

# **Ontario OHS Reform: What You Need to Know and Do NOW to Comply with the Tougher New Section 50 Anti-Reprisal Rules Under Bill 160**



## Your Presenter: Ryan Conlin

• Partner, Stringer Brisbin Humphrey

Legal Basics and Specific Actions You Can Take to Prevent Reprisal Claims and Avoid Costly New Penalties under the Tougher New Section 50 Rules that Prohibit Employers from Intimidating, Dismissing or Imposing Penalties on Employees for Exercising Rights under OHSA

**One thing is certain:** the tougher new **Section 50 anti-reprisal rules** – just enacted as part of **Bill 160** – have an **IMMEDIATE and direct impact** upon your safety program.

Under the tougher new anti-reprisal provisions, MOL Inspectors can now refer OSHA reprisal complaints to the Labour Relations Board for investigation. The **OLRB now has the power to award significant damages** ... and can require an employee who has been terminated to be reinstated.

Make no mistake: these changes will almost certainly result in an **increased number of employee complaints** against employers ... an **increased number of anti-reprisal investigations** ... and an **increased number of penalties** against employers for Section 50 violations.

### **Get the Help You Need to Stay On Top of the New Anti-Reprisal Rules**

Join us on **December 8th**, and **Ryan Conlin**, partner at Stringer Brisbin Humphrey, and noted expert on Section 50 anti-reprisal rules, gives you the **clear guidance and practical insight** you need now to comply with Section 50 anti-reprisal provisions – and limit your legal risk.

Here's just a sample of the valuable help you when you participate in this **90-minute**, webinar:

### **What Are "Reprisals" Under the New Bill 160 Provisions'**

- What do the **tougher new Section 50 rules** say about reprisals and whistleblowing'
- What **worker activities** do they protect'
- What kinds of **actions by employers are considered reprisals'**
- Do reprisals ban **legitimate discipline** for infractions unrelated to the protected activity'
- How can legitimate discipline be meted out **without running afoul of the anti-reprisal laws'**
- Does the **Criminal Code** cover reprisals'

### **How the New Section 50 Provisions Affect Your Safety Program**

- How Bill 160 now **makes it easier for workers to file anti-reprisal claims**
- How reprisal cases work
- How can you **defend a reprisal claim** before the Ontario Labour Relations Board
- Whether or not an inspector can now be **required to testify** at a reprisal hearing

### **What Steps You Can Take to Protect Your Organization and Limit Legal Risk**

- How to **audit your current non-retaliation policies** or **create new policies** to help limit your risk
- How to **audit your current investigation procedures** or **create new procedures** to investigate safety concerns
- How to **use progressive discipline** to enforce safety policies
- How to **document disciplinary action** and show your actions conform to the law and are non-retaliatory
- How to respond when a worker **files a reprisal complaint** against your organization

You'll also have the opportunity to **ask questions** and get clear, practical answers to guide you through the tougher new Section 50 anti-reprisal provisions and clearly understand how the new changes directly affect your organization's safety program and policies.

If you are responsible for overseeing your organization's safety program, or for limiting legal risk to your organization, this 90-minute webinar provides you with **critical guidance you need on what to expect and what to prepare for** under the new Section 50 provisions.

### **Your Presenter:**

**Ryan Conlin** is a partner with Stringer Brisbin Humphrey where he represents employers in a wide range of workers' compensation issues. His workers' compensation practice includes litigation before the WSIB and WSIAT, claims management, independent operator issues and revenue matters. Ryan also represents management in Occupational Health and Safety, Workers' Compensation and Employment-Related Immigration matters and co-chairs the firm's Occupational Health and Safety Practice Group, advising and acting for employers and individuals charged with contraventions of the Occupational Health and Safety Act.

Ryan is a frequent speaker to a number of employers, safe workplace associations, and human resource groups on a wide range of Occupational Health and Safety and Workers' Compensation issues. He is co-author of the Special Report for Canada Labour Views on "Corporate and Organizational Liability for OH&S Under Bill C-45" and "OH&S Due Diligence in Ontario: A practical Guide". He is also an Adjunct Professor at the University of Western Ontario teaching Workplace Health, Safety and Compensation Law.