

# Now What?

## A Re-Introduction to the Workplace

**Key Legal, Organizational and Technological Considerations**

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**MLT AIKINS**

WESTERN CANADA'S LAW FIRM

# Webinar Format

## Panel Discussion (Moderated by Gary Gee)

- Back to the office
- Support & engagement
- Future operating model

## Questions

- Enter within the questions function (in navigation)



# Pandemic Recovery Phases



# Introduction To The Panel



**Samantha Finkbeiner**

A lawyer with MLT Aikins LLP in Calgary, Alberta. Samantha maintains a general labour and employment practice advising employers on a wide variety of employment issues, including labour relations disputes, employment standard compliance, policy development and implementation, hiring, discipline and termination, and human rights issues.



**Esme Stewart**

A leader with 25 years of global consulting experience. In the last 18 years, she has focused her career on designing organizational solutions in support of major transformation or optimization programs. She has managed various design and implementation teams in standing up new or realigning existing organizational units.



**Kevin Young**

A technology leader with over 20 years of experience working in a multitude of industries. Kevin has led remote teams across North America and India. His experiences includes operational roles, delivery of complex technology programs, continuous improvement and marketing.



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# Topic 1 - Re-Introduction To The Workplace

How hard can it be?



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# Key Take Aways



## Decision making process

### *Organizational*

- ✓ Leader Lead but employee centric
- ✓ Safety first
- ✓ Speed and agility – defined processes, clear responsibilities and access to information
- ✓ Listen to employees

### *Legal Implications*

- ✓ Reduction of exposure to liability
- ✓ Guided by public health orders, labour and employment standards, health and safety obligations, and privacy laws

### *Technological*

- ✓ Flexibility for scaling in different jurisdictions
- ✓ Agility to pivot to remote work and “workplace”
- ✓ Business Continuity – Review “crisis roles”

## Safety measures and considerations

- ✓ Convey trust
- ✓ Communicate often, be transparent and candid
- ✓ Engage the “whole” person

- ✓ Risk assessment and hierarchy of controls
- ✓ Industry specific response plans
- ✓ Collection of personal information and compliance with privacy laws

- ✓ Contact Tracing Apps – due diligence
- ✓ Cyber security diligence
- ✓ Data security assessment
- ✓ Data collection & reliability



## Topic 2 – Employee Support and Enablement

What should I be most concerned about?



**Beniva**  
CONSULTING GROUP

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# Key Take Aways



## *Organizational*

## *Technological*

## *Legal Implications*

### **Employee assistance**

- ✓ Acknowledge stress
- ✓ Flexibility
- ✓ Employees need to be ready to return

- ✓ Employee Engagement – multiple channels (phone, chat, portals,)
- ✓ Increased availability – work hours still sufficient?

- ✓ Introduction of new COVID-19 job protected leaves
- ✓ Human rights obligations and the duty to accommodate

### **Training**

- ✓ New skills and tools to operate virtually
- ✓ Performance support vs. training

- ✓ Robust online learning – not must an annual certification tracker
- ✓ Innovation – “GoPro, Teams, etc.

- ✓ Occupational health and safety obligations
- ✓ Training for safety sensitive positions

### **Leadership & performance**

- ✓ Impacts on managing, developing and assessing talent
- ✓ Importance of fairness
- ✓ Build meaningful relationships = TRUST

- ✓ Collaboration Tools

- ✓ Work From Home Policies
- ✓ Performance Management and Discipline





## Topic 3: – Renew Phase

What is the new operating model going forward?



# Key Take Aways

## Optimizing operating model

### *Organizational*

- ✓ Offer new employee experience
- ✓ Opportunity to rethink where work should be done and who should do it to achieve both productivity and cost savings benefits
- ✓ Maintaining alignment between new operating model and culture
- ✓ Be respectful and guard against increasing stress level & disengagement

### *Technological*

- ✓ Remote “Everything”
- ✓ Automation opportunities
- ✓ Infrastructure demands grow
- ✓ Cyber Risk - grows

### *Legal Implications*

- ✓ Restructuring, automation and risk of constructive dismissal
- ✓ Influx of litigation and judicial guidance
- ✓ Reducing risk for future emergency circumstances



Want to Discuss More?



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# Thank You!

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