TOPICS SPRING 2023 | 1

Informed Opinions on Legal Management

# The Future of Leadership and the Workplace

CHERYL CRAN, Founder, Nextmapping

R ecently I was the luncheon keynote speaker for the annual BCLMA event held at the Paradox Hotel. I shared research and insights on the future workplace, future of leadership and what leaders need to consider to be future ready.

> The future is now, it is not some far off event – often leaders and teams will treat the trends and research as something they don't have to worry about now. The reality is that the issues such as shortage of workers, engaging workers and retaining workers are today issues.

Prior to the keynote, I surveyed the group of managing partners and attendees of the annual BCLMA event and asked them what their biggest challenges were today. Here are the collated top responses:

- 1. Shortage of workers
- 2. Recruiting workers
- 3. Work ethic in hybrid workplace

Here's the good news – every single industry is dealing with the same challenges. The more challenging news is that research (WEF, Harvard, McKinsey) indicates that we are in a workers' market until at least 2030.





# FEATURES

- **THE FUTURE OF LEADERSHIP AND THE WORKPLACE** The future is now – embrace the change and prepare your leadership for the new opportunities that await.
- 8 **NETWORKING TIPS FOR PEOPLE WHO HATE NETWORKING** Helpful advice to get the most out of your next networking opportunity.

### **13** MANAGING A HYBRID LAW FIRM

The flexibility of the Hybrid model has brought on challenges to Facilities Management - but it is also a great opportunity to design the experience for all the possibilities.

**17** CHANGES TO THE WCA THAT EMPLOYERS NEED TO BE AWARE OF Recent and upcoming amendments to the Workers' Compensation Act import new obligations for employers and increase WorkSafeBC's role in returning injured workers to work.

### ALSO IN THIS ISSUE

#### **MEMBER SNAPSHOT**

Jeff Van Wyk	6
WELCOME & KUDOS	11
MEMBER SNAPSHOT	
Elodie Fourie	16
SAVE THE DATE	20
THE SOUNDING BOARD	21
RECIPE	22

#### Editorial Committee Heather Orchison, Chair BCIMA

general@bclma.org

Keith Cassidy, TOPICS Editor Borden Ladner Gervais LLP Direct: 604-640-4157 kcassidy@blg.com

#### Lifen Lee

Hastings Labour Law Office Direct: 604-609-6699 <u>II@hllo.ca</u>

Ronda Smyth, TOPICS Advertising Wiebe Wittmann Robertson LLP Direct: 604-629-1044 <u>rsmyth@wwrlaw.ca</u>

#### Lorin Birnie

Miller Thomson LLP Direct: 604-628-2866 Ibirnie@millerthomson.com

TOPICS Production Doris Pfister Murphy DPM Word Projects

### **VOLUNTEER OPPORTUNITY!**

The TOPICS Newsletter Committee is looking for volunteers to join us! We're a dynamic, fun group who are looking for a few members to help source thoughtprovoking articles that are relevant and beneficial to all subsections. We have four lunch hour planning meetings per year (lunch provided) in which we plan out each edition. No business writing skills are required, just your enthusiasm.

This is a great opportunity to both network and contribute to BCLMA and the legal community. If you are interested or have any questions please contact Committee Chair, Heather Orchison at <u>general@bclma.org</u>.

#### Who We Are

Founded in 1972, the BCLMA is is a non-profit organization with 193 law firm members and 595 individual members across BC. The BCLMA's goal is to provide educational and networking opportunities, enhance skills as legal administrators and managers, and provide professional and personal benefits to its registrants.

#### **Member Services**

The BCLMA provides opportunities to network with other law firm administrators and managers at annual Spring and Winter socials, and monthly subsection meetings. We host an annual Managing Partners Event, and a large conference every other year.

#### **Newsletter Services**

TOPICS is a public newsletter. Contact the Editorial Committee to provide comments on articles, to offer suggestions for articles in future issues, or to augment the circulation list. We welcome your feedback! Please send comments to general@bclma.org.

#### Submissions

If you have an article or story idea you would like to submit, please email Heather Orchison at general@bclma.org. Please note that our prescribed article length is 1000 words. All submissions will be subject to review by the editorial board.

#### **Copyright Reproduction Rights**

TOPICS is copyrighted. However, we encourage you to circulate or copy this newsletter unmodified for your own internal or private use.

The newsletter, its contents or its material may not be sold, intact or modified, nor included in any package or product offered for sale.

O2023 BCLMA, CANADA. This issue and the newsletter's archive are all available in PDF format at  $\underline{www.bclma.org}$ 

We have been in an employers' market for decades – which means that the employer held the balance of power as it relates to the structures of work, job descriptions, and 'how' work was to be done.

The employers' market is a product of the industrial age where traditionalists and baby boomers created workplace structures based on how the work needed to get done.

The shift towards a workers' market began in the late 2000's – when the Millennials, Gen Z's and Gen X's began to question the definition of 'hard work' and to question the 'work until you die' work ethic of the previous generations. Currently 40% of workers are actively seeking work opportunities that offer hybrid work outside of their current jobs.

Millennials and Gen Z's had been asking for hybrid/remote work options since 2010, however the typical leadership response was 'we don't have the infrastructure to do that'.

In 2015, our research at Nextmapping, led to us predict that 50% of the work force would be working remotely by the year 2020. However, we did not predict the pandemic. Our predictions were based on the thousands of worker surveys we conducted along with additional global research on the future of work.

