue.

Clearly, a mentally healthy workplace is imperative to running a well ordered, efficient and productive organization.

HR's role

The November/December issue of *HR Professional* will delve further into this discussion. HR's contribution to building healthy workplaces cannot be emphasized enough.

From the development of the policies that reflect applicable legislation through to the support and remedial solutions to be offered to those employees and their families who face the challenges of overcoming addiction, Human Resources is at the forefront. As the research shows, supporting those with mental health issues need not come at the expense of organizational performance. And as a driver of organizational success, it is HR's job to ensure that both happen in equal measure. **HR**



AODA Resources Available

Curriculum Services Canada, in partnership with the Government of Ontario, recently launched a full range of resources to help public and private organizations meet the training requirements under Section 7 of the Integrated Accessibility Standards Regulation.



The free resources, available in English and French, include online training modules, an implementer's guide to the training requirement and much more. For more information, visit www.AccessForward.ca.

Don't forget to check out HRP's AODA resources as well, including:

- General information on the Accessibility for Ontarians with Disabilities Act.
- The Harold Jeepers Video Collection—a series of six short videos, available on YouTube, dealing with the requirements of the Integrated Accessibility Standard.
- Information on the Customer Service Standard, including links to videos and other tools to help organizations comply.

HRPA's resources can be found at www.hrpa.ca/aoda.

The Ministry of Community and Social Services has now released a proposed Built Environment Standard for public spaces, which can be reviewed by visiting www.mcsc.gov.on.ca/en/mcsc/programs/accessibility/built_environment/index.aspx.

Vulnerable Workers and Precarious Work

The Law Commission of Ontario (LCO) recently released its "Interim Report on Vulnerable Workers and Precarious Work." The report includes draft recommendations designed to respond to the challenges faced by vulnerable workers in order to either reduce their vulnerability to, or the impacts of, precarious work. "Vulnerable workers"—those engaged in precarious work—can be found across society; however, women, persons from different ethnic backgrounds, immigrants, Aboriginal persons, persons with disabilities, older adults and youth are disproportionately represented. The LCO anticipates releasing a final report in Winter 2013.

The LCO project focuses on improvements to the statutory and policy framework of the Employment Standards Act and the Occupational Health and Safety Act in protecting these workers. However, it also reviews and makes recommendations about existing community and government supports and programs for workers,

employers and for training and education, as well as the role of labour organizations.

The paper further noted:

- In Ontario, approximately 22% of jobs could be characterized as "precarious work," defined as having low wages and at least two of these three features: no pension, no union and/or small firm size.
- Part-time employees are more likely to be precariously employed than full-time employees: about 33% of part-time workers are in positions with low wages, no union and no pension, as compared to almost 9% of full-time employees.
- Precarious work can include temporary foreign labour, service industry jobs, food services and accommodation jobs, temporary agency work and own account self-employment.

Studies consistently link precarious employment to negative physical and mental health outcomes.

To read the interim report, visit www.lco-cdo.org/en/vulnerable-workers-interim-report.

Ontario's Prevention Council to Advise on Workplace Health and Safety

Ontario's new Prevention Council will help protect workers and improve workplace health and safety across the province. The council will provide support for the chief prevention officer and advise the minister of labour on:

- Prevention of workplace injuries and illnesses.
- Development of a provincial occupational health and safety strategy.
- Proposed changes to funding and delivery of services for the prevention of workplace injuries and occupational diseases.

The newly formed council includes four labour representatives, a non-union labour representative, four employer representatives, an occupational health and safety expert and a representative from the Workplace Safety

and Insurance Board (WSIB). Nine members of the Prevention Council are being announced at this time; one employer representative and a representative from the WSIB are currently being finalized and will be announced in the near future. The council will report to the minister of labour through chief prevention officer.

“This accomplished, dynamic group—selected from labour, employer and academic backgrounds—will work with the chief prevention officer to help improve workplace health and safety throughout Ontario. Our ultimate and shared goal is to eliminate work-related injury and illness,” said Linda Jeffrey, minister of labour.

Don't Play the Millennial Blame Game

A recent workplace study released by MTV showed that most millennials believe their workplace should be social and enjoyable and that they desire flexible hours and less governance over the projects they are assigned.

The read on this attitude, for many employers, often goes like this: millennials are lazy, cocky, unwilling to pay their dues and feel they are exempt from the rules. This type of thinking on behalf of employers, says Jim Finkelstein, president and CEO of FutureSense, Inc., a consulting firm specializing in the areas of organization and people, can be to their company's detriment, causing them to toss aside a pool of applicants that, yes, are all the things indicated in the study, but who are also hungry, more mouldable than their older, more seasoned counterparts and may offer fresh, ideological approaches to projects and assignments.

Finkelstein, the author of *Fuse: Making Sense of the New Cogenerational Workplace*, offers the following points and suggestions to create a productive, positive workplace:

- Close the generation gap by establishing a team mentality. Regardless of age or other differences among workers, you and all of your employees are working toward a common goal.



- Giving ongoing feedback is important. Millennials want to hear from you beyond an official evaluation.
- Offer “reverse mentoring programs” so employees can learn from one another. For example, workshops where millennials can offer knowledge to their older counterparts on harnessing the power of social media.
- Promote a balancing of work and personal life. It will improve productivity and overall morale.
- Build an “employee brand” of productivity, worker retention, and customer satisfaction.
- Showcase your organization's values, people, and opportunities to attract the right applicants of all ages.

ILO Asks: Is Temp a Trap?

Temporary work can be a great way for young people to gain work experience while still studying or travelling. But, as the youth jobs crisis shows no signs of abating, temp jobs have become, in many cases, an option of last resort. The use of temporary contracts for young workers has nearly doubled since the onset of the economic crisis and young people in developed economies are far more likely than adults to be temporary employees.

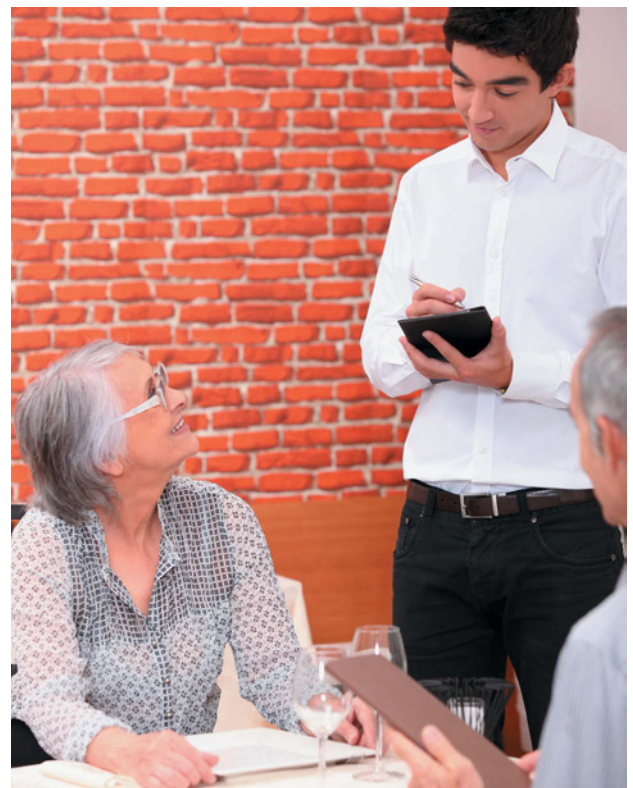
Ekkehard Ernst, who heads the International Labour Organization's (ILO) Employment Trends Unit, notes, "In the European Union we see that temporary workers—or temporary contracts—are very prevalent among young people, more than among the adult population. Younger people face up to 70 per cent temporary contracts in comparison to 20 per cent for adults," he says.

The youth jobs crisis is so acute that there is even fierce competition for temporary jobs, a situation that will likely continue for some time.

Moreover, he notes, "Businesses are very interested in crisis times to hire only temporary workers because of the uncertainties they face for their revenues and demand conditions," he says. "In addition, temporary workers have typically less social security and less access to training so this makes them cheaper to businesses."

One of the problems that young people face is that they often can't get permanent contracts due to their lack of job experience. Ernst says, "Younger people actually run the risk of continuously being employed on temporary contracts with less developments for their career prospects and lower wage developments."

He maintains that "governments need to encourage more the transition from temporary to permanent contracts. Governments can also help companies or encourage them to hire young people on a permanent contract. In addition, they could set up tax incentives to allow younger people to be hired on permanent conditions and to reduce the difference that exists in terms of cost between temporary and regular employment."



Small Rewards Make a Big Impact

A recent incentives study revealed that most employees still do not expect end-of-year gifts from their employers, but they are even more appreciative of small rewards than in 2011.

In fact, 61% of employees said just a \$25 prepaid card would meet their expectations, and 85% would be happy with \$100 or less. The research also showed that employers that are able to reward staff this holiday season will foster loyalty and positive morale.

Prepaid cards are a preferred gift. When given the choice of a \$50 Visa or MasterCard prepaid card or \$50 worth of gift cards as an end-of-year reward or holiday gift, 81% would choose a prepaid card. When asked why, the majority of employees pointed to the fact that prepaid cards can be spent anywhere the card brand is accepted and at multiple retailers.

Source: Parago

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UNINTENTIONAL RACISM: THE IMPACT OF STEREOTYPING IN THE WORKPLACE

Recent media coverage on the prevalence of racial profiling amongst police officers has raised awareness of systemic discrimination in the police service, but it is not uncommon to find similar problems in the workplace. As such, it is not surprising to see human rights complaints challenging employers' decisions as being based on racial stereotypes. The following cases illustrate the Ontario Human Rights Tribunal's response to employers who attach negative stereotypes to racialized groups.

Two Recent Decisions

In *Dahmrait v. JVI Canada* (2010 HRTO 1085), two South Asian employees felt excluded and publicly humiliated by their manager when she confronted them in front of co-workers and asked, "What—are you talking about me?" when they were speaking Punjabi during their lunch break. On another occasion, the manager told the employees it was "rude" to speak Punjabi since the other co-workers could not understand them and that their language was "loud" and intimidating. Shortly afterwards, both employees were laid off. In response, they filed complaints with the Ontario Human Rights Tribunal.

The employer, JVI, defended its actions by asserting that the layoff was not due to race but was purely a business decision necessitated by a significant downturn in business and due to their alleged lack of transferrable skills and teamwork. The tribunal disagreed, finding that both employees were generally good workers and concluded that the manager's negative remarks on their Punjabi-speaking contributed to a poisoned work environment. As a result, "all of the respondents' decisions or behaviours [were] suspect." The tribunal awarded both employees damages for loss of dignity and also awarded lost wages for one of them and ordered that she be reinstated. Although JVI may have had legitimate business reasons for the layoffs, this case makes it clear that if any part of an employer's decision is discriminatory, the whole decision is considered a breach of the Code.



In the 2010 case of *Knoll North America Corp. v. Colin Adams*^{*}, Adams, a black employee, questioned his supervisor in a visibly angry manner and moved the zipper on his pants up and down several times aggressively during a dispute with his supervisor. Following this episode, Adams was suspended for three days and was told that he could not return to work until he agreed to undergo anger-management training. Adams accepted the suspension but refused to undergo anger-management training, producing a doctor's note stipulating that he did not have an anger management problem. In response, Knoll fired him for insubordination. Adams filed a human rights complaint and alleged that the requirement to attend anger-management training was based on the stereotype of the "angry black man."

