

LABOUR LAW LECTURE & CONFERENCE 2012

Presented by: The University of Western Ontario
Heenan Blaikie LLP
Koskie Minsky LLP

Faultlines & Borderlines in Labo(u)r Law:

*The Future of the Wagner Act
in Canada and the United States*

**March 2 and
March 3, 2012**

All events at
The University of Western Ontario
London, Ontario



**KOSKIE
MINSKY** LLP
BARRISTERS & SOLICITORS

THE CANADA
U.S. INSTITUTE
THE UNIVERSITY OF WESTERN ONTARIO

Heenan Blaikie LLP

law.uwo.ca/conferences/labourlawconference2012/



Western Law and Koskie Minsky LLP are proud to have Wilma Liebman, former Chair of the National Labor Relations Board, deliver the Seventh Koskie Minsky University Lecture in Labour Law

Labor Law, Economic Justice and Political Rhetoric: *Reflections on the Wagner Act*

Co-chaired by Craig Flood, Partner, Koskie Minsky LLP and Professor Michael Lynk, Western Law

Friday, 2 March 2012, 5:30 pm
Room 38, Faculty of Law
The University of Western Ontario

Reception and Dinner to follow

The lecture and reception are open to the public and free of charge. Registration is not required.

ABOUT THE SPEAKER

Wilma Liebman was designated by President Barack Obama to be Chair of the National Labor Relations Board in January 2009, and served until the end of her term in August 2011. She was originally appointed to the NLRB in November 1997 by President Bill Clinton, and was the third longest serving Member of the Board in its 76 year history.

Prior to her appointment to the NLRB, Ms. Liebman had a distinguished career in labor law, both as counsel and as an administrator. Between 1994 and 1997, she held several senior posts at the Federal Mediation and Conciliation Service in Washington, D.C., where she oversaw arbitration and ADR services, and participated in significant labour negotiations.

Earlier in her career, Ms. Liebman was Counsel with the Bricklayers and Allied Craftsmen and, prior to that, with the International Brotherhood of Teamsters. She is a J.D. graduate of George Washington University Law Center, and a fellow of The American Law Institute.



Wilma Liebman
*Former Chair of the National Labor
Relations Board, Washington D.C.*



Faultlines and Borderlines in Labo(u)r Law:

The Future of the Wagner Act in Canada and the United States

Saturday, 3 March 2012

Room 38, Faculty of Law, The University of Western Ontario

Co-chaired by Brian Burkett, Partner, Heenan Blaikie LLP and Professor Michael Lynk, Western Law

CONFERENCE PROGRAMME

- 8:45 – 9:00 am** **INTRODUCTIONS**
- 9:00 – 9:30 am** **OVERVIEW:** Brian Burkett, Heenan Blaikie LLP
- 9:30 – 10:45 am** **PANEL 1 – COMPARATIVE HUMAN RIGHTS IN THE WORKPLACE**
Chair: Wilma Liebman, Former Chair, National Labor Relations Board
Anna Lofaso – University of West Virginia
Elizabeth Shilton – Queen's University
Lisa Wong – International Labour Organization
- 10:45 – 11:00 am** **BREAK**
- 11:00 – 12:15 pm** **PANEL 2 – TRADE, INVESTMENT AND LABO(U)R RIGHTS**
Chair: Elizabeth MacPherson – Chair, Canada Industrial Relations Board
Kevin Banks – Queen's University
Andrew Jackson – Canadian Labour Congress
Marley Weiss – University of Maryland
- 12:15 – 1:45 pm** **LUNCH**
- 1:45 – 3:00 pm** **PANEL 3 – THE CRISIS IN PUBLIC SECTOR COLLECTIVE BARGAINING**
Chair: Bernard Fishbein, Chair, Ontario Labour Relations Board
Michael Lynk – University of Western Ontario
Joseph Slater – University of Toledo
Mark Thompson – University of British Columbia
- 3:00 – 3:15 pm** **BREAK**
- 3:15 – 4:30 pm** **PANEL 4 – THE FUTURE OF THE WAGNER ACT**
Chair: Brian Burkett, Heenan Blaikie LLP
David Doorey – York University
John Godard – University of Manitoba
Paul Secunda – Marquette University
- 4:30 pm** **INFORMAL RECEPTION**
- 6:00 pm** **CONFERENCE BANQUET**
Keynote Speaker – Honourable Lisa Raitt, Federal Minister of Labour

Speakers are confirmed as of the publication of this brochure

Is the Wagner Act model, which has regulated industrial relations in Canada and the United States for decades, now reaching its past-due date?