Fast forward to 2020 and the pandemic - globally most workers shifted to remote work. Post pandemic the workplace continues to be hybrid. The genie of remote work is now firmly out of the bottle.

The workers' market simply means that employees now hold the power.

You may have noticed the impact of The Great Resignation or Quiet Quitting among workers.

Many leaders think that The Great Resignation and Quiet Quitting are new phenomena since the pandemic. In fact, the 'quitting' trend among dissatisfied workers has been happening since 2009. The following graph shows the quit rates in the US over the ten-year period of 2009 to 2019.

Millennials & Gen Z's had been asking for hybrid/remote work options since 2010

#### **Average Monthly Quit Data** Data on total employment from 2009 through 2019 reveals that the Great Resignation is not a pandemic-driven anomaly. Share of workers voluntarily leaving jobs 3.0% LINEAR FORECAST 2.5 2.0 1.5 1.0 0.5 0.0 2009 '10 '11 '12 '13 '14 '15 '16 '17 '18 '19 '20

The workers' market is a result of employee attitude shifts around the nature of work.

**THBR** 

Source: Bureau of Labor Statistics, author's calculations

Many workers have been/are asking themselves existential questions such as:

Do I enjoy my work? How much money is enough money? Is my work meaningful? Does my leader care about me/help me to be successful?

These existential questions have led many workers to leave jobs and workplaces which has resulted in the 'great resignation' of thousands of workers in the US and in Canada throughout the pandemic.

All signs point to the workers' market being the workplace norm for some time to come.

What does this mean for leaders/managing partners moving forward?

Rather than resist or fight back against the reality of the trends and the workers' market it is a time of great opportunity for leaders.

The three skills that leaders need to navigate a workers' market workplace include:

- 1. Adaptability to diverse personalities/work styles
- 2. Empathy/compassion and emotional intelligence
- 3. Conscious communication that inspires and influences engagement

Gone are the days of simply hiring someone, telling them their job description, and expecting the worker to do a stellar job.

Today, workers of ALL generations have higher expectations from their workplace and from their leaders. They want leaders who are inspiring, engaging and who are committed to helping their workers grow.

In the 80's it wasn't uncommon for a boss to say, 'do this or you're fired' and because the dynamics of that time was an employers' market the worker typically did what they were told out of fear.

Over the past decade if you said to a Millennial, Gen Y, Gen Z, 'do this or your fired' they would look at you and either walk out or say 'whatever'. The difference in today's workplace is it has evolved to where workers no longer respond to leader-ship by fear.

In today's environment the shortage of workers has flipped the narrative of hiring. When you interview a new hire, they are basically interviewing you back.

One of the biggest challenges right now is new hires leaving a new job quickly when they find out that what they were told about the job and culture does not line up with the truth.

The workers' market is a result of employee attitude shifts around the nature of work. The takeaways for the future of leadership/workplace include:

- Embrace the changes/shifts of the workers' attitudes – seek to understand.
- 2. Crowdsource your workplace survey/poll and find out what they want and why they want it
- 3. Re-look at your workplace/firm structures through the lens of the crowdsource results and the future of the business trends.
- 4. Align strategic plan with where the workers' market is heading i.e. look at the roles in the company what roles need to be full time/part time/job share/contract/outsourced/ freelance etc.
- 5. Invest in leadership/partner strategy sessions that include change leadership skill development to increase leadership abilities to attract/engage/ retain workers.

Although it is challenging to deal with the realities of a workers' market, it is also an opportunity to create a future workplace that is more engaging and inspires people to work at their highest levels of performance.



Cheryl Cran is the founder of Nextmapping a future of work consultancy and a future of work expert. She is the author of 10 books including, *Super. Crucial. Human* and *Nextmapping: Anticipate, Navigate and Create The Future of Work.* Find out more at <u>nextmapping.com</u>

WORKPLACE STRATEGY | INTERIOR DESIGN | PROJECT MANAGEMENT | CONSTRUCTION MANAGEMENT

WE UNDERSTAND LEGAL WORKPLACES

With over 30 years of design and build experience, we have worked extensively with Canadian law firms to develop personalized offices that are strategically designed to support your team.

Contact us to talk to a workplace strategist today www.auraoffice.ca info@auraoffice.ca (604) 510 7101





### forgerecruitment.com

@forgerecruitment in 🙆 f 🎔 🖪

### MEMBERS: Haven't Logged into our New Website? Here's how.

- 1. Go to bclma.org/login/
- 2. Use your email address as your login credentials
- Click "Forgot my Password" to reset (If you don't receive a notification about resetting a password, check your spam folder)



bmcnetworks inc.

# Want to move your law firm to the cloud **securely?**

# WE CAN HELP

(604) 789-3401 | www.bmcnetworks.ca

# MEMBER SNAPSHOT JEFF VAN WYK





### How long have you been a member of BCLMA? A year and a half

Where do you work? Virgin Hickman

What would your dream vacation look like? Relaxing at a villa in Tuscany, Italy

**Tell us your favourite quote or joke** "When a flower doesn't bloom, you fix the environment in which it grows, not the flower." Alexander Den Heijer

**Recommend a wine – red or white – for under \$20 a bottle** Any DOCG rated Chianti

Favourite place to have lunch during the work week The Roof at Black & Blue

Favourite restaurant Nuba

**Favourite or most recent movie you've seen** Top Gun: Maverick

### What are you currently reading or what would you recommend as a must read?

Currently reading No One Wins Alone: A Memoir by Mark Messier; and I would recommend to everyone: Daring Greatly by Brenè Brown

In my spare time, I like to..... Bike ride with my son, walk in the forest, hike

What do you most enjoy about working in the legal industry? I like to be in service of others and help people



### Call for Submissions

Do you have an idea for an article that you think would benefit BCLMA members? Are you itching to put pen to paper (or more likely fingers to keyboard) or do you have an article already written that you'd like to share? We are always looking for submissions!