^{*} (2009 HRTO 1381, 67 C.H.R.R. D/447, appeal quashed; 2010 ONSC 3005, 104 O.R. (3d) 297, 196 A.C.W.S. (3d) 808 (Div. Ct))

LEGAL

The tribunal upheld the complaint and noted that stereotypes against black males often result in greater monitoring and scrutiny of their behaviour by employers. The tribunal concluded that the suspension was a sufficient disciplinary measure without the necessity of anger

management training and that Knoll had assumed that Adams would resort to violence without any evidence to come to such a conclusion. Accordingly, the tribunal awarded Adams \$15,000 for loss arising from Knoll's infringement of his right to equal treatment with respect to employment without

discrimination and over \$10,000 for lost wages and benefits had he not been terminated.


Raising Awareness

Unfortunately, racial stereotyping is frequently reflected in the decisions and actions of managers and supervisors. Therefore, it is important to raise awareness of the problem of unintentional racism. This includes:

1. Providing managers with diversity awareness training, in addition to Respect in the Workplace training.
2. Using specific criteria for assessing employee work performance.
3. Establishing disciplinary measures for specific workplace violations to ensure consistency across employees.
4. Properly documenting discipline and rehabilitation methods that are being undertaken with employees.
5. Requiring that all significant disciplinary sanctions be reviewed by human resources, to ensure that it is warranted and not related to some underlying bias.

Ultimately, the most important measure is to be vigilant when making decisions that have a significant impact on employees so that you don't make decisions that are based on stereotypes. Doing so will not only help you avoid human rights complaints but will also lead to a more satisfied and productive team. **HR**

Lauren Bernardi is a proactive employment lawyer and HR advisor with the boutique firm of Bernardi Human Resource Law. For more information, visit www.hrlawyers.ca.



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WHAT'S YOUR PERSONAL BRAND?

Most likely you woke up to this, you have been surrounded by this all day long and you went to bed with this in your head. What is “this”? Brands.

This issue's column is sponsored by Starbucks; they provided the free Wi-Fi, Venti Caramel Macchiato and the big comfy chair to write my column. I also want to thank Apple. They build amazing products, including this very fast and light MacBook Air that I am currently using to record my thoughts. I love my iPhone, and the ability to pay my kids' allowance via the app from the TD Bank. I find the TD Bank provides a very comfortable approach to its clients. Have you tried a Banana Republic shirt lately? The 100 per cent cotton French-cuff shirt I am wearing is made of 100 per cent organic cotton and not only looks great but is also comfortable. My official automobile sponsor is Saab—thanks for moving my mind (and my body) this morning. Speaking of driving, have you tried out the 407 lately? I find the road less crowded and that it provides a much smoother and faster way to get to client meetings. One other shout-out goes to Google. They have such great tools to help me find stuff and manage all the information in my life.

Workopolis, Monster and the other applicant aggregate systems.

Every day, like it or not, we make decisions based upon brands. They create platforms upon which we build our lifestyle. They also influence quality of life. They even impact how we choose our politicians.

For example, what one word you would use to describe each of the politicians below?

- Michael Ignatieff
- Jack Layton
- Elizabeth May
- Gilles Duceppe
- Stephen Harper

I heard a really interesting comment about the NDP's success in the last federal election. People voted for Jack, not necessarily for the NDP. This is as evidenced by many of the NDP candidates who were unknowns in their very own ridings and some even absent for the entire campaign!

Elizabeth May, Jack Layton and Stephen Harper were all very clear, consistent and confident—they knew their brand. Michael

Ignatieff and Gilles Duceppe, not so clear, confident and consistent—smart, intelligent and gifted, but with an unclear brand.

Whether you are choosing your car, coffee or the next prime minister, it's not about selling yourself, it's all about branding. Want to be successful in your HR career? You need to have a clear and compelling answer to this

question: What's your personal brand?

In a recent podcast, Terry O'Reilly, host of CBC Radio's *The Age of Persuasion*, award-winning ad man and author of *The Age of Persuasion: How Marketing Ate Our Culture*, shared how you



“Brands—They are everywhere and constantly influence us. Brands—They compete for our mindshare and our money. Brands—They help reduce risk and shorten our decision time. Brands—Are how we make our choices.”

According to David Shenk, in his book *Data Smog*, we see more than 600 ads for brands each and every day. The average HR professional feels this way as well, overwhelmed with noise and choices that come from sources such as LinkedIn,

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can use successful branding principals to get noticed and advance your HR career in a very busy and competitive world. (Check out the podcast at www.cbc.ca/ageofpersuasion.)

Branding works, even if we don't agree with what the brands stand for, are irritated by them or think our brain is immune to ads. The root word of advertisement is from the Latin *advertare*, which means, "to turn towards." Marketing comes from the Latin *mercari* meaning, "to buy." You have probably heard or even shared this concept with candidates and friends: "you have to learn how to sell yourself."

Let me ask you a question: Do you like being sold? The majority of people that I ask this question respond with a resounding, "NO". But most of us like to buy. Brands don't have to sell, they help people buy. You have to learn how to *mercari* yourself. Job hunting and personal branding are really about helping people to buy you. Marketing, like managing your HR career,

involves these three simple ideas:

1. Get noticed.
2. Be interesting.
3. Help people to buy.

If you follow these three ideas, you won't have to "sell." Employers will be buying. O'Reilly shared: "My job as a marketer is to coax my clients into investing in their own authenticity. Your job as a consumer is to become as literate and discern the sheep from the goats." I totally agree, my job as "Canada's Career Coach" is to coax my clients into investing in their own authenticity. Your job as an HR professional is to become as literate in the world of work and personal branding, to discern the sheep from the goats.

Great brands don't just look or sound great; they deliver on their promises. Learning and leveraging the principles of your HR brand is the key to having a long-term successful career in the profession of human resources. **HR**

Alan Kearns is head coach and founder of CareerJoy, Canada's career and leadership coaching company. For more information, visit www.careerjoy.com.



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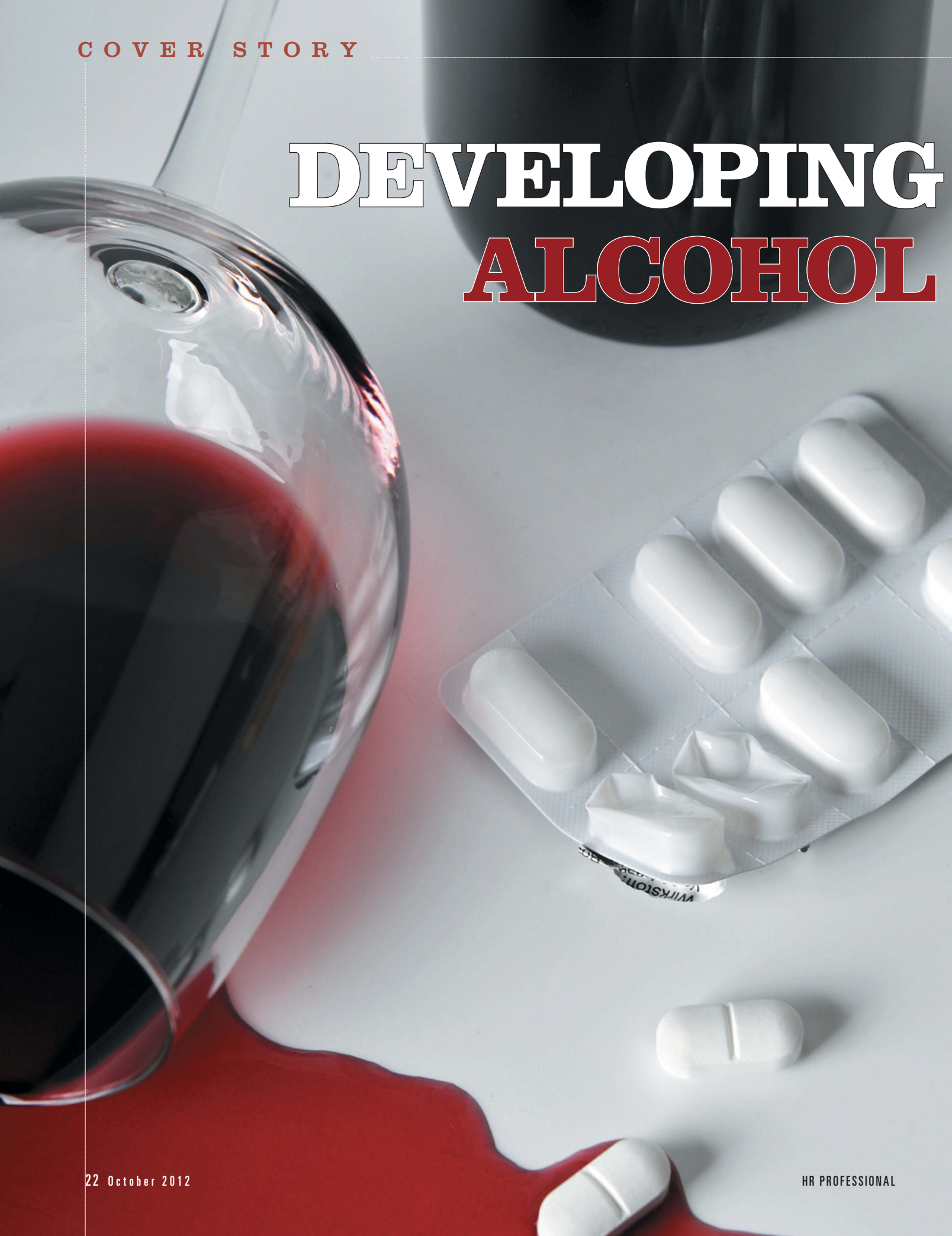
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DEVELOPING ALCOHOL



AN EFFECTIVE AND DRUG POLICY

A proactive approach to keeping employees safe

BY MELISSA CAMPEAU

When it comes to drug and alcohol use in Canadian workplaces, employers are asked to perform a remarkably precarious juggling act. They need to establish and maintain a safe working environment while also recognizing each employee's individual human rights. How fine that balance is was made clear with the 1996 Board of Inquiry decision in *Entrop vs. Imperial Oil*.

In 1992, Imperial Oil implemented a Canada-wide alcohol and drug policy that included testing in a number of situations. When Martin Entrop, a recovering alcoholic disclosed previous alcohol abuse as required by the policy, Imperial Oil automatically assigned him to another position considered to be less safety-sensitive. He was eventually reinstated but not before undergoing a litany of tests and agreeing to conditions not required of other employees. The Board of Inquiry defined Entrop's alcoholism as a "handicap or perceived handicap" and found Imperial Oil discriminated against him because of this. The board did, however, uphold the sections of Imperial Oil's policy that

required random alcohol testing for safety-sensitive positions as a bona fide occupational requirement.

In this case, freedom from impairment was an essential condition of performing work considered to be "safety-sensitive," but this fact alone was not enough to keep Imperial Oil's alcohol and drug policies from being challenged. Since then, many other significant—but not especially consistent—rulings have kept the waters somewhat muddied for legal experts, policy-makers and HR professionals.

What has remained consistent over the years, however, is alcohol use among Canadians, suggesting the need for policies and preventative action in the workplace is no less urgent than it was 10 or 20 years ago. (Illicit drug use has actually decreased somewhat over the past four years, according to Statistics Canada, but prescription drug misuse is on a decidedly upward trend.)

THE NEED FOR POLICY

The health and safety of an individual employee, co-workers and even the public can be directly impacted by abuse of alcohol and

drugs. Taking a proactive approach to handling the issue and outlining expectations can go a long way towards keeping people safe and even preventing legal tangles in some cases.

Policies need to be well thought-out and appropriate for each organization's specific industry. "If you do it wrong there can be serious liabilities," warns Gabriel Somjen, a partner in Borden Ladner Gervais Labour and Employment Group in Vancouver. "And if you do nothing at all and let employees show up for work impaired, then you've got other serious liabilities."