The *Wagner Act* (the *National Labor Relations Act*), adopted by the American Congress in 1935 to provide unionized employees with a state-regulated process for certification and collective bargaining, has been the legislative model for Canadian labour law since the mid-1940s. By the early 1960s, unionization rates under the *Wagner Act* model had reached 30% in both countries. Since then, unionization has steadily fallen in the United States; by 2011, it stood at only 12%. In Canada, unionization peaked at 38% in the mid-1980s; it now stands at 29%, its lowest levels since the 1950s.

Is labour law at a crisis point in North America? Can the *Wagner Act* model be revived? What can the American and Canadian experiences teach each other? We have similar labour law histories and industrial relations challenges, and yet our experiences have yielded distinct outcomes.

Western Law and the national law firm of Heenan Blaikie LLP are proud to co-sponsor their seventh labour law conference, with this year's theme of *Faultlines and Borderlines in Labo(u)r Law: The Future of the Wagner Act in Canada and the United States*. This event brings together prominent labour law and industrial relations academics, practicing lawyers, chairs of labour relations boards, activists, law students and representatives of employers, unions and governments.



Faultlines & Borderlines in Labo(u)r Law:

The Future of the Wagner Act in Canada and the United States

L o n d o n , O n t a r i o 2 - 3 M a r c h , 2 0 1 2

For more information about the Labour Law Conference, please contact:

John Craig, Heenan Blaikie LLP
Phone: 416-360-3527
Email: jcraig@heenan.ca

or

Michael Lynk
Western Law
Phone: 519-661-2111 Ext. 88436
Email: mslynk@uwo.ca

or

Michelle Bothwell
Western Law
Phone: 519-661-3862
Email: labour12@uwo.ca

For further information about the Koskie Minsky University Lecture in Labour Law, please contact:

Craig Flood, Koskie Minsky LLP
Phone: 416-595-2105
Email: 2012uwolecture@kmlaw.ca
Web: www.koskieminsky.com

or

Michelle Bothwell
Western Law
Phone: 519-661-3862
Email: labour12@uwo.ca



ABOUT THE ORGANIZERS



Western Law

Western Law

The University of Western Ontario Faculty of Law is one of Canada's outstanding law schools, with an enrollment of 550 students and 34 full-time faculty. Founded in 1959, Western Law has a rich tradition of labour and employment legal scholarship, and has a large alumni practicing with the leading labour and employment lawyers across the country. The Faculty of Law offers a wide variety of courses in workplace law, publishes widely in this area and organizes regular conferences. Western Law also has an active student labour law society that actively participates in the Faculty's mootings and external speakers' programme.

Heenan Blaikie LLP

Heenan Blaikie LLP

Heenan Blaikie maintains the pre-eminent labour and employment law practice in Canada, with more than 120 lawyers providing distinguished services to a wide range of clients at the provincial, national and international levels. We provide a broad range of services including collective agreement negotiations, pensions and benefits, labour relations and workforce planning, arbitration, human rights, employment equity, pay equity, employment standards, and OHS & Workers' Compensation advice and work with clients across provincial and federal industry sectors. Our clients range in size from large, established multinational and national corporations, crown corporations and government organizations and start-up corporations.



Koskie Minsky LLP

Widely acknowledged as one of Canada's foremost firms in the areas of civil litigation, trade union labour law, pensions and benefits and class actions, Koskie Minsky continues to build a flexible, multi-faceted practice. Koskie Minsky's Labour Law Group is one of Canada's foremost union-side legal teams. Representing trade unions in the public and private sector, we provide a full range of services and advice on all aspects of labour relations and employment law.

REGISTRATION

To register for the conference, visit law.uwo.ca/Conferences/LabourLawConference2012/ and follow the link to the online registration form.

HOTEL ACCOMMODATION

A limited number of rooms have been reserved at the Ivey Spencer Leadership Centre on March 2nd and 3rd for conference attendees. It is located within a short driving distance of the university campus. Rooms will be assigned on a first-come, first-served basis, and will be held until January 25, 2012. Please call the Ivey Spencer Leadership Centre directly to make your reservation.

Ivey Spencer Leadership Centre
551 Windermere Rd.

London, ON N5X 2T1 Canada

Reservations 888.678.6926

Main 519.679.4546

Fax..... 519.645.0733

Rates: \$114 CAN (per night) taxes not included