If you have an article or story idea you would like to submit, please email Heather Orchison at general@bclma.org. Please note that our prescribed article length is 1000 words. All submissions will be subject to review by the editorial board

### PCLaw Time Matters

Powerful Legal billing, accounting, and practice management software.

LEARN MORE



# Networking Tips for People Who Hate Networking

ALEXA KINGSMITH, Acting Director of Marketing, Harper Grey LLP & BCLMA President

The reason so many of us detest networking—and claim to be terrible at it—is because we've been doing it all wrong. It shouldn't be about projecting a false and superficial image of yourself, telling everyone how fantastic you are or sucking up to people. It is about building valuable, lasting and mutually beneficial contacts, one by one. Here are some great tips to take on board if you want to become a networking whiz without selling yourself out.

### 1. ADAPT NETWORKING TO SUIT YOU

Ignore networking advice that demands you must behave in a certain way. Forcing yourself to act in a way that isn't natural to you won't help anyone in the long term; you will still hate networking and everyone you connect with will get a warped idea of who you are. Also, ignore anyone who says that big events are the best way to make connections. If you hate networking as it is, change it. Don't like big crowds? Arrange one-toone meetings. Not a talkative person? Listen instead.

### 2. LESS IS MORE

Attending every event, meeting and talk won't necessarily result in more contacts. You will be much more productive if you are selective about which events to attend. That way you can be more focused on what you want to get out of each meeting, rather than forcing yourself to attend event after event and becoming drained and uninspired.

### 3. CONSIDER YOUR FIRST IMPRESSION

You only get one chance to make a first impression, so make it count. We're not saying you need to plaster a false grin on your face and practice your handshake but think in more detail about conversation starters or other ways to initiate an interesting conversation. If you know specific individuals are going to be there who you want to get to know, find out a bit about them before you meet so that you will have something to talk about.

### 4. SHOW – DON'T TELL

Don't bore people with rehearsed stories of how great you are. Rather, demonstrate your greatness in real life. Be friendly and warm when meeting new people.



### Choose What Works for You Email | Online | Messenger Runs\* Drop-off | Courier | Mail

We know every firm has their own unique workflow. And we're happy to fit in! Choose the submission method which makes most sense to you... and we'll never charge you extra "handling fees" for the method you choose.

\*Document pick up and delivery is free to clients on regularly scheduled WCTS messenger runs. Printing charges may apply. E & O E.



Proudly serving the legal profession since 1969

Vancouver • New Westminster • Victoria Tel: 604-659-8600 • Toll Free: 800-553-1936 • info@wcts.com • wcts.com

### 5. RESEARCH

You wouldn't turn up to an interview without preparing, so don't make the same mistake at networking events. Find out in advance who is going to be there, and which organizations will be good for you to connect with. If you have an idea of the companies and individuals you are likely to encounter, you will be less intimidated by the situation.

### 6. LISTEN

Nerves often make people gabble their way through awkward situations. Have you ever noticed that often everybody is talking but nobody is listening? Be the listener. The chances are people will remember you more for your attentive interest whilst they were talking than for your shouting over them. People are flattered when you pay attention to what they are saying, so you will no doubt form some good relationships from your listening ability.

### 7. FOLLOW-UP

Networking events are only the beginning of a connection. If you don't follow up with the people you met, there was no point in going in the first place. Follow up by adding your new connections on LinkedIn, dropping them an email or giving them a call. If you want to, you could even arrange a one-on-one meeting where you can get to know each other better.

### **UNIFIED CORPORATE HEADSHOTS**



Is organizing a firm-wide photo shoot stressing you out? Then hire the expert!

Our Signature System is a full service experience, everyone leaves the session loving their new headshot



Call today for a quote and become the office hero 604.616.9712

WWW.ANNABEAUDRY.COM



With over six years' experience in legal marketing, I work closely with lawyers and practice groups on creating innovative initiatives that focus on developing opportunities. Concentrating on content

amplification, project management, SEO, & analytics, I thrive on finding new and unique ways to bring in business.



### BCLMA MEMBERS FORUM

Looking for legal industry answers, ideas or resources? Our online FORUM is a great way to link and learn with BCLMA members!

Log into our website and visit the FORUM where you can connect and collaborate with other BCLMA members. Check out the Q & As. Join in discussions. Find materials from Speakers' Events, and more.

Great minds think alike. Your question may already be posted and answered in the FORUM. Before you begin, "SEARCH" and find out.

Share your ideas in our safe, professional online community at BCLMA.org.

### Connectivity and Efficiency



RealtiWeb connects you to title searching with LTSA, generating and signing LOTR declarations and web filing forms, and more!

Lower your cost today! Contact us to learn how.

ldd.ca 1-800-363-2253 y © □ ⊕ /LawyerDoneDeal sales@ldd.ca





™ LawyerDoneDeal Corp. and Design are trademarks of LawyerDoneDeal Corp. <sup>®</sup> LawyerDoneDeal is a registered trademark of LawyerDoneDeal Corp.

# WELCOME & KUDOS

### New Member Firms and their Representative

Shaina D'Souza **ATAC Law** Burnaby Valerie Trevis **CR Lawyers LLP** Campbell River Haleh Magnus **Magnus Law** Langley Ronda Smyth **Wiebe Wittmann Robertson LLP** Vancouver

### New Representatives for Existing Member Firms

Leslie Green Drysdale Bacon McStravick LLP Coquitlam Geneva Lloyd First Peoples Law LLP Vancouver Natalie Egger Forte Workplace Law Surrey Maura Franco MacCallum Law Group LLP Langley Lorin Birnie Miller Thomson LLP Vancouver Zarah Hofer Miller Titerle + Company Vancouver

### **New Individual Members**

Sara Habibovic **Alexander Holburn Beaudin + Lang LLP** Vancouver Shoaib Mulla **Borden Ladner Gervais LLP** Vancouver Ronaldo Acuna **Fasken LLP** Vancouver Angela Bolzonello **Fasken LLP** Vancouver Maral Fadaeian **Fasken LLP** Vancouver Kevin Bahng **Lawson Lundell LLP** Vancouver Ken Darch **Lawson Lundell LLP** Vancouver George Lo **Lawson Lundell LLP** Vancouver John Cronin **MacLean Law Corporation** Vancouver Yvonne Choi **Miller Titerle + Company** Vancouver Sandy Delayen Mitha Law Vancouver

Christine Drag Nathanson, Schachter & Thompson LLP Vancouver Nisra Mohamed Owen Bird Law Corporation Vancouver Lloyd Dean Pushor Mitchell LLP Kelowna Sanam Bakhtiar Roper Greyell LLP Vancouver Claire Immega Singleton Urquhart Reynolds Vogel LLP Vancouver Arishma Sharma Synergy Business Lawyers Vancouver Ricardo Kawashita Slater Vecchio LLP Vancouver Dan Pagen Webster Hudson & Coombe LLP Vancouver Sarah McMillan Woodward & Co Lawyers LLP Victoria Phaedra Kemp Woodward & Co Lawyers LLP Victoria Elizabeth Letawsky Woodward & Co Lawyers LLP Victoria Steven Pellerin Woodward & Co Lawyers LLP Victoria Gail Rose Woodward & Co Lawyers LLP Victoria Jesse Schermann Woodward & Co Lawyers LLP Victoria

### Mergers

Access Law merges with Bleay Both Uppal LLP Vancouver Zargar Lawyers merges with Miller Thomson LLP Vancouver Affinity Law merges with Miller Thomson LLP Vancouver

### Retiring

Carina Umali Smiths IP Vancouver Raf Sansalone Borden Ladner Gervais LLP Vancouver Indira Pal, Gowling WLG Canada, Vancouver



**Systems Auditing (SAI)** markets and supports Secured Integrated Workflow Solutions for products such as Copitrak (Cost Recovery Suite with Advanced Scan workflow, Secure Print Management), Matter Experts from Nth Degree, and other products.

software, that seamlessly integrates with legal financial systems to streamline tedious and time-consuming workflow processes.

#### **Expense & AP Automation**

Automate your expense management processes, eliminating costly errors, reducing paper usage and relieve staff of inefficient manual tasks.

**New Business Intake** Designed to automate your firm's business acceptance process while extending a flexible model adapted for your business environment.

Paperless Proforma/Pre- Bill for Aderant and Elite. Intuitively designed to meet the needs of all users / functions in the firm. Paperless Proforma / Pre-Bill will adapt to your unique workflow requirements with ease

bundledocs Bundledocs is a cloudbased document bundling solution. Bundledocs organizes them into a neat, numbered, indexed, and sectioned booklet in minutes. Instantly ready to save, share, integrate to firms document management system or print.

No matter how big or small, you can change in seconds.

**Copitrak** Copitrak continues to lead the industry by offering revolutionary user-friendly features and functionality to boost productivity. The Copitrak solution today is a fully integrated cost recovery system, with full Secure print plus Advanced Scan Routing technology to integrate seamlessly to your firm's Document management Solution.



Call of visit us at WWW.**Sai.Ca 604.685.1078** email: info@sai.ca

### Congratulations on your renovated space Harris & Company LLP



# P\_R I O R I T Y

### PROJECT MANAGEMENT & CONSTRUCTION MANAGERS

ppl.ca | 604.254.4499 | info@ppl.ca



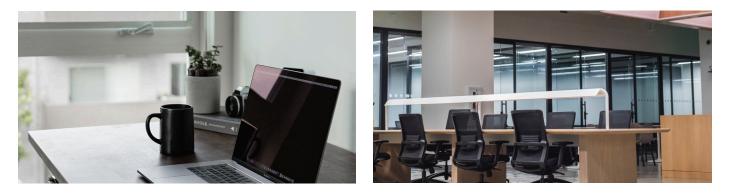
# Managing a Hybrid Law Firm

MONA ELALI, B.Tech/Sci, M.Arch, OAA, FMP

perational efficiency in facilities management has taken on a new level of importance and became key in supporting organizations to adapt to new challenges and find ways to maintain a safe and functional environment for employees and clients, all while controlling costs. How do you manage a law firm in response to new challenges and align both onsite and offsite office solutions?

 $\mathbf{F}$  or over two years now the purpose of the office has been discussed at length, and for the first time the conversation has been a global one. Hybrid work has been adopted in most sectors and the workforce has not only adjusted to this model, but also wants and expects it to continue as the new normal.

The flexibility of the Hybrid model has brought on both challenges and opportunities in facilities management. The concept of flexibility is in most cases at odds with the traditional office set-up where the structure is based on consistency and standard deliverables in a predictable environment. Law Firms are as much a workplace as they are a learning environment for associates who need more touchpoints, reaching all layers of the team and coaching using technology may reach its limits. The importance of the physical office remains as the anchor of the firm's culture, community and mentorship and tailoring a new portfolio of supporting services is critical to meet the new demands of a distributed workforce.



Here are some practical considerations focused on the operational efficiency of the Hybrid Law Firm:

### THE WORK

- 1. New functions have emerged during the pandemic and survived as temporary solutions. Remote hearings for example now need a permanent purpose-built space at the office properly equipped with secure and reliable technology.
- 2. Client needs and expectations of the firm may have also evolved and understanding how they want the work to be delivered will be key in how the Hybrid work will perform. Client centres are an emerging trend focused on collaboration and relationship building in a redefined space as an alternative to the traditional boardroom setting.
- 3. Digital first solutions require not just technology to support the work, but also considerations of external relationships; for examples establishing new terms in client contracts for digital document transfers, understanding options available based on local jurisdiction for digital submissions to courts and compliance with regulator's document retention policies.

### THE WORKSPACE

 Tracking Return-To-Office (RTO) numbers has been a useful tool to determine occupancy levels and its most common application has been in Right Sizing the real estate footprint. The data can equally inform a variety of operations when layered with other onsite activities such as planned engagement events. This view allows future planning of facilities functions, a spike in employee attendance can be more predictable and alignment of onsite services (such as cleaning, concierge or reception demands, office supplies stock or even parking requirements) allows for a more proactive approach in office readiness and results in a seamless employee experience.

- 2. Tracking inventory of office supplies and understanding demand, will help establish new provisions that support the Hybrid worker. Reliance on digital tools means lower demand for traditional notebooks, pens and basic office supplies and shifting to technology tools such as digital notebooks, headphones, wireless peripheries etc.
- 3. Tracking in-house printing volumes and outgoing document recycling and shredding is an important metric: Are the volumes truly declining? Or simply shifting to the satellite offices (homes, co-working spaces etc.) requiring a closer look at privacy and compliance policies for document printing, retention and destruction. A digital first policy will be critical to: i. Reduction in physical documents, ii. Reduction in physical file storage that can only be accessed in person, iii. Limiting risk exposure of sensitive files, iv. Reduction in overall waste and v. Investments in data storage and software solutions.
- 4. Tracking on site occupancy in shared workspace can also inform decisions on various supporting elements ranging from number and type of personal storage (lockers designed for lawyers who require space for robes and document briefcases) to the type and size of waste/ recycling depots where higher demand for consumables in shared kitchens for single use supplies (cups, utensils) increases as employees forgo their dedicated offices.

- 5. Establishing the size and type of office can consider the context and reduce the need for space or service duplication:
- Is the office in a campus or complex that offers tenant services (boardrooms, showers, lockers, food service, mail/copy centre, concierge etc.) and can help offset the need to provide some of those services in-house?
- Does the landlord have a plan that supports a Hybrid work model (parking alternatives, building operation hours, evacuation plans etc.) and do they have a tenant board or a platform for establishing new tenant needs?
- Are the existing or newly formed satellite offices an extension of headquarters (home offices, co-working spaces etc.) and should they be included and considered as part of office service footprint and deliverables?
- Is virtual space part of the real estate footprint? What does it offer that can augment or even replace physical solutions?

### THE WORKFORCE

- As real estate portfolios evolve, the layout of the responsibilities needs to be carefully planned to ensure the facilities teams are ready to deliver a revised suite of services.
- 2. The facilities teams have different insights in their respective areas (planners, technicians, administrators, catering, security etc.) and can contribute to developing the new framework. This level of engagement will allow a more integrated approach to service delivery, especially when the facilities team understands the core business and the unique aspects of the Law Firm.

New W	ebsite TLC!
	ve logged in, our IT team is ready to help you navigate the new BCLMA website. n HELP and send your questions right to the folks in the know.
P	
	1 Welcome, Jane Kennedy! 👰 🔍

- 3. Are there skillsets on the facilities team that haven't been realised and can be useful in the new workspace?
- 4. Is training required to meet new expectations?
- 5. Can work from other areas in the organisation now be absorbed in office services with improved efficiencies?
- 6. Do you have the right distribution of in-house services and external vendors that cater specifically to Law Firms?

A carefully curated and managed facilities portfolio in a Law Firm will directly contribute to a new type of employee experience, work efficiencies and the ability to future proof the business.

Continuous review of services and alignment with the organisation's vision will allow creative and innovative ways to support the firm; in other words the focus should shift from designing towards requirements to designing towards possibilities.



Mona is an Architect and a Facilities Management professional with experience in corporate real estate design, acquisitions, operations management and office services;

focused on integrated project delivery and employee experience. Throughout her career, she has worked with private sector, government and non-profit leading multi disciplinary teams and managing a variety of portfolios specific to client needs. Prior to joining Borden Ladner Gervais LLP, Mona worked for The Ontario Lottery and Gaming Corporation, The Law Society of Ontario and The University of Toronto.



Baker Cadence Solutions is here to help with any & all of your NetDocuments needs



# **baker+cadence** solutions, llc

www.bakercadence.com | (916) 677-4277 | info@bakercadence.com

Offering Industry-Leading Legal Software Implementation and Training Since 1997

We focus on reproducing your documents so you can focus on the work that matters to you.

Document Printing Photocopying Legal Support Scanning Overnight Service

# cet tec digital imaging

Visit us for more information, quick estimates and more at Cettec.Ca or call us at 604-899-1466

# MEMBER SNAPSHOT ELODIE FOURIE





### How long have you been a member of BCLMA? 2023 will be my first year

Where do you work? Miller Thomson LLP

What would your dream vacation look like? Anywhere I can scuba dive and hike (without bears around)

### Tell us your favourite quote or joke

"We think too much and feel too little. More than machinery, we need humanity. More than cleverness, we need kindness and gentleness. Without these qualities, life will be violent, and all will be lost." [Charlie Chaplin]

What famous person is getting the invite to your dinner party? Robin Williams

**Recommend a wine – red or white – for under \$20 a bottle** Northern Lights, Blueberry

Favourite BC day trip location Crescent Beach (White Rock/South Surrey)

Favourite place to have lunch during the work week Starbucks

**Favourite restaurant** Lov, in Toronto

One thing that not many people would know about you I am a descendant of a famous French circus family

**Favourite or most recent movie you've seen** My most recent movie is Glass Onion: A Knives Out Mystery

What are you currently reading or what would you recommend as a must read?

I would recommend the original fairy tales: The Little Mermaid is my favourite

In my spare time, I like to.....

Go to the gym, renovate my house, and do some woodwork

What do you most enjoy about working in the legal industry? The suits. On a serious note, each day has its challenges, which I find very interesting and motivating!

If you could pick a movie title to describe your life, what would it be?

Five Foot Two



# Changes to the WCA that Employers Need to be Aware of

PRESTON PARSONS, Partner, Overholt Law LLP

Bill 41 – titled the Workers Compensation Amendment Act (No. 2), 2022 – received Royal Assent on November 24, 2022. The new legislation introduced seven amendments aimed at better supporting workers in British Columbia. Although Bill 41 is still in the early stages of development and implementation with not all provisions in force, employers should be aware of its repercussions for workplaces.

This article specifically focuses on a change to section 73: Employer Accident Reporting, Investigation and Related Prohibitions; and to the addition of new Sections 154.1 - 154.6: Return to Work and Other Duties in Relation to Injured Workers.

## SECTION 73: EMPLOYER ACCIDENT REPORTING, INVESTIGATION AND RELATED PROHIBITIONS

In Division 10 of the Workers' Compensation Act (the "WCA"), Bill 41 added subsection 73(2), expanding specific prohibitions on employers and supervisors. Section 73 previously stated that an employer or supervisor "must not, by agreement, threat, promise, inducement, persuasion, or any other means, seek to discourage, impede, or dissuade a worker of the employer, or a dependant of the worker, from reporting" to the Board an injury or allegation of injury, an

illness, a death, or a hazardous condition or allegation of a hazardous condition. New subsection 73(2) adds "making or maintaining an application for compensation" and "receiving compensation", both under the compensation provisions, as additional prohibitions. This amendment came into force on November 24, 2022.

Although no clarification for penalties have been prescribed, employers should be aware of this change and the possibility of future implications if they fail to comply.

# The Perfect Fit.

Your partner in recruitment for lawyers and legal administrative professionals.

HUNTERWEST.CA / (604) 609-6188 / INFO@HUNTERWEST.CA

### SECTIONS 154.1 – 154.6: RETURN TO WORK AND OTHER DUTIES IN RELATION TO INJURED WORKERS

Bill 41 also adds new sections – 154.1 to 154.6 – of which 154.2 has received the most "buzz". Although these new sections are not yet in force and no date has yet been announced, employers should understand their implications before they come into force.

Specifically, section 154.2 will establish a new "duty to cooperate" for both employers and employees when an injured employee is returning to the workplace.

The employer must maintain communication with an employee to identify suitable work – when possible – to ensure the full wages that the worker was earning pre-injury are maintained, and to provide WorkSafeBC with information for the employee's continuation or return to work. At the same time, the employee must cooperate with their employer and provide WorkSafeBC with their plans for work continuation or for returning to work. If an employee does not comply, WorkSafeBC can reduce or suspend compensation payments until compliance occurs. These requirements apply to employees who sustained an injury up to two years before the provision comes into force.

How this provision will co-exist within the broader legal scheme remains to be seen, though as a starting point, Bill 41 anticipates how to resolve conflict in a unionized workplace. Subsection 154.4(1) states that if the WCA provisions for the duty to cooperate and maintain employment conflict with a binding collective agreement term, the "...section in conflict prevails to the extent that it affords the worker a greater benefit than the term of the collective agreement." For clarity, Bill 41 at subsection 154.4(2) adds that subsection 154.4(1) "does not operate to displace a term of the collective agreement that deals with seniority."

HUNTER WEST

The other area where the new sections create challenges are with respect to the interplay with an employer's existing duty to accommodate under BC's Human Rights Code. Subsection 154.3(5) of Bill 41 deals with the duty to re-employ injured employees, and accommodate returning employees, "to the point of undue hardship" that is necessary to accommodate a worker. Employers will be familiar with this language already, but in the context of avoiding complaints of discrimination on the basis of physical or mental disability before the BC Human Rights Tribunal. Although more clarification is needed, WorkSafeBC may now overlap with the BC Human Rights Tribunal, with potential for jurisdictional disputes or parallel proceedings in two forums. What appears certain is that the role for WorkSafeBC is expanding to be more directly involved in managing how an employer fulfills the duty to accommodate an injured worker.

Finally, the amendments brought by Bill 41 create one marked difference from the duty to accommodate in the human rights regime: the risk it creates for additional administrative penalties. Once in force, employers may potentially be subjected to paying damage awards from the BC Human Rights Tribunal and administrative penalties from WorkSafeBC if found to have failed in their duty to accommodate. At Subsection 154.5(1), WorkSafeBC will determine "on a balance of probabilities" if an employer has failed to comply with section 154.2 [the duty to cooperate] and Section 154.3 [the duty to maintain employment]. Employers may face substantive costs from the Board for up to the "maximum wage rate," totalling \$112,800.00 as of January 1, 2023. This amount could be compounded with a damage award from the BC Human **Rights** Tribunal.

Overall, big changes are coming to the WCA that employers would do well to keep abreast of. We recommend continuing to watch for further developments in this area, including the in-force date for sections 154.1 to 154.6.

With special thanks to colleague Courtney Chrusch for contributing to this article.



Preston Parsons is a partner at Overholt Law, practicing in the areas of employment and labour relations, human rights, and privacy law. Overholt Law is a boutique

employment and labour relations firm located in downtown Vancouver, British Columbia. For more information regarding Overholt Law, please visit overholtlawyers.com.

### POWERCONCEPTS

# OUTLOOK STRATEGIC MANAGEMENT

Participants will learn the soft skills, technical skills, and optimal settings in Outlook that can change the way they work to a much more focused, productive, effective, and less stressful process. In this transformational course, Master Instructor, Frank Byl, shares from his 25 years of business training, working with over 100 law firms.

This course meets BCLS CPD credits.

### **SESSIONS**

### Next dates: April 6, 13, 20, and 27 from 3 - 4 PM One 1-hour session per week, for 4 weeks:

- Creating an Organized Outlook Dashboard
- Five D's to Keeping your Inbox Empty
- Creating Plans with Microsoft ToDo Lists
- Managing Work Effectively Using Outlook

Groups are limited to 10 for maximized interaction

### LEARN MORE

www.powerconcepts.ca

**REGISTER NOW** 



## \$399

TOPICS SPRING 2023 | 19

Save The Date

### BCLMA Annual General Meeting Date: April 6, 2023

Time: 12:00 pm – 1:00 pm Location: Harris & Company LLP

### **BCLMA Young Professionals Networking Night**

Date: April 19, 2023 Time: 5:00 pm – 7:00 pm Location: Greta: Arcade, Bar, Street Food

### BCLMA Educational Event – Foundational Reconciliation

Date: May 18, 2023 Time: 11:45 am – 1:30 pm Location: Terminal City Club

### **BCLMA Annual Summer Social Reception**

Date: June 8, 2023 Time: 5:00 pm – 8:00 pm Location: D6 Lounge at the JW Marriott Parq, Vancouver

For up-to-date event & registration details visit <u>bclma.org</u>



# PLUG-IN FOR UNBEATABLE IT SUPPORT WITH COM PRO

### BCLMA MEMBERS GET

FREE Onboarding + FREE 1st Month of Service

# COMOPRO

FOR AN EXTRA BONUS OFFER CLICK OR VISIT comprobusiness.com/BCLMA

### THE SOUNDING YOUR BCLMA. YOUR NEWS.

What an active spring for the BCLMA Board, Subsections and members! So far in 2023 we've shared well-attended sessions on Niche & Industry Marketing and Employment Law Updates; Tara Landes' educational session on effectively managing the rising generations; and we've welcomed four new subsection Chairs and Co-Chairs. The Knowledge Management, Litigation, Learning and Facilities subsections have held their first sessions, while the upcoming Finance subsection featuring Barbara Buchanan, KC, is proving to be very popular.

Behind the scenes, we're busy planning our Annual General Meeting on April 6th at Harris & Company LLP as well as our second Young Professional Networking Event on April 19th at the Greta Bar on Cordova Street. Mark your calendars!

We look forward to meeting you at the many exciting events we have planned throughout the year.

Check out the full Sounding Board, details on these and other upcoming events, and so much more on the BCLMA website.





# Powerful insights. Greater control. Managed risk.

The right information at the right time can make all the difference. RICOH Intelligent eDiscovery.

## Let's talk

### RECIPE

Ridiculously Easy Rosenary Bread

Prep Time 15 MINUTES Cook Time 28 MINUTES Total Time 43 MINUTES (plus time for dough to rise overnight)

SERVINGS 18

### INGREDIENTS

- 4 cups bread flour plus extra for shaping
- 2 teaspoons kosher salt
- 1 teaspoon active dry yeast traditional
- 1 tablespoon fresh finely chopped rosemary
- 2 cups room temperature tap water
- 1 tablespoon melted butter
- 1 teaspoon flaky sea salt for topping
- 2 teaspoons finely chopped fresh rosemary for topping

### INSTRUCTIONS

In a medium-large bowl, whisk together the bread flour, salt, yeast and rosemary. Make a well in the center and add the water. Mix with a sturdy rubber spatula until all flour is incorporated. Don't worry, the dough will be wet and sticky, that's how it should be.

Cover the bowl with plastic wrap and leave to rise at room temperature overnight or for up to 12 hours.

The following morning (or after 8-12 hours), the dough will have risen, but it may still look shaggy, and its surface will be covered with bubbles. Line a sheet pan with parchment paper. Preheat the oven to 425°F.

Spread a generous <sup>1</sup>/<sub>4</sub> cup of flour on a work surface. Dump the dough out onto the floured surface and turn it several times to coat with flour. I like to use a bench or baker's scraper for this. Knead the dough for one minute, adding more flour to the work surface as needed.



Recipe from The Café Sucre Farine. Author Chris Scheuer

Divide the dough into 2 or 3 fairly equal portions, turning each piece in the flour to coat. (The bench scraper is also great for cutting the dough).

Shape each piece into a ball, pulling edges under and pinching together to make a smooth rounded top. Place loaves on prepared pan, smooth side up. If the dough is sticky as you're shaping, just roll the piece in more of the flour.

Brush each loaf all over with melted butter. Sprinkle generously with finely chopped rosemary and sea salt.

Allow bread to rise for about 20 minutes while the oven is preheating. Don't worry if the dough flattens a little while it's resting. It will puff up nicely in the oven.

Transfer pan to the oven. Bake 23-28 minutes or until nicely golden. Transfer bread to a cooling rack to cool completely.

If making in advance, remove from oven when pale golden brown (about 3-4 minutes less). Cool completely, then freeze on a baking sheet. Once frozen, transfer each loaf to a large ziplock bag and store in the freezer.

To serve, allow bread to thaw, then heat for 8-10 minutes at 325°F or until nicely golden brown.

# THE BCLMA TEAM

SUBSECTION CHAIRS & CO-CHAIRS

### **FACILITIES & SERVICE MANAGEMENT**



Stephanie Muzur, Chair Clark Wilson LLP 604-687-5700 smuzur@cwilson.com



Beth Krushinsky, Co-Chair Lakes, Whyte LLP 604-984-3646 beth@lakeswhyte.com

### **FINANCE**



Renata Drag, Chair Edwards Kenny & Bray LLP 604-689-1811 rdrag@ekb.com



Mirela Gakovic, Co-Chair Farris LLP 604-684-9151 mgakovic@farris.com



**Pelar Davidson,** Co-Chair KSW Lawyers 604-591-7321 ext: 387 PDavidson@kswlawyers.ca

### LITIGATION TECHNOLOGY & eDISCOVERY



Susan Van Altena, Chair Nathanson Schachter & Thompson LLP 778-945-1479 svanaltena@nst.bc.ca



Tracy McBride, Co-Chair Miller Thomson LLP 604-628-2899 tmcbride@millerthomson.com

### **KNOWLEDGE MANAGEMENT**



Danielle Brosseau, Chair Harper Grey LLP 604-895-2861 dbrosseau@harpergrey.com



Sarah Richmond, Co-Chair Alexander Holburn Beaudin + Lang LLP 604-628-2719 srichmond@ahbl.ca

### MARKETING



Sara Habibovic, Chair Alexander Holburn Beaudin + Lang LLP 604-628-2733 shabibovic@AHBL.CA

### **HUMAN RESOURCES**



Christine Drag, Chair Harris & Company LLP 604-891-2239 cdrag@harrisco.com

Tiej Dapp, Co-Chair



Clark Wilson LLP 604-643-3188 tld@cwilson.com **Sara Fry,** Co-Chair

Sara Fry, Co-Chair Watson Goepel 604-642-5662 sfry@watsongoepel.com

### **SMALL FIRMS**



Susanne Tholl, Co-Chair Lakes, Whyte LLP 604-984-3646 Susanne@lakeswhyte.com

### **LEARNING & DEVELOPMENT**



Judie Boroevich, Co-Chair Borden Ladner Gervais LLP 604-632-3421 jboroevich@blg.com

Barbara Blouin, Co-Chair Boughton Law Corporation 604-647-5520 bblouin@boughtonlaw.com

### **INFORMATION TECHNOLOGY**



Greg Holubowicz, Chair Kornfeld LLP 604-331-8324 gholubowicz@kornfeldllp.com

### **2024 CONFERENCE**



Lorraine Burchynsky, Chair Boughton Law Corporation 604-647-4162 Iburchynsky@boughtonlaw.com

### BOARD OF DIRECTORS

Alexa Kingsmith, President Harper Grey LLP 604-895-2907 akingsmith@harpergrey.com

Lorraine Burchynsky, Past President Boughton Law Corporation 604-647-4162 Iburchynsky@boughtonlaw.com

Dorothy Cheung, Director / Treasurer DuMoulin Black LLP 604-602-6815 dcheung@dumoulinblack.com

Rubyna Jinnah, Director / Business Partner Liaison Harris & Company LLP 604-684-6633 rjinnah@harrisco.com

Kirsten Whitley, Director / Secretary McMillan LLP 778-328-1482 kirsten.whitley@mcmillan.ca

Keith Cassidy, Director Borden Ladner Gervais LLP 604-640-4157 kcassidy@blg.com

Sandra Lowe, Director Jenkins Marzban Logan LLP 604-681-6564 slowe@jml.ca

Robert Sanzalone, Director Bennett Jones LLP 604-891-5368 sanzaloner@bennettjones.com

### ADMINISTRATION

Jane Kennedy BCLMA Administrator & Membership Services 604-988-1221 info@bclma.org

### **Heather Orchison**

BCLMA Administrative Assistant 604-315-2087 general@bclma.org