TO TEST OR NOT TO TEST

Should an organization's policy include testing employees for alcohol and drug use? While the number



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of organizations engaging in regular testing is decidedly on the rise in Canada, it's still not necessarily a clear-cut decision or a simple undertaking.

"You need to make sure there's a bona fide justification for moving forward," says Barb Butler, a Toronto-based management consultant specializing in workplace alcohol and drug policy and programs. "Look at the nature of the work and the degree of risk, with special attention to what might happen if a particular employee were to be under the influence of alcohol or drugs on the job," says Butler. "Look at what others in your industry are doing, too, and ask, 'Is this an issue for our industry? How are others approaching it?'"

Several factors may play a role in the decision about whether or not to test. The employer has to balance the need to keep employees, the public and the environment safe against the individual employee's privacy and human rights.

There's also a need to keep an eye on relevant court cases and

arbitrations since these can introduce varied decisions about what's deemed acceptable and what isn't, and this seems to change with some regularity in Canada. "In the United States, every state has issued some kind of law about what you can and can't do, and overriding all of those are federal regulations as well," says

Butler. The Canadian government, on the other hand, hasn't issued any regulations or directions, nor have any of the provinces. "There's been a lot more action at the government level in the States than there has been in Canada," says Butler, "so it makes it a little more complex for Canadian companies because they've got to be guided by human rights policies and rulings that have come down, arbitration rulings, court rulings—and those aren't necessarily always consistent."

"There really is no consistency in the way different tribunals deal with these things and that's one of the reasons employers should get proper advice and draft their policies very carefully," says Somjen. Consulting with an experienced legal professional or policy expert can be a critical initial step in charting a path through this potentially mine-laden terrain.

TESTING CIRCUMSTANCES

If a company determines alcohol and drug testing is an appropriate element of its policy, it must then determine how it will be done. There

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are plenty of circumstances for testing, some more easily defensible than others. These can include testing:

- after a significant accident or incident as part of a full investigation;
- with reasonable cause;
- as a condition of return to work after attending a treatment program or after a policy violation;
- as a condition of continued

employment after a policy violation; and/or

- as part of a monitoring agreement after treatment;
- on a random basis at a specified rate per year;
- pre-employment or pre-assignment (for a higher risk position);
- as a condition of assignment to work at a particular site.

Some of these options are less contentious than others. Testing post accident, for example, “is largely justifiable because now you know there has been a safety problem,” says Somjen. In this case, and in the case of an “incident” where something happened but there wasn’t an accident—it’s fairly easy for an employer to justify testing for alcohol.

Reasonable-cause testing is becoming more common, too. In fact, says Butler, “It’s pretty much become standard for companies that have comprehensive policies



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“What has remained consistent over the years is alcohol use among Canadians, suggesting the need for policies and preventative action in the workplace is no less urgent than it was 10 or 20 years ago.”

to include reasonable-cause testing and post-incident testing as part of their investigative tools.”

When an employee discloses an addiction problem or a policy violation and seeks treatment, testing can be justifiable as well. “In those cases unannounced testing is very commonly used to make sure the employee is not taking the drug,” says Somjen.

Random testing, however, remains a difficult subject. “When an employer says ‘We’re going to test 10 people every month for alcohol and drugs, without notice, that’s harder to justify,” says Somjen. In some cases, alcohol testing is defensible since it detects current use. Drug tests, on the other hand, are generally unable to detect impairment at the time of the testing; they tend to be much more difficult to justify.

There will be a critical decision by the Supreme Court of Canada coming down over the next year with regard to random alcohol testing, notes Butler. “Random testing is still not as universally used in a workplace program as testing in other circumstances, but that doesn’t mean some companies have not included it in their programs.” She adds, “I would just be cautious since random testing is still under review by the Supreme Court.”

When it comes to pre-employment testing, says Somjen, it’s generally difficult to justify since the individual isn’t reporting to work or about to perform a safety-sensitive job at the time of the sample collection. But he adds, “There are cases that have allowed it, depending on the industry and the industry practice.”

ALCOHOL VS. DRUGS

Testing in Canada typically focuses on six classes of drugs: marijuana, opiates, amphetamines, phencyclidine (PCP), cocaine and alcohol. (Many Canadian companies are now adding oxycodone to the list under

the opiate category, as well.) While alcohol and drugs are generally grouped together under the same policy heading, testing methods, results and implications can be radically different.

Alcohol testing is usually done using a breathalyzer, which can determine immediately if an employee is under the influence of

alcohol at the time of testing and can pinpoint with accuracy the percentage of alcohol in a sample.

Drug testing is generally performed by way of urine samples. Results only determine if the employee has more than a specified amount of metabolites of a particular drug in his or her system, ingested sometime within the



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recent past. What most can't do is determine if the employee was intoxicated at the time of the test. (A new test for drug use, involving oral fluid, is able to detect ingestion of a drug in a narrower window of time but its use isn't yet widespread and results still take a few days to be available.)

Because of this, tribunals have treated alcohol testing and drug testing differently. "Tribunals have been a lot harder on employers doing random urine drug tests because most don't test for current impairment," says Somjen, "whereas alcohol tests do."

TRAINING AND PROMOTION

Even the most comprehensive alcohol and drug policy is ineffective if no one knows about it. For a policy to be successful, advises

Butler, employees should have information about alcohol and drugs, their effects on performance, how to access assistance and what the company policy is.

She adds supervisors should be clear on their specific responsibilities under the policy and what they need to do to support it.

"Employees need to understand the policy. The union needs to understand it. And most importantly," says Somjen, "the supervisors need to understand it and know what they're looking for."

A well-developed policy and its promotion, while labour intensive, could ultimately prevent serious accidents down the road. "At the end of the day you want everyone to be safe," says Butler, adding an effective policy is, "all part and parcel of an overall approach to health and safety in the workplace." **HR**

THE QUALITY OF WORK/LIFE CONNECTION

"The fastest growing change I've noticed in the workforce in Canada is an increase in psychological distress," says Kentville, NS-based Dr. Bill Howatt, an HR consultant specializing in organizational learning design and the treatment of addictive disorders. "There are more and more people claiming short-term disability due to psychological distress."

People deal with stress overtly and covertly, says Howatt. One covert method is through the use of alcohol and drugs. "People start off with alcohol or drugs as a psychological addiction and then it can manifest into a physical addiction."

For all the people who've claimed short-term disability and taken time off work, there are still plenty in some degree of distress who continue to punch the clock each day. "You may have five out of 100 employees claiming psychological distress," says Howatt. "But how many employees are close to claiming psychological distress? That's where your real problems are."

This, says Howatt, is where good HR strategy and some thoughtful occupational health and safety policies can help. "Developing a program to improve quality of work/life is something employers should have a vested interest in," says Howatt.

"If you do proper impairment testing," says Somjen, "and supervisors get trained on what to look for, you're going to prevent some accidents and maybe even save some lives."

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TALES OF HR

HR Professional's HR Horror Stories Part II contest received more than 60 entries from across the country, including many hair-raisers that show how crazy this profession can be. We narrowed down the top 5 and let readers vote for the three best. First place goes to Chris Sopal of Lethbridge, AB, for "Do you know where your employees are?"—a cautionary HR tale about the need to keep track of your staff, especially when they're prone to regular, day-long absences. Chris wins a trip to Orlando or Las Vegas. Second place goes to Jamie Klomp of Timmins, ON, for "I Fired the Wrong Person!"—a cringe inducing yarn that will send chills through any HR professional. Jamie wins a BlackBerry Playbook. And third prize goes to Dionne Quintin of Saskatoon, SK, for "The Flusher"—a funny story about the hazards of phone interviews. Dionne wins a one-year subscription to *HR Professional*.

Here are their tales ...

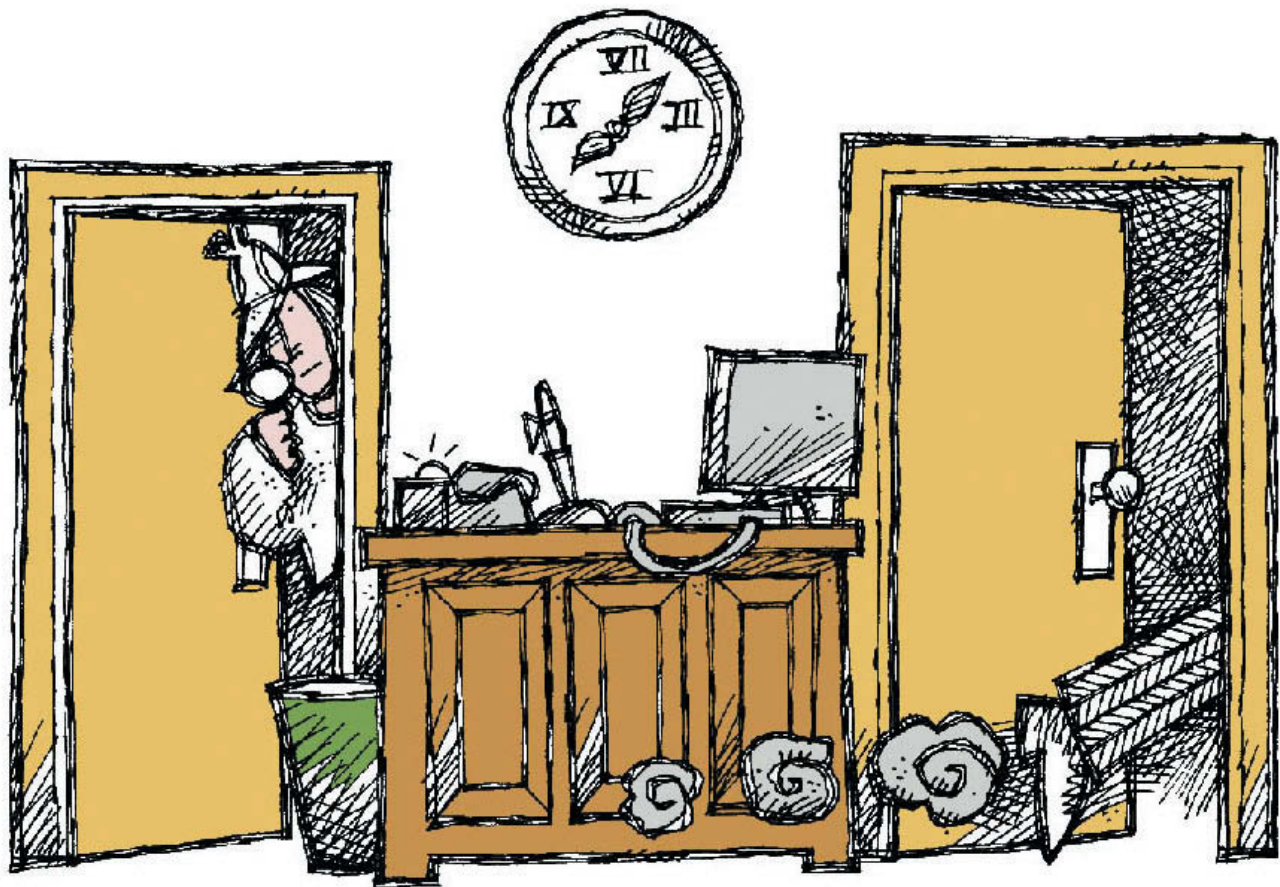
1. DO YOU KNOW WHERE YOUR EMPLOYEES ARE?

My first assignment as an HR generalist at "ABC Corp" had my head spinning. The head of HR wanted me to

investigate an employee (Gary) whose productivity had dropped drastically over the last quarter.

I went to Gary's office but he wasn't there, so I left a note asking him to contact me so that we could meet and talk. Just before 5:00 p.m., Gary

called me and told me he was very busy throughout the day and could only meet me for about half-an-hour at either the end or beginning of the day. His work hours were from 8:00 a.m. to 5:00 p.m. I told him that I would see what I could do with my schedule



HORROR



Illustration: David Shaw

and get back to him regarding setting up a meeting.

Over the next few days I would stop by his office during the day and he was never there. After getting suspicious, our HR department did some more digging and found the following.

Three months prior, Gary got a job at another firm, which was only two blocks away from our office. His hours of work at his new job were 8:30 a.m. to 4:30 p.m. Instead of quitting his job at “ABC Corp” he would show up at 8:00 a.m. and leave shortly before 8:30 to go to his new job. When his new job

ended at 4:30 p.m., he would jog back to us and work until 5:00 p.m.

Needless to say Gary was fired on the spot. His manager was mortified that this had gone on undetected for so long and HR enrolled her in some employee relations courses and transferred her to another department. Gary’s letter of termination, however, failed to list why he was being fired and all HR employees were threatened with termination if they breathed a word of what had happened to anyone else in the firm.

– Chris Sopal, Lethbridge, AB

2. I FIRED THE WRONG PERSON

The day after graduating, HR diploma hot in my hand, I decided to go business-to-business with my résumé to see if I could land my first professional opportunity.

My first visit was to a call centre that happened to be looking for an individual to “run the HR department.” I interviewed and got the job in the same week.

The first day on the job the manager called me into his office and said,

“I need you to fire Amy.” I replied “OK” and did not ask for much more justification. At this point in time, I was only aware of the limited fact that it was performance based.

I called Amy into my office (one-on-one) and after a two-minute meeting she was terminated and left the building.

My boss approached me an hour later and asked for a recap of the meeting. He also asked me to

evaluate my performance, which I concluded was “done to a satisfactory level.”

He then asked “if the meeting was performed to satisfaction” then why was she still on the property and still performing her regular duties? I quickly looked at the person he was pointing towards and my heart immediately raced and my face turned as red as a radish. I had terminated the wrong person.

My boss then went to utter some words inappropriate for even some backyard garage settings but then settled down and called this my first learning experience in the “real world.”

It took me a few sleepless nights and a week’s worth of Tim Horton’s to pay back the affected parties but I managed to survive and have never entered a meeting unprepared since.

– *Jamie Klomp, Timmins, ON*



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Illustration: David Shaw

3. THE FLUSHER

I was working with a hiring manager for the first time, let's call him Bob. We were conducting first-round telephone interviews for a highly technical IT position in his group. Our first interview of the day was running a bit longer than anticipated due to our candidate's desire to explain every detail of his career history.

About 20 minutes into the interview the candidate paused from talking. I hoped to take advantage of the break to bring the interview back on track. Before I could speak however, I heard a most disturbing sound coming from the phone. The candidate had flushed the toilet.

Bob and I stared at each other, unable to speak. A few seconds

later the candidate picked up his sentence and carried on like nothing happened. We finished the interview as I tried desperately to keep my professional composure. Since it was the first time working with Bob, I was not sure if he had the sense of humour to laugh at our ordeal.

We decided not to pursue the candidate for a number of reasons. I returned to my desk a few minutes later, still in disbelief, to hear my phone ringing. I answered the call from Bob's manager (Joe), who I knew very well. All he said was "So I hear you had a flusher." We laughed for days about that interview that is now notoriously known as "The Flushers." **HR**

- Dionne Quintin, Saskatoon, SK

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BY J. LYNN FRASER

Airports ensure the security of the people, airplanes and other vehicles that enter and leave their space. Your company is like an airport and its airplanes are its confidential data. Your company needs to know where its data travels, how it travels and what kind of passengers, such



as viruses or spyware, it has picked up. It also needs to know what to do if one of its airplanes (data) is lost.

In an ideal world, a first step to consider when developing a data security policy would be for a company to identify how data, both hard copy and electronic, travels within and beyond its offices. Public Safety Canada (PSC) suggests that the network a company utilizes should be diagrammed to identify possible risks factors. These factors include: Internet access points; who has access to sensitive files as well as the use of USB flash drives (thumb drives, USB keys, etc.); and what laptops used outside of the office environment may contain company data. The PSC advocates multi-level data security strategy. (See “Resources” below for accessing further information.) This means using firewalls; monitoring; “patch management software”; anti-virus software; preventing the use of unauthorized hardware and software; and closing Internet access and all non-essential ports. It also stresses that companies regularly undergo threat and risk assessment for their networks and servers.

A second step, in an ideal world, would be for a company to develop a comprehensive and well-communicated data security policy developed in consultation with its IT department, administration and staff. Ideally, as well, all licensed software, anti-virus, and anti-spyware applications in the company would be up-to-date. Also, employees would only use company-issued software, USB flash drives, smartphones, and PDAs. These devices would be encrypted using appropriate software and accessed using a complex, regularly changed password. A PIN or login name in combination with a randomly, electronically generated password that is never written down would be the ideal. Remote access to a company would, in that ideal

“In an ideal world, a first step to consider when developing a data security policy would be for a company to identify how data, both hard copy and electronic, travels within and beyond its offices.”

world, be enabled only by permission or through a company IT help desk while the user is on a company computer.

SECURITY IN THE REAL WORLD

Unfortunately, in the real world, companies do not always have clearly communicated, universally understood, and enforced, data use and privacy policies. And, in the real world, employees do not steadfastly follow data security policies. Even NASA employees are not immune—having lost, in a two year period, 48 laptops with critical and confidential information.

In 2009, the U.S. Ponemon Institute surveyed 967 individuals who were “end-users of corporate information technologies,” finding that most of their respondents did not comply with their company’s data security policies. They used non-encrypted USB memory sticks and, while at work, accessed web-based personal email accounts; downloaded Internet applications; and 31 per cent used social media. In this latter group, a third shared information about their company.

The loss of USB sticks and other data-storage devices, like laptops, were not reported or were not

reported immediately by 43 per cent of the respondents. A sizeable portion also said that they turned off anti-virus software and shared their passwords with co-workers and contractors. Nearly three-quarters of respondents admitted to transferring confidential corporate information onto a USB stick and of that group, 61 per cent admitted to transferring that information onto a computer outside of their company’s network. In the real world, then, employees need to identify personally with the ‘costs for concern’ caused by lax data security.

COST CONCERNS

A cost for concern is that lost confidential data such as client files, information on project bids, sales projections, personal and corporate financial information costs both firms’ and employees’ time, money and reputation. It can mean that employees lose their jobs because their company lost contracts or client confidence.

“It’s death by a thousand cuts,” says Dr. Alan C. Middleton, assistant professor of marketing at the Schulich School of Business, York University, referring to reports by the media of numerous incidences of privacy breaches that slowly but

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Metric Category: Recruitment	Your Results	Average	10th	25th	Median	75th	90th	n	- / = / +
Metric Name	Score								
Vacancy Rate		10.2%	5.2%	7.6%	10.3%	11.2%	12%	11	
The percentage of positions being actively recruited for at the end of the reporting period.		23.1%	4.9%	11.5%	16.9%	22.5%	47.4%	6	
90 Day Turnover Rate									
The percentage of new employees leaving the organization within 90 days of starting their employment.		12.2%	0%	2.4%	8.4%	13.4%	28.4%	7	
90 Day Voluntary Turnover Rate									
The percentage of new employees leaving the organization on a voluntary basis within 90 days of starting their employment.		8.8%	0%	0%	4.2%	16.7%	22.2%	6	
90 Day Involuntary Turnover Rate									
The percentage of new employees leaving the organization on an involuntary basis within 90 days of starting their employment.		16.8%	7.2%	9.5%	12.7%	15.7%	28.8%	7	
1st Year Turnover Rate									
The percentage of employees with less than 1 year of service who left the organization.		12.1%	5%	5.2%	7.7%	15.8%	22.6%	11	
1st Year Resignation Rate									
Percentage of employees with less than 1 year of service who resigned.		5.7%	0%	1.6%	4.5%	9%	11.9%	7	
1st Year Involuntary Turnover Rate									
The percentage of employees with less than 1 year of service who left the organization involuntarily.									

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surely erode the public's confidence in a business's reputation. Middleton notes that data breaches are seen by the public as a "lack of knowledge, care and consideration" by a company and raises in the public's mind concerns about "what are you [the firm] doing with all that stored material?"

Another cost for concern is the financial loss connected to lost or stolen devices. According to a 2011 survey conducted by McAfee, U.S. consumers valued their digital assets at US\$55,000. In 2009, the Ponemon Institute interviewed 29 organizations and found 138 cases of laptops lost by employees and contractors. The average value placed on these lost laptops was nearly US\$50,000. The cost of a lost laptop after one day was estimated at nearly US\$9,000, and after a week was valued at over US\$100,000.

An additional cost consideration, according to Robert Duvall, president of RDC Networks, is that failure to do due diligence in ensuring that your company has taken the necessary precautions to protect its data security might void your company's business interruption insurance.

LAPTOPS AND FLASH DRIVES BIG CULPRITS

The main culprits in regard to data being lost or stolen are USB flash drives, smartphones and PDAs. According to a 2011 study of 743 American IT and security professionals by the Ponemon Institute, 70 per cent of the businesses surveyed connected the loss of proprietary and confidential data to USB flash memory sticks. Malware on those USB sticks was blamed for 55 per cent of those problems.

This doesn't necessarily mean that USB and thumb drives should not be used; however, being proactive can reduce data loss and data security problems. Some brands of USB flash drives have multiple levels of protection such as passwords, high levels of encryption, anti-malware and virus protection. These brands of USB sticks lock after a certain number of unsuccessful attempts to use an incorrect password if a USB stick is lost or stolen. Or, if necessary, the use of USB flash drives for office use can also be banned and software used to block the use of USB ports.

Public Safety Canada suggests that company policy ensures laptops be maintained by the company's IT department. PSC also advises that employees have their laptops checked and laptop protection updated before being reconnected to the company's network if the laptops have been used offsite. Laptops, PDAs, USB sticks and smartphones can be remotely wiped when lost.

Another cost of concern may include that trip to the U.S. you're planning. The Canadian Bar Association (CBA) warns, for example, that U.S. policy enables U.S. Customs and Border Protection agents "to search and confiscate computers, phones, personal digital assistants, cameras, digital music players" and other electronic storage devices. The CBA suggests travelling with a "bare" computer that has only the needed operating system and applications. Before and in between flights, the CBA advises deleting all of your Internet searches and all temporary and image files and documents.

MAKE COMPANY SECURITY POLICY WELL KNOWN

"One of the most important, the most practical method is to save any data on company servers, not on laptops or USBs," advises Adrian Miedema, a partner in the Toronto Employment Group for Fraser Milner Casgrain. A company, Miedema advises, "should consider a written policy on any file held on the server." Human nature being what it is, Miedema notes that "people need to be reminded [of company policy]. Put in a reminder in frequently used pages, on computer screens, in emails." Miedema suggests making the security of a company's equipment and data a part of an employee's contract that has to be read and signed.



