# TOPICS

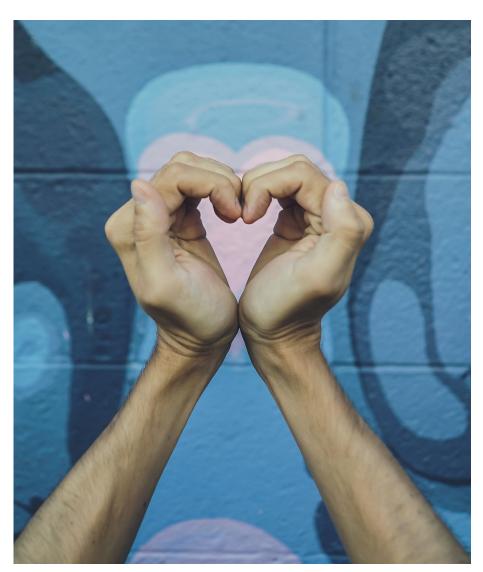
winter 2024
bclma

Informed Opinions on Legal Management

# The Canadian Pro Bono Shortfall

KATIE STOWE, Principal Consultant, Impact Matters Consulting

When it comes to the global legal sector, few universal truths exist. Support for pro bono legal services is arguably one of them. In the U.S. alone, 120 law firms reported more than five million hours of pro bono hours in 2023, (Pro Bono Institute, 2024) with 123 other countries producing an additional one million hours (TrustLaw, 2023).



For decades, the long-term value of pro bono services has been well-documented. Strong pro bono practices have been linked to fostering positive firm cultures, improving recruitment and retention, and strengthening brand equity. Despite this being a practice of donating time and legal advice, some firms have found that robust pro bono programs can be revenue-neutral or, in some cases, a revenue enhancer (Lardent, 2000).

So, why do Canadian law firms lag in pro bono work?

The 2024 Canadian Lawyer's 5-Star Pro Bono Firms report highlights four commonly cited challenges (Canadian Lawyer, 2024):

- 1. Capacity of lawyers
- 2. Concerns about conflicts
- 3. Insufficient expertise in relevant areas of law
- 4. Lack of available opportunities

These challenges, while real, are not unique to Canada.

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#### Who We Are

Founded in 1972, the BCLMA is a non-profit organization with the BCLMA is a non-profit organization with more than 600 members from 194 law firms 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 <a href="mailto:general@bclma.org">general@bclma.org</a>.

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#### LOOKING FOR A VOLUNTEER OPPORTUNITY?

The TOPICS Editorial Committee welcomes new volunteers to help us connect with association members through our informative newsletter! Our fun and collaborative group seeks BCLMA members to suggest ideas and help source thought-provoking articles that will benefit all subsections.

We meet formally at four lunch-hour planning meetings per year (lunch provided) to plan the next edition. We also host meetings virtually for volunteers who live and work in the valley or the interior, or on the island or the coast!

Don't miss this rewarding opportunity to build valuable relationships, and contribute to the BCLMA and to our legal community across the province.

No business writing skills required – just your enthusiasm!

Contact Committee Chair Heather Orchison at general@bclma.org if you have any questions, need additional information, or feel ready to join!

#### **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.

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#### THE U.S. AS A BENCHMARK

U.S. lawyers averaged 54.7 hours of pro bono in 2023 (Pro Bono Institute, 2024), compared to just 11.5 hours per Canadian lawyer (TrustLaw, 2023). The five firms topping the U.S. charts averaged *more than 100 hours* per lawyer (Pro Bono Institute, 2024), but the impressive output is shared by many with participation rates of 73.3%. This includes contributions from 84% of associates and 63.8% of partners. Australia and the UK also stand out for producing outstanding results that far exceed Canadian output.

#### INFRASTRUCTURE: THE KEY TO CLOSING THE GAP

In my opinion, the core issue is actually a lack of infrastructure.

In many Canadian law firms, pro bono work is relegated to the sidelines. Firms may have policies, committees, or designated pro bono chairs, but few invest in formal pro bono roles for lawyers or in strategies for expanding these programs. This is a stark contrast to what you see in the highest performing markets.

If Canadian firms truly want to make an impact through pro bono services—and enjoy the associated benefits—they must invest in the necessary infrastructure. Here's how:

#### 1. HIRE PRO BONO TALENT

Firms with dedicated pro bono lawyers average **three times** the pro bono hours of those without such resources (TrustLaw, 2023). Of the 245 firms that contributed data to TrustLaw, 61% had at least one professional dedicated to pro bono work. In the U.S., Australia, and the UK, dedicated pro bono staff are the norm and it's not uncommon to see Chief Pro Bono Officers leading teams of pro bono lawyers and managers. In Canada, Norton Rose Fulbright (NRF) is a rare example of a firm with full-time pro bono counsel. Grace Pastine, KC, has been instrumental in advancing NRF's pro bono program. Under her leadership, the firm has significantly increased its pro bono hours, earning a spot on **Canadian Lawyer's 5-Star Pro Bono** list.

**WORKPLACE DESIGN + BUILD** 

# We Understand

Legal

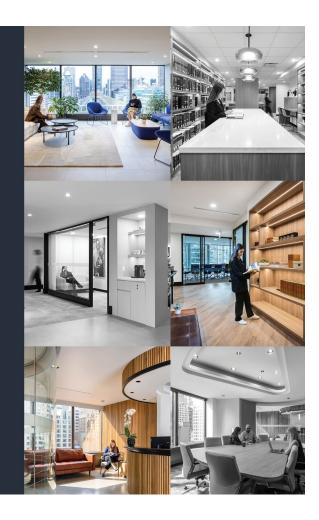
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"Our nationwide pro bono practice in Canada provides an access point to the justice system for those in need, helping to strengthen the communities in which we live and work. In this role, I can help drive our pro bono work and support our lawyers in pro bono initiatives they care about." Grace Pastine

Hiring a pro bono lawyer can help overcome the common challenges: capacity, conflicts, and sourcing of opportunities. For example, a pro bono lawyer can develop opportunities to better engage solicitors, who often have less obvious routes into pro bono work.

#### 2. ESTABLISH PRO BONO GOVERNANCE

High-performing pro bono firms typically implement the following components:

- Pro bono policy: This should define how pro bono work is governed within the firm, including how pro bono matters are defined, approved and tracked.
- » Pro bono committee: A dedicated committee will oversee approvals or champion pro bono activities within the firm, helping to source opportunities and raise awareness across other offices.

#### **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.

- » Credit: In Canada, 62% of firms count associates' pro bono hours toward billable hour targets (Canadian Lawyer, 2024).
- » Pro bono hour targets and performance appraisals: Of Canada's leading pro bono firms, 32% set pro bono hour targets and 80% incorporate pro bono work into performance appraisals (Canadian Lawyer, 2024).
- » File opening and reporting guidelines: Clear fileopening rules help ensure data is useful for future reporting. Start by determining the metrics needed to measure success and work backwards to identify the necessary inputs.
- » Client collaboration: Many in-house legal teams are eager to engage in more pro bono work. Partnering with clients creates a win-win scenario for both firms and their clients.

#### 3. DEVELOP A PRO BONO STRATEGY

Many firms will stop at governance and forget about strategy. But just like any practice in the firm, pro bono will benefit from a strategic approach that sets out where the firm wants to focus and how it can achieve success in that space. A pro bono strategy can dovetail with a firm's client-development plans, as well as its diversity, equity, and inclusion and social impact priorities to maximize impact. Firms that use frameworks like the UN's Sustainable Development Goals can leverage these as a foundation for a pro bono strategy.

#### 4. TRACK AND SHARE PROGRESS

Few Canadian firms publicly disclose their pro bono activity. Only nine firms submitted data to the latest TrustLaw report, which publicly discloses pro bono hours per firm, yet 50 firms participated in the 2024 Canadian Lawyer pro bono awards, which does not share any specific metrics publicly. Are Canadian firms shying away from transparency?

If a firm uses pro bono work to enhance branding or recruitment, I would argue that it should be transparent about its actions and impact. This includes sharing quantitative data related to pro bono output.

There's ample opportunity for Canadian firms to take the lead in pro bono work and show that we can match the leading markets in the world. Right now, it's anyone's game.



Driven by a goal to help law firms achieve sustainable growth, Katie Stowe launched Impact Matters in 2024. With 22 years of experience, Katie provides a full range of business development advisory services, with a unique focus on equity, diversity and inclusion (EDI) and social impact, rooted in a belief that it's always smart business to put people first.

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# In-House Counsel Looking for Counsel

ALEXA KINGSMITH, Director of Marketing, Harper Grey LLP

n April 2024, I attended the Legal Marketing Association (LMA) annual conference. It was a jam-packed few days of learning, but one session stood out from the others. "Propelling Clients' Businesses Forward: Sharing Innovative Concepts from In-House Counsel" featured a panel of lawyers who work as in-house counsel sharing tips about how legal-firm lawyers can provide exceptional client service when working with this distinctive client base. Throughout the 90-minute session, panellists provided valuable insights about understanding client needs and expectations in a corporate environment.

# MY TOP FIVE TAKEAWAYS FOR LAW FIRMS WHEN WORKING WITH IN-HOUSE LAWYERS:

#### 1. UNDERSTAND THE BUSINESS CONTEXT

In-house counsel emphasized the importance of understanding the business context in which legal advice is provided. This includes comprehending the industry dynamics, corporate goals, risk tolerance, and budgetary constraints of the client. Lawyers should tailor their advice to align with the broader business objectives of the organization.

#### 2. COMMUNICATE CLEARLY AND CONCISELY

Effective communication is key. In-house counsel value lawyers who can convey complex legal concepts in simple, understandable language. Clear and concise communication helps facilitate decision-making by corporate stakeholders and fosters a collaborative relationship between legal and non-legal departments. Extra points for consistency – all the

panellists expressed interest in a quick note along the lines of 'Here is where we are at with this issue' – or similar – so they don't have to chase their lawyers for status updates.

# 3. FOCUS ON PRACTICAL SOLUTIONS AND BE HONEST

In-house counsel appreciate lawyers who prioritize practical solutions over purely theoretical legal analysis. Private practice lawyers should offer advice that is not only legally sound but also actionable and aligned with the client's commercial objectives. Practicality and efficiency are highly valued traits in corporate legal matters. In-house counsel reaches out to law firms for an honest opinion. Telling them they could proceed with option A or option B often isn't helpful – provide advice as their trusted business partner and they will be grateful.

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# 4. BE PROACTIVE AND RESPONSIVE

Timeliness is crucial in corporate legal matters. In-house counsel expect prompt responses and proactive communication from their external legal advisors. Private practice lawyers should demonstrate a sense of urgency in addressing client concerns, identifying potential risks, and providing timely updates on the progress of legal matters.

# 5. DEVELOP A LONG-TERM PARTNERSHIP

Building a long-term partnership based on trust and mutual respect is essential. In-house counsel prefer to work with lawyers who take the time to understand their organization's culture, values, and long-term strategic goals. Developing a deep understanding of the client's business enables lawyers to anticipate future legal needs and provide proactive, value-added services.

#### WHY NOT MAKE PLANS TO ATTEND THE LARGEST GLOBAL MEETING FOR THE LEGAL MARKETING PROFESSION?

Register for the 2025 Legal Marketing Association's Annual Conference: MOVE 40RWARD from April 23-25, 2025 in historic Washington, DC. While there, help celebrate LMA's 40th anniversary!



As Director of Marketing at Harper Grey, Alexa works directly with lawyers and practice groups to develop innovative initiatives focused on client service and strategic growth.





#### **BCLMA Ask a Mentor**

BCLMA's mentorship program provides advice to members just entering the legal industry, as well as seasoned professionals working through novel challenges or an extraordinary business situation.

Log in to the "Members Only" section of our website and click on the "Mentors" tab for details.

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# WELCOME & KUDOS

#### **New Member Firms and their Representative**

Terri Coleman Chhinas Das LLP Langley
Patricia MacDonald Feenie Macdonald Vancouver
Carol Tasker Golbey Levine, Lawyers Advisors Port Moody
Nicole Ellis LMN Law Group Law Corporation New Westminster
Trisha Reid Mathews Dinsdale & Clark LLP Vancouver
Kevin Westell Pender Litigation Vancouver
Monica Chan Radelet and Company LLP Vancouver
Rhys Volkenant Volkenant Law Group Langley

#### **New Representatives for Existing Member Firms**

Catharine Rae **Bennett Jones SLP** Vancouver
Ramonique Athwal **Lorne N. MacLean Law Corporation** Vancouver
Tania Coull **Mandell Pinder LLP** Vancouver
Liene Larsen **Meridian Law Group** Vancouver
Ishleen Toor **Segev LLP** Vancouver

#### **New Individual Members**

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Derrick Fung Blake Cassels & