

Current issues in Workplace Safety and Insurance Law

Date: Wednesday, May 28, 2014 | 9:00 am – 4:30 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Stephen C. Roberts**, McTague Law Firm LLP - Windsor
Dan Revington, General Counsel, WSIAT - Toronto



This program contains 2.25 Professionalism Hours.
This program is eligible for up to 4.25 Substantive Hours.

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.

Attend one of the OBA's most unique CLE programs and ensure that you are on top of the latest changes and developments in Workplace Safety and Insurance Law and Policy. This hugely popular annual review of current issues and practical strategies features an expert faculty of leading counsel, and medical expert Dr. Michel Lacerte, who will give you the insights, background and tools you need to provide superior representation for your clients at the WSIB and WSIAT.

You will walk away with:

- Practical tips for dealing with the new WSIB policies including the proposed Benefits Policies
- A clear understanding of the medical tests on a neck examination, and assessing pre-existing conditions
- Expert advice on the law of evidence
- An explanation of the WSIB's new approach to adjudicating psychological issues including psychotraumatic disability and chronic pain claims
- A guide for understanding when workplace violence, disasters and assaults are workplace accidents
- Strategies for dealing with self-represented parties, vexatious litigants, and vulnerable parties
- Our annual update on important new WSIAT Decisions

This program sold out weeks in advance last year! Register now to take advantage of this unique opportunity to get up to date on the latest developments in workplace safety and insurance law. We look forward to seeing you there!

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:05 am **Live Medical Examination of the Neck**

- Explanation of common medical examination techniques for the neck
- Demonstration of medical tests relating to the neck
- Interpreting the significance of findings and the existence of pre-existing Conditions

Dr. Michel Lacerte, Associate Professor, Schulich School of Medicine, Western University - London

9:45 am **Assessing Pre-Existing Conditions and Determining Permanent Impairments**

- Medical Evidence required
- Review of new draft WSIB Policies
- Use of medical and other information regarding worker's prior disabilities
- How to minimize/maximize use of permanent impairments

Rob A. Boswell, Crawford Chondon & Partners LLP

Dr. Michel Lacerte, Associate Professor, Schulich School of Medicine, Western University - London

Maryth Yachnin, Industrial Accident Victims' Group of Ontario

10:30 am Networking Break

10:45 am **WSIAT Case Law Update**

- Review of recent important WSIAT decisions
- Review of Judicial Review decisions

Ryan D. Campbell, Rubin Thomlinson LLP

Gary W. Newhouse, Barrister & Solicitor

11:20 am **The Vulnerable and the Vexatious: the Challenges of Dealing with Self-Represented Parties**

- How to handle vexatious litigants
- Dealing with and representing vulnerable parties
- Ethical Red Flags and Professionalism Issues for advocates

Jim Dimovski, Dimovski Law

Ken Stuebing, CaleyWray, Labour and Employment Lawyers

12:00 pm Networking Lunch

1:15 pm **Effective Tools for Representing Parties at Hearings**

- The laws of evidence
- Effective cross questioning
- Dealing with credibility issues
- LSUC Rules relating to Disclosure/Evidence at hearings
- Proper presentation of evidence
- Convincing closing submissions

Craig A. Flood, Koskie Minsky LLP

William M. LeMay, Hicks Morley Hamilton Stewart Storie LLP

2:20 pm **Guns, Germs, and Workers' Comp: Are these work-related accidents?**

- Workplace violence
- Sexual Assaults
- Disasters
- Acts of Terrorism
- SARS

Dan Revington, General Counsel, WSIAT

Jack B. Siegel, Blaney McMurtry LLP

2:55 pm Networking Break

3:10 pm **Debate on New WSIB Approach to Psychological Issues**

- Understanding WSIB Policy on Psychotraumatic Disability
- Review of Chronic Pain Disability/Fibromyalgia WSIB Policy
- Review of recent WSIAT decisions
- Debate on WSIB's new approach on allowing entitlement for psych issues

Joel Schwartz, Industrial Accident Victims' Group of Ontario

3:50 pm **WSIB Policy Update:**

What's New and What's on the Horizon

- Draft Benefits Policy: Recurrences, Work Disruptions, Permanent Impairments, Aggravation Basis and Pre-Existing Conditions
- Douglas Stanley Rate Framework Report: Review of Rate Group Structure, Rate Setting & Incentive Programs
- Practical strategies for representatives: How to use the new policies to your client's best advantage

Kevin M. Brown, Office of the Worker Adviser

Cézanne Charlebois, Charlebois Associates - London

4:25 pm Questions and Answers & Closing Remarks

4:30 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org