When you think of data security measures for your company, think of the last time you went through airport security. You knew what the airport's security policy was and what actions would be taken. You knew that at every door, desk and ramp you travelled required you to present identification, your bags and devices were searched

and tagged, you were questioned as to your destination and reasons for travelling and you were limited as to what you could take to your seat and what you could take on your trip. Ensuring data security at your company is similar. Clearly communicated, consistent, respected policies will ensure that your company's data travels

safely, cleanly, and without loss or breach. **HR**

Resources

1. Public Safety Canada, *General Best Practices for Network Security and Survivability; and Protect your computer, your information, your family and yourself:* bit.ly/TjjJZN
2. *Cyber Security Information for Canadian Businesses:* www.publicsafety.gc.ca/prg/ns/cbr/csb-eng.aspx
3. Ponemon Institute, June 2009, *Trends in Insider Compliance with Data Security Policies:* www.ponemon.org/data-security
4. PCWorld, *Lost Smartphone Could Cost You \$37,000:* bit.ly/mW3KM8
5. PCWorld, *Laptops that Go Ghost:* bit.ly/3l5rdA
6. *How USB Sticks Cause Data Breach, Malware Woes:* www.informationweek.com/news/storage/security/231300434
7. CIO.Com, *How to Prevent Thumb Drive Security Disasters:* bit.ly/AsKYdA
8. Canadian Bar Association, *How to Secure Your Laptop Before Crossing the Border:* www.cba.org/cba/practicelink/tapp/laptopborder.aspx
9. CSIS, *information security threats:* www.csis-scrs.gc.ca/prrts/nfrmtn/index-eng.asp
10. Office of the Privacy Commissioner of Canada, *PIPEDA, A Guide for Businesses and Organizations Your Privacy Responsibilities:* www.priv.gc.ca/information/guide_e.asp
11. Public Safety Canada (PSC) offers an RRS feed www.publicsafety.gc.ca/aid/rss-eng.aspx
12. PSC's list of IT security resources: www.publicsafety.gc.ca/prg/em/ccirc/isr-eng.aspx
13. RCMP, *Top Ten Security Tips:* www.rcmp-grc.gc.ca/tops-opst/tc-ct/cyber-tips-conseils-eng.htm



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COMPENSATION

BY ANTOINETTE BLUNT AND GEOFF JEFFERY

IS YOUR ORGANIZATION MAINTAINING PAY EQUITY CORRECTLY?



In the past few years a number of supervisors and managers have asked the question: has pay equity gone away? No, pay equity has not gone away—it remains in effect and employers who are not compliant could be in for a surprise, especially given there is no time limit on pay equity complaints or on retroactive adjustments to resolve non-compliance matters.

In the past, issues normally only arose if a complaint was lodged against the organization or the company. However, in the past few years the Pay Equity Office of the Pay Equity Commission has been monitoring compliance. On the commission's website it notes that since April 2007, it has been monitoring the retail and motel/hotel sectors to determine levels of compliance

and that as of August 31, 2010, some 3,893 organizations throughout the province were contacted via this program. If you are contacted, will your organization or business be able to confirm compliance with this legislation?

The Pay Equity Act requires all private sector employers with 10 or more employees and all public sector employers in Ontario “to establish and maintain compensation practices which provide for pay equity in their establishments.”

The legal requirements in the Pay Equity Act are quite strict. Pay equity is required to be not only achieved, but maintained. While there are circumstances in which differences between compensation for male and female job classes are justified, these exceptions are narrow. Furthermore, there is an absolute prohibition

COMPENSATION

against reducing compensation of any employee in order to achieve pay equity and also a prohibition against penalizing employees for seeking enforcement of the legislation. Having said this, a recent appeal court case in Ontario (*CUPE, Local 1999 v. Lakeridge Health Corp.*) found that the Pay Equity Act does not require compensation to be gender neutral at every level of the pay grid, but only at the top, or “job” rate. The court has suggested that this aspect of the legislation may be vulnerable to attack under section 15 of the Charter of Rights and Freedoms.

Keep Historical Information

A significant problem for employers could be the availability of historical information. This information is critical to be able to properly maintain a pay equity plans or to determine appropriate compensation practices. All information used in the development of the organization’s original pay equity plan, including job descriptions, questionnaires, the job evaluation system, payroll information, including all compensation, and benefits information will be needed and should never be discarded. Keep this information indefinitely. If you are ever challenged as to your compliance, you may need this historical information to provide the evidence to substantiate your compensation practices and pay equity compliance.

The Pay Equity Commission’s Pay Equity Office is responsible for enforcing the Pay Equity Act and they will investigate, attempt to settle and resolve pay equity complaints and objections to pay equity plans. This can be done by Order or Notice of Decision. However, the Pay Equity Office also provides programs and services to help organizations and businesses understand and comply with the Act. These resources are valuable and can be of great assistance in training new managers and staff on your pay equity committees so they understand their responsibilities in the maintenance process.

The majority of complaints to the Pay Equity Commission are settled by a review officer, who is vested with the responsibility of investigating and seeking to resolve complaints. The review officer will, however, issue an Order or Notice of Decision where, in his or her opinion, the Act has been violated. Where either party is not satisfied with the order of the review officer, the matter will proceed to a hearing before the Pay Equity Hearings Tribunal. While the hearings

tribunal endeavours to expedite such hearings, and has recently implemented case management measures to further improve the efficiency of hearings, the hearing process will typically be time consuming and expensive. In the tribunal’s most recent annual report, it indicated that a total of 16 cases were heard by the tribunal in the 2010/11 year. This was down from 37 in the previous year and 20 in the year before that. The focus, therefore, is to resolve issues at the review officer’s level, wherever possible. Of course, it is preferable that employers ensure that they comply with the legislation so that enforcement measures need not be taken by the commission.

In April 2011, the Pay Equity Office (PEO) announced the introduction of a new program called the Wage Gap Program. The PEO is trying to determine if gender wage gaps still exist in workplaces in the province. Initially, workplaces with more than 500 employees will be contacted and then the program will expand to small and mid-sized businesses. While the information is primarily being gathered for an information report, if an organization or company is found to be in violation of the Act, it may be contacted at a later date to investigate and determine if there is compliance with pay equity.

There are a number of circumstances that can give rise to a need to update your pay equity plan and your compensation practices to ensure compliance. For example, it is important to keep pay equity requirements in mind whenever undergoing organizational change or developing new jobs. When undertaking your annual assessment of compensation practices, review your incumbency and consider whether the gender of a job has changed. When creating a new job, evaluate the job to determine its appropriate job value and job rate in comparison to other jobs. When a review officer becomes involved, or a complaint proceeds to a hearing before the tribunal, employers are at significant risk of having to pay a substantial award of retroactive compensation and interest on that award. Assessing your pay equity status sooner rather than later is the best way to avoid potentially bigger problems down the road. **HR**

Antoinette Blunt is the past chair of the Human Resources Professionals Association (HRPA) Board of Directors; the current chair of the Human Resources Research Institute (HRRI) and a current member of the Board of Directors of the Canadian Council of Human Resources Associations (CCHRA) and chair of CCHRA’s Standards Advisory Committee. Geoff Jeffery is a partner with Weaver Simmons LLP, in Sudbury, ON.

USING THE INTERNET TO STAY IN COMPLIANCE

HR PROFESSIONALS ARE TURNING TO ONLINE TOOLS TO HELP THEM STAY ABREAST OF KEY NEWS AND TO REMAIN IN COMPLIANCE

We wanted to know: Does the Internet make it easier for HR professionals to comply with HR laws? So we put that question to a few professionals from across Canada. Here's what they had to say.

Deborah Scott, Director, General Manager, Human Resources & Facilities Operations, Panasonic Canada, Ontario

Deborah Scott no longer gets her compliance information from paper products. In fact to her

“paper” is nearly passé. Although she can recall a time when she didn't use the Internet for her work, she now says, “I actually prefer to do everything on the Internet. I'd rather not have any paper on my desk.”

So Scott stays abreast of what's going on in employment law across Canada mainly through e-newsletters and Internet research. “The Human Resources Professionals Association in Ontario (www.hrpa.ca) sends out a monthly law update that I find very valuable,” says Scott. The HRPAs Resource Centre is also on Scott's list of top sites



to visit. “I think it’s great actually—I think it gives a lot of information in one spot, which is perfect when you’re crunched for time.”

Another favourite is Bongarde Media’s online newsletter, *HR Compliance Insider* (www.hrcomplianceinsider.com). “It provides a succinct snapshot of employment law changes across the country as well as recent case law for each province,” says Scott, “so it’s a really informative update.”

Scott also subscribes to HR Downloads, which offers tools, job descriptions, policies and information (www.hrdownloads.com.) “That’s another good one for law updates,” says Scott.

Sharon Bryan, Senior Director, Corporate Services, Michael Smith Foundation for Health Research, BC

Bryan has been in HR for more than 30 years, long enough to know what the job was like before the advent of the Internet. So does she find it easier to stay in compliance now? “Oh, god, yes,” says Bryan.

She explains that back in the day, HR specialists had to get their compliance information from manuals, volumes, books, newsletters, magazines and other paper publications. It was a tedious process.

Today, Bryan gets her compliance-related information online. “If I want the wording of the legislation and the interpretation of that, then I go the BC government website (www.labour.gov.bc.ca/esb/). They have a fabulous online interpretation manual.”

The other resource Bryan uses regularly is First Reference, an online service that provides tools and information on payroll and employment law, including an e-bulletin and templates for policies and procedures—resources she finds particularly handy. First Reference’s e-Bulletin “gives updates on legislative changes, or court cases across the country,” says Bryan. “It keeps us up to date on what the world is doing in human resources.”

Linda Karlson, Human Resources Advisor, Projects, DMI-Peace River Pulp Division, AB

When she started in HR 22 years ago, Karlson says finding compliance information was a very slow process. “If I wanted a copy of the Act and Regulations, I would have to contact the Queen’s Printer and they would send out a paper copy in the mail.” That’s why Karlson appreciates the

speed afforded by the Internet. Now, “you go to a website and you can pretty much find the information right away. It’s much, much quicker.”

For information on pension and benefit compliance, Karlson makes regular visits to Manulife.com, Mercer.com and Hewett.com, or receives their e-newsletters. As a member of the International Foundation of Employee Benefits Plans (www.ifebp.org), she gets daily e-updates on pension and benefits news.

For general compliance information, Karlson subscribes to the newsletters, *HR Compliance Insider* (<http://hrinsider.ca>) and *Canadian Employment Law Today* (www.employmentlawtoday.com), “to make sure that we’re up on certain things. We have lots of policies and procedures in place and the information we get ensures that we are compliant.”

The only problem with technology from Karlson’s point of view? It makes you impatient. “If I want some information, I find myself being a little frustrated if I can’t find it within a very short time, and that time is getting shorter!”

Beware The Good, The Bad and The Ugly

Our conclusion from this brief, non-scientific survey? The countless resources and quick access the Internet delivers is a boon to HR professionals striving to stay in compliance with ever-changing laws. But, there is a but!

As is evident from even this brief survey, there are many, many resources available to information-hungry HR professionals. So much so, that it can be difficult to separate the good from the bad—it’s easy to get deluged by endless emails from HR discussion groups and information providers, which contain many opinions, but little in the way of concrete facts or helpful advice. Then there’s the ugly—the sites where you sign up for information and end up on countless advertising and marketing lists.

The best way to avoid these is to visit sites whose creators you know and trust, such as from government departments, or arm’s-length agencies, professional associations, such as HRPA, and sites recommended by colleagues and friends. Make sure anything you sign-up for offers specific instructions about how to unsubscribe. And, don’t forget to make sure your system is protected by security software and to update your Internet security settings to block cookies, malware and unwanted tracking. **HR**

PERFORMANCE MANAGEMENT

BY DAVID S. LAHEY

REDUCING PERFORMANCE ANXIETY

CAN USING BEHAVIOURAL SURVEYS AND OTHER TESTS IMPROVE THE PERFORMANCE REVIEW EXPERIENCE?*



It's performance appraisal time and you've turned into an enforcer. Every manager agrees the performance review process is important but claims they have no time to do it. Underneath that claim is very likely an anxiety about communicating effectively and dealing with the emotions that the

performance review process brings to the surface. Most managers and employees fear performance reviews. Everyone braces for the worst—feelings of inadequacy, misunderstandings that can poison the work environment, confrontation and tears.

A report by the Conference Board of Canada confirms that more than one-half of Canadian organizations think their performance review system is less than effective. "Performance appraisals can be stressful and few employees

**David Lahey's answer is "yes." If your organization has found a different answer, let us know and we can continue this discussion in an upcoming issue. ED*

PERFORMANCE MANAGEMENT

cringe more than the manager that needs to deliver the appraisal,” says Nicole Stewart, research associate and author of the report.

“Organizations make substantial investments—in both time and money—in their performance management systems, yet less than half are confident their systems are effective.

Organizations continue to struggle with the consistency and fairness of their reviews.” (From Conference Board of Canada, *Performance Management: Turning Individual Stress to Organizational Strategy* (www.hrreporter.com, June 25, 2012).)

Reducing stress

Wouldn't it be great if you could help managers and employees reduce the anxiety they feel around the consistency and fairness of the performance review process?

Some companies have been able to achieve improvements in this area through the use of tools that objectively assess behavioural characteristics within the workplace, providing immediate and concise information on behaviour and personality.

Nicola Wealth Management is a small firm in which managers use such a tool to conduct better performance assessments with their staff. James Duncan, chief operating officer, says using this kind of instrument means the manager/employee discussion is less subjective. Rather than relying on gut feelings, managers and employees together can view the objective, validated test scores. Duncan comments, “The test results also reveal where development efforts can be concentrated to build on employee strengths and propel improvements in performance.”

At Bell Canada, Ray Romard, director of HR, talent acquisition found that “[When we looked at our processes], it became immediately apparent that we didn't have a standard model for judging performance. Gut was still playing too large a role in terms of what great performance really looked like.”

Bell's retail business already had a good performance record. Romard wanted to know the critical behaviours that would drive even better performance. He asked 1,000 individuals inside the retail division to take a behavioural survey. Sales directors, regional managers, store managers and sales associates in all provinces participated. Then, taking a subset of that group—people identified as top performers—Romard looked at how their survey results differed from the average. He was able to ascertain specific

behaviours attributed to particular performance indicators, allowing him to figure out which behaviours resulted in improved sales results. Says Romard, “These results are going to allow us to drive improvements in overall customer experience and equip our staff to make quicker connections with the public.”

Romard has found that using the Predictive Index behavioural assessment gives his managers a better roadmap for how to adapt their performance management process and their coaching conversations with employees. “It certainly provides leaders with a better blueprint in creating meaningful relationships and in understanding employee strengths so that we're driving acceleration around those strengths. We want to speed up the improvement of employee strengths to lift overall performance.”

Defining great performance

Do you know what great performance looks like in your organization? Do you have a benchmark that works for all divisions that can drive improvement? Being prepared with appropriate tools puts your company in the driver's seat, ready to compete in a changing business environment, instead of just reacting to disappointing financial outcomes or other problems. Leaders can pinpoint the behaviours that improve business results.

Another benefit of using a tool that accurately measures personality and behaviour is that managers can learn to adapt their communication strategies to fit individual employees. Becoming aware of how their messages are being received gives them new information about their employees and how they need to communicate suggestions for improvement.

Sometimes, HR departments are accused of being out of touch with the core business needs of their own organizations. At Bell Canada, Romard chose a tool that “is really geared to business applications. I tend to be a very business-driven HR leader, and it was actually one of the things I found most refreshing—it has all of the business applications built in, as opposed to an HR tool that you need to then adapt into your business. It allows you as a business partner, as an HR leader, to bring business solutions to the table to help grow the business. That definitely makes it an easier sell to senior management.” **HR**

David Lahey, MBA, is president of Predictive Success Corporation (www.predictivesuccess.com). His specialty is leveraging human analytics for organizational development. Lahey can be reached at dlahey@predictivesuccess.com or 905-430-9788.

INTERVIEW WITH AN HR HERO

BY KIM SHIFFMAN

KIM TABAC: BE PREPARED TO ROLL UP YOUR SLEEVES IN HR

She's loved the retail industry since her first job as a customer-service rep in a department store, so perhaps it's no surprise that Montreal-born, Toronto-based Kim Tabac, CHRP, now heads up human resources at National Money Mart Co., a chain of financial services retail outlets offering loans and cheque-cashing services. We asked Tabac how she landed her first HR job, what her greatest challenges are and what advice she has for up-and-comers in human resources.

HRP: When did you decide you wanted a career in human resources?

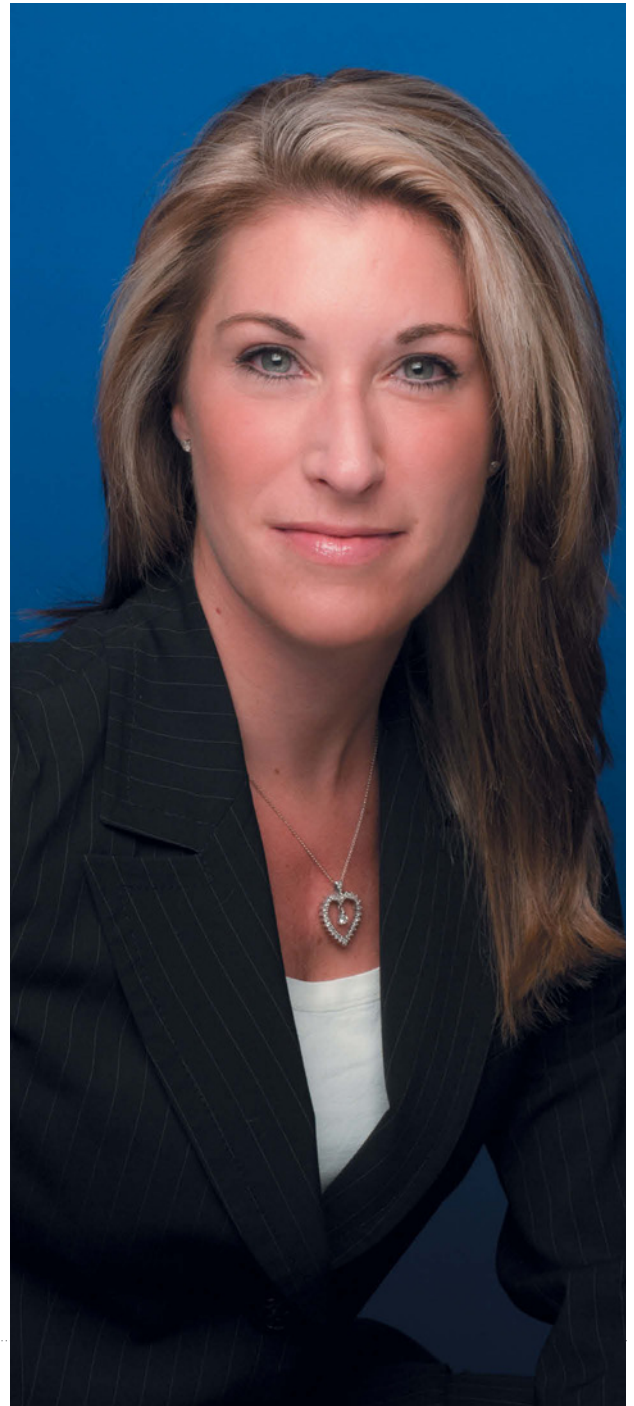
KT: I worked for a temporary recruitment agency while I was at McGill University. I actually thought that was HR. So when I moved to Toronto—I am originally from Montreal—I decided that I was going to get into HR.

HRP: How did you score your first job?

KT: Once I decided HR was the path I was going to take, I just picked up the phone and made some calls, and sent résumés to very senior HR folks across Toronto. I was fortunate when David Crisp, who was then at Hudson's Bay Company, called me and invited me to join the management development program as an HR manager in their stores. I feel like I fell into HR more than anything else. I was very, very lucky.

HRP: What was that job like?

KT: I started at the Queen Street store as an assistant HR manager, and I eventually became human resources and operations manager at various Bay stores across Ontario. My responsibility was related to store operations: staffing, payroll and employee relations issues, as they arose. I loved it. What I learned from that experience really helped to shape the rest of my career. Being part of operations, being in the store at store level, and being part of the business is something that I've learned is critical to any HR professional.



IN A NUTSHELL

First job: My very first job was working as a customer service representative at the Bay, in the baby department. I loved it!

Childhood ambition: I wanted to be a ballerina! Didn't every little girl? As a child, I loved dance, gymnastics and theatre, and you can still see some of that in me, in so far as I'm not hesitant to stand up in front of a group of people and present.

Most influential boss: Somebody who was incredibly important to me was Janet Schweizer, at CIBC. She was my boss when I returned from maternity leave. It was amazing to have somebody who was able to help support and guide me in finding my personal and professional balance. She understood that it is possible to balance both work and family, and helped me to develop strategies to find that balance.

Mentor: Over the course of my career, I've worked with some amazing HR professionals whom I'm pleased to call my friends. I don't have one go-to mentor; I have a group of people with whom I can work through challenges, whether it's over a cup of coffee or over email.

Source of inspiration: My seven-year-old twins, Brady and Mackenzie. I hope that one day they'll understand that I've done everything I needed to do in order to give them the greatest opportunities in life. I want them understand that hard work is necessary for any achievement.

Best piece of advice I ever got: That HR needs to earn the right to sit at the table. HR is a cost centre, not a profit centre, so we have to make sure we're seen not as light and fluffy, but as competent, hands-on business people.

Ideal vacation destination: I have a big birthday coming up next year and I hope to go somewhere incredibly exotic. I'm thinking India. Somewhere completely off the beaten path. I want to experience a different culture and different way of life.

Last music purchased: I have an amazing playlist that I run to which includes Black Eyed Peas, Coldplay, The Killers, Lady Gaga—whatever gets me up and going.

Favourite author or book and why: One of my very favourites is *Wuthering Heights*, which I guess makes me a romantic at heart.

HRP: What's your current job like?

KT: My title is director, human resources, Canada, at National Money Mart Company. I support the Canadian retail operations—we have more than 470 stores coast to coast. The complexity of the HR function is that we manage in several different provinces. I have a group of eight HR professionals who report to me—each is responsible for a region or an HR function—and through that reporting structure, we support the business in its day-to-day operations, employee relations, compensation and benefits.

HRP: What do you love about your job?

KT: What I love is that I work with a team of true retail and business professionals. At National Money Mart, we believe that all roads lead from people; and when you're in HR, there's no better place to be than in an organization that believes in people and the importance of growing and developing their employees. We offer amazing opportunities internally for growth and development. Our training programs are world class, and we believe retail is not just a job but really can be a career.

Another thing I love: at this company, when you have a great idea, it gets implemented. The executives are very interested in listening to smart people who have good ideas that can make a difference and improve the business. It's part of the corporate culture.

HRP: What's something you've accomplished that you're proud of?

KT: One of my challenges when I arrived was helping to identify our employment brand. We have a very strong corporate brand, but potential employees don't necessarily know enough about what it would be like to work for us. So over the course of the last year, we've spent a lot of time and energy developing an employment brand. We've been out on campuses recruiting and helping people to see us as an employer of choice—and to see retail as a true career.

HRP: What's currently the greatest challenge in your job?

KT: It's a challenge finding balance. I'm on the road 30 to 40 per cent of the time, I manage a team of HR professionals across the country, and right now I'm also working on a huge international project—an HRIS implementation

that will be a global system. Oh, and did I mention I'm the mom of seven-year-old twins?

HRP: How do you work towards finding a balance?

KT: You have to be able to be present. So if you're at work, make sure you have great support at home. When you're at home, make sure you have the time to invest with your family. When you're out of the office on business, you need to make sure you have a strong team of folks who can support you.

HRP: What tips do you have about moving up in HR?

KT: No matter where you fit in HR within an organization—whether you're entry level or you're leading the entire function—you have to be willing and able to roll up your sleeves. Personally, there is no task in HR administration or otherwise that I'm not prepared to take on. So in a crunch, during an acquisition or a new store opening, we all come together, stuffing envelopes and working to make sure that our new employees have the information they need. There's absolutely appropriate delegation, but I really feel that you have to be prepared to roll up your sleeves.

HRP: How has social media changed HR?

KT: It has changed the face of recruitment completely. It's changed the game. LinkedIn, Twitter and Facebook let us blast our recruitment opportunities across a huge network of potential employees. The opportunity for us has been having better access or greater reach to find talent internationally for what would have traditionally been hard-to-fill roles.

HRP: What's the future of HR?

KT: Having the opportunity to work in a global organization, it's become obvious to me that country and cultural lines are being blurred. The world is becoming smaller. We all have to think more globally about people strategies and bringing in the right person for the role.

HRP: What's next for your career?

KT: I see myself continuing in my HR profession, continuing to help move the HR program forward and continuing to help to develop up-and-coming HR talent within Canada. **HR**



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BYOD—IT'S NOT JUST AN IT ISSUE

IS YOUR HR DEPARTMENT READY?

The trend toward “bring your own device,” or BYOD as it is referred to in the IT world, is inevitable whether your company wants it or not. Employees are demanding the right to use their own smartphone, tablet or laptop for work purposes in the office or at home, with or without company support. In fact, studies suggest that a significant percentage of employees may already be accessing corporate data from their personal devices without their employer’s knowledge.

Although this trend has been primarily considered an IT issue, the broader repercussions touch senior management, the legal department and human resources. Contracts and BYOD policies need to be implemented and this should involve HR, not just the director of IT. With sensitive data on the personal devices of employees, the need for a comprehensive BYOD policy is urgent.

Here are the Top Five BYOD issues that HR, your legal department and senior management need to address:

1. **Security.** When employees bring their personal devices to work, they will be accessing potentially sensitive or confidential corporate data. What happens if a device is lost or stolen? Who is responsible for maintaining security on the device? On the HR side, a BYOD policy needs to be crafted before employees are allowed to use their device, so that the security risks are fully understood and addressed. On the technical side, Mobile Device Management (MDM) software must be deployed to protect the data that is accessed.
2. **Corporate and Employee Liability.** Without control over the devices that employees are using, corporations may be leaving themselves open to various legal issues. Who is liable for a phone that has been compromised? Is it the employee for being lax with company information, or is it the corporation for allowing employees to access corporate data in an insecure manner? Employees need to understand the implications of carrying



company data on their device and accessing the corporate network, just as employers need to be aware of what information employees could potentially be carrying or accessing off-site. If this policy is not properly laid out and signed off by employees, a company can open itself up to various legal issues. In addition to the policy, HR and senior management need to work with IT to ensure that MDM software is in place to reduce their legal risk.

3. **Ownership of Information.** An issue that may arise is the ownership of data, emails or other communication. If an employee is using his or her own device for business purposes, such as client emails or text messages, how is this tracked? An employer would be challenged to gather all company-related communications that occurred on personal devices. Also, what happens if an employee is terminated or leaves the company? A BYOD policy needs to clearly articulate the ownership of company data and procedures for a departing employee.
4. **Expenses.** BYOD can save the company money, with employees covering the cost of their devices themselves. However, employees can grow resentful, and therefore less likely

TECHNOLOGY

to adhere to company policies if the ongoing expenses associated with their device are not at least partially covered. Some sort of recompensation needs to occur to offset employees' mobile expenses and to ensure their buy-in to your BYOD policy. Who would want to pay for the privilege of being able to work 24/7? Employees are also more willing to install MDM software on their device if some of their expenses are being covered.

5. **Privacy.** With company-owned devices, an employee should not have an expectation of privacy. An employer may be able to retrieve the device and view anything on it. With a personal device, there is an expectation of privacy that impedes the employer from viewing data on the device. Your company's BYOD policy should clearly stipulate that if employees use their own devices for work purposes, the employer has a right to view company data on the device and that anything saved on the device should not be viewed as private.

It is clear that HR, the legal department, senior management and IT all need to work together to craft a BYOD policy that addresses all of these issues, and which is reviewed on a regular basis to deal with emerging concerns. Most importantly, the policy must be circulated to employees, who in turn should acknowledge in writing that they have read it, understand it and accept its terms and conditions.

The risks of allowing employees to bring their own devices may seem overwhelming, but can be managed with a well-articulated policy and the effective deployment of MDM software. If a company ensures that these two things are in place, BYOD can result in a significant boost in productivity and employee satisfaction. **HR**

Lior Samfiru is a partner with Samfiru Tumarkin LLP (www.stlawyers.ca). A co-founding member of the firm, he heads its labour and employment law practice group. He can be reached at lior@stlawyers.ca or at 416-216-5900. Roger Yang is the CEO of Avema Critical Wireless (www.avema.com), a leading provider of mobile management, security and expense management solutions. He can be reached at ryang@avema.com or at 416-364-3132.



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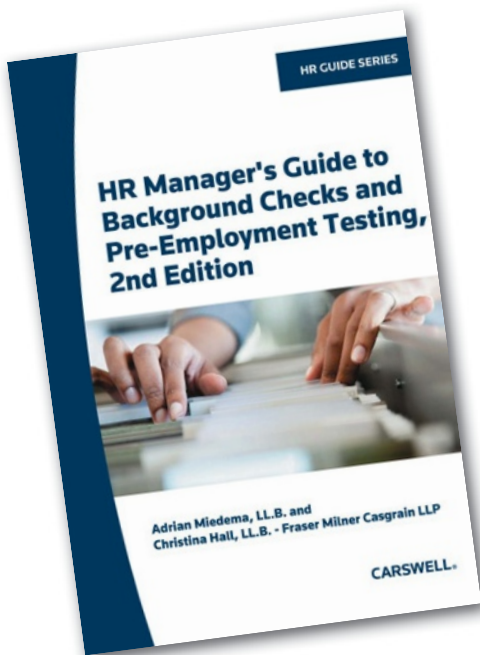
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OFF THE SHELF

BY ALYSON NYIRI

WHAT'S WORTH READING



HR Manager's Guide to Background Checks and Pre-Employment Testing, 2nd Edition

Carswell, 2012

By Adrian Miedema, LL.B and Christina Hall, LL.B

The *HR Manager's Guide to Background Checks and Pre-Employment Testing* is designed to assist employers in understanding what types of checks are legally permissible, and how to conduct them in a way that minimizes risk to employers. This edition has been expanded and updated to include new information on police checks, the use of the Internet and social networks, court searches and developments in the law

and science behind drug and alcohol testing.

HR professionals know that background checks occur after a conditional offer of employment. However, information learned from a background check could create ongoing obligations for the employer. One such example can include the use of psychometric testing which may reveal an employee to be emotionally frail, leaving the employer with a duty to treat the employee with extra sensitivity.

Other areas suitable for background checks can include immigration and terrorism checks. Though an employer may ask a potential candidate if they are legally authorized to work in Canada, at no time can the employer inquire about country of origin. After a conditional offer is made, employers are obligated to check that a candidate can work in Canada and also that the candidate is not on a list of suspected terrorists.

HR Manager's Guide to Organization Development

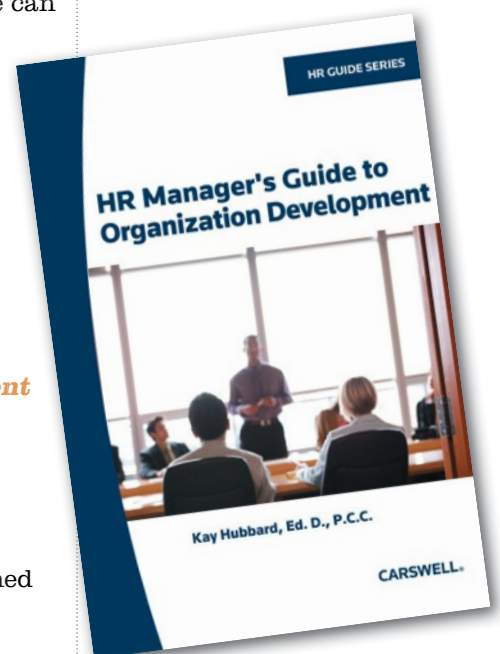
Carswell, 2012

By Kay Hubbard, Ed.D., P.C.C

As part of the HR Guide Series, the *HR Manager's Guide to Organization Development (OD)* is designed as a source book to help HR managers as well as

generalists, to understand the nature of OD interventions and their applications. While the book offers a review of foundational concepts, definitions and fundamental understandings, its real value lays in the concrete examples of how OD changes were done. Process charts provide summaries allowing readers to see at a glance how the intervention was structured.

Successive chapters cover organizational design, transition and change management, work group effectiveness, leadership alignment, team building, shifting the culture and strategic planning. In each chapter, Hubbard outlines a



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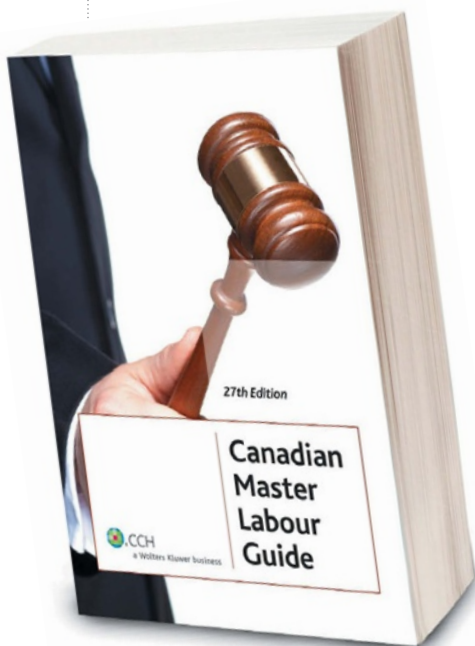
story or situation faced by the HR manager and demonstrates how the tools can be applied. All of the tools used in the text are collected in the Appendix and are offered on a CD enclosed with the book.

Canadian Master Labour Guide, 27th Edition

CCH, Walters Kluwer, 2012

Eds. Jaime Latner, LL.B, Edward Noble, LL.B, Carol Dakai, LL.B

The *Canadian Master Labour Guide* is an up-to-date reference source on Canadian labour and employment law. An at-a-glance review of what is new in the 27th edition gives readers a quick overview of legislative changes. Included is a comprehensive commentary on all areas of labour and employment law across Canada. Areas covered include division of legislative powers, employment standards, human rights, pay and employment equity, trade unions, collective bargaining, occupational health and safety and employment insurance,



current to March 1, 2012. Key changes in statutory requirements, critical court rulings and new government policies are covered.

New topics addressed in this edition include new foreign worker protections in Nova Scotia, changes to Manitoba's Employment Standards Code, significant changes to the human rights complaints and hearings process in Saskatchewan. New charts on pay equity, minimum wage special rates, personal leaves of absences, compassionate care leave, and payment of wages upon termination have been added in this edition.

The publication acknowledges that it cannot keep up with ever-changing legislation and employment law and directs readers to other products. However, this guide is useful for those wishing to read more extensively on specific labour and employment law provisions and to compare how these topics are treated across Canada. A Case Table as well as a Topical Index is contained at the end of the book.

Canadian Master Payroll Guide, 3rd Edition

CCH, Walters Kluwer, 2012

Eds. Teddy Opie, LL.B, David Iggulden, BA, M.L.S

The *Canadian Master Payroll Guide* is a complete, accurate and up-to-date guide designed as a portable reference guide on Canadian Payroll. In it is a comprehensive commentary for Canada, the three territories and the 10 provinces for areas of payroll practice and law. Each new edition highlights pending legislation and



administrative and budget changes in the opening chapter rather than incorporating them into the rest of the book.

Updated topics included in this reference guide include: overview of the payroll function; employment standards; earnings, allowances and expense reimbursement; employee benefits; statutory deductions, including income tax, Canada/Quebec Pension Plan, and Employment Insurance; Record of Employment; employer taxes and levies; employer pension plans; year-end reporting; worker's compensation; and payroll records and retention.

Quick reference charts, examples, sample calculations and "Payroll Pointers" are used throughout the text to provide readers access, comparison, and practical advice. The chapters are designed to mirror the payroll workflow and cover standard payroll situations. **HR**

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3 STEPS TO EXPAND YOUR PROFESSIONAL RELATIONSHIP NETWORK

Step 1: Step Outside Your Social Bubble

Careers are different these days. Long gone are the days when people graduated from college, took a job and stayed there until they retired. The necessary skills are different. Mergers happen. Businesses fail. Work is outsourced. Changing jobs is commonplace—and temporary jobs are beginning to make up more and more of the labour landscape as companies decrease costs by tackling projects utilizing freelance and consulting workers, rather than hiring full-timers.

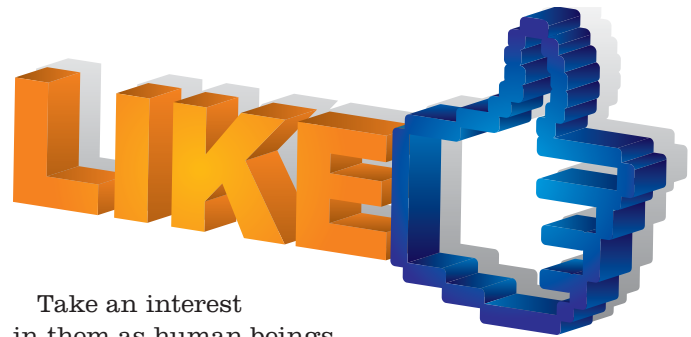
So many people get settled into jobs and stop growing their professional networks right around the same time. The truth is, this is probably the most important time for people to be building the relationships that will serve them in the future. If you're currently floating comfortably in a social bubble—now is the time to step outside of it and start making new professional connections.

Go to industry conferences, join groups and organizations—find out where people in your industry are congregating and make it a point to go there. Remember, just showing up isn't enough. You need to meet people. Say hello. Shake hands. Ask questions. Learn. Teach.

Step 2: Keep Up Appearances

Once you've established some connections with others in your field you'll be amazed at how easy it is to take those relationships to the next step. While nothing beats the advantages of the face-to-face meeting (and you should make as many of those happen as you can), keeping up appearances is as easy as letting others know that you are paying attention to them.

How do you do that? Connect with them on Facebook and other social media. Watch the news feed for when they share professional status updates. If they get published, get promoted, land a new client, launch a new product or write a great blog post—send them a quick message and let them know you're excited for their success, or you learned something from what they wrote.



Take an interest in them as human beings. Keep them top of mind. If you see an article and it makes you think of their company, forward the link to them and let them know the article made you think of them. Days, months and years pass fast. Before you know it, your new friends will be old friends—all because you made a series of small efforts that so many other people never take the time to make.

Step 3: Earn Your Favours

The day may arrive when you need to ask your professional contacts for a favour. Do yourself a favour and make sure you've earned that right, first. Nothing will ruin your opportunities for forging deeper connections with important people than asking for favours too quickly, or too often. This is why it's so important to make these connections when you're settled in with gainful employment somewhere. Those are the times in your life when you don't need any favours; you can focus solely on building strong relationships with new people.

If you wait until you have serious employment needs before you start networking with others, you'll be at a disadvantage. You won't have the benefit of having these new connections see you in your element—doing whatever you do best, whatever that is.

The best part is, if you do the work and form a strong professional network before you have any pressing need to call on it, many times, those new opportunities will find you first. **HR**

Charles Sankowich is the CEO of Friendthem. Friendthem is an app that uses your Facebook account to find people around you and turns them into Facebook friends. The App is available on both the iOS and Android platforms.



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LEADERSHIP DEVELOPMENT WORKSHOPS

LEADERSHIP AND MANAGEMENT - The Essential Foundations

Toronto: November 20, 2012
Ottawa: November 21, 2012 & May 16, 2013
London: November 23, 2012
Mississauga: May 15, 2013
Thunder Bay: May 16, 2013

Essential leadership attributes and management skills often mean the difference between thriving or failing as a manager. This workshop is designed to help new or existing managers increase their abilities to lead teams. They will gain skills to assess team dynamics and to improve trust and influence with those they are leading. At the completion of this workshop participants will be equipped with the necessary tools to motivate their team to achieve desired results.

Early rate: \$195*
 Regular rate: \$235

MANAGING PERSONALITIES - Myers Briggs for Leaders

Ottawa: December 12, 2012
Mississauga: December 14, 2012

To create and maintain a successful organization, leaders must be skilled at managing various personality types in a positive and motivating manner. Utilizing the Myers-Briggs Type Indicator (MBTI), leaders will learn a comprehensive framework to understand personality types. The workshop focuses on the skills needed to guide and direct differing and sometimes difficult personality types. Participants will learn how to tailor communication to best fit the various expressions of personality, understand and utilize effective means of motivation, and structure the work environment to best optimize the strengths of diverse personality types.

Early rate: \$195*
 Regular rate: \$235

MEDIATION - An Informal Process for Conflict Resolution

Toronto: December 17-18, 2012
Mississauga: June 10-11, 2013

When two people are in conflict, the negative impact of the dispute typically affects more people than just the disputants. Others often get drawn into a conflict that becomes time consuming and limits the productivity of everyone. When people involved in conflict cannot resolve it on their own, a third party facilitator may be what is needed to resolve the dispute. This skills based workshop is designed to give participants the understanding to work with disputing parties to identify interests, clarify issues and work towards options for resolving the conflict. Participants will have the opportunity to experience scenarios that will help prepare them for intervening in various conflict situations.

Early rate: \$385*
 Regular rate: \$460

COACHING STRATEGIES FOR LEADERS - Conflict, Performance, Change

Mississauga: March 7, 2013
Ottawa: March 11, 2013

Effective leaders inspire positive growth, change and healthy work relationships. This workshop focuses on providing leaders with a set of tools to bring out the best in the people they lead. It will examine the mindset necessary to lead others through the difficult moments they encounter in their working careers. Participants will learn a coaching model for working with their employees to enable changes in behaviour, promote performance and resolve conflict.

Early rate: \$195*
 Regular rate: \$235

**to receive early rate registration and payment must be received 3 weeks prior to workshop*



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"This is one of the best workshops that I have been to. It is strong all the way around."

- Margaret LePage, Administrative Assistant, Office of the Public Trustee

"One of the best facilitators I have taken a workshop with. Great sense of humour, smart and very knowledgeable."

- Janet Foley, Respectful Workplace Consultant, IWK Health Centre

"This workshop really highlighted areas that I can improve in and tools that will enable me to be a better leader."

- Teri Hope, Welding Production Coordinator, Victoria Shipyards

CONFLICT AND COMMUNICATION WORKSHOPS

DEALING WITH DIFFICULT PEOPLE

Mississauga: October 23, 2012
Ottawa: October 29, 2012 & March 12, 2013
Toronto: March 5, 2013
London: March 6, 2013
Hamilton: March 8, 2013
Thunder Bay: March 11, 2013
Kenora: March 14, 2013

This workshop will analyze what is happening in exchanges with difficult people and demonstrate how people can adapt their strategies to bring about more productive conversations with those they find difficult. The effect of intervention styles will be explored, in particular, how different styles interact with each other. Participants will also learn how to change their interactions with difficult people in order to influence their behaviour, resulting in more positive outcomes.

Early rate: \$165*
Regular rate: \$195

CONFLICT RESOLUTION SKILLS

Mississauga: November 13, 2012
Kenora: November 13, 2012
Ottawa: November 15, 2012
Sudbury: November 28, 2012

Conflict has many sources, including disagreements, stress, personality differences and differences of opinions. While the results of conflict impact us individually, it also often has negative effects on the performance of groups. Many conflicts would not spiral out of control if people used conflict resolution techniques that are easy to learn and utilize. This workshop will teach participants to understand the dynamics of conflict and equip them with the skills needed to respond confidently when faced with situations of conflict.

Early rate: \$165*
Regular rate: \$195

ASSERTIVE COMMUNICATION

Mississauga: October 24, 2012
Ottawa: October 30, 2012

Effective communication requires us not only to be aware of ourselves, but also to be responsive and aware of others. Being assertive in communication is the ability to express positive and negative ideas and feelings in a transparent, welcoming and direct way - to state clearly and without defensiveness what one needs. Participants of this workshop will build an awareness of their communication patterns and learn to deal confidently with people around them.

Early rate: \$165*
Regular rate: \$195

PERSONALITY DIFFERENCES - Myers Briggs for Conflict Prevention

Ottawa: April 10, 2013
Mississauga: April 11, 2013

Understanding the various personality styles and their impact on workplace dynamics will help people work successfully with others and fosters strong teamwork. Utilizing the Myers-Briggs Type Indicator (MBTI), this workshop provides participants with a personal assessment, equips them to understand personality styles that are different than their own and provides strategies for building healthy work environments

Early rate: \$165*
Regular rate: \$195

TRAIN-THE-TRAINER Certification Program - Conflict Resolution Skills

Winnipeg: June 18-20, 2013

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PERFORMANCE WORKSHOPS

EMOTIONAL INTELLIGENCE- Value in the Workplace

Mississauga: November 14, 2012
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Ottawa: November 16, 2012
Thunder Bay: November 20, 2012
Sudbury: November 29, 2012

Emotional intelligence (EI) refers to the ability to identify and assess the emotions of oneself and others and then to use that information to guide one's actions. Participants of this workshop will learn to utilize emotional intelligence more effectively through both self-assessment and skill development exercises, resulting in an increased sense of how to engage more effectively with others.

Early rate: \$165*
Regular rate: \$195

FOUNDATIONS FOR OUTSTANDING WORKPLACE PERFORMANCE

Ottawa: December 11, 2012
Mississauga: December 13, 2012

This workshop explores the habits and tools necessary to be productive, as well as the attitudes that support a successful work environment. Participants will learn how to represent their organization well and how to streamline systems and procedures, plan out work tasks and focus with renewed energy on the expectations of the workplace.

Early rate: \$165*
Regular rate: \$195

STRESS MANAGEMENT - Increasing Workplace Productivity

Ottawa: April 9, 2013; **Mississauga:** April 12, 2013

Left unmanaged, stress can lead to unproductive patterns and result in loss of focus and productivity at work. This workshop will help participants identify personal stress factors and introduce them to practical methods for successfully managing stress. Participants will create a plan for stress management that centers on enabling them to function at their best in the work environment.

Early rate: \$165*
Regular rate: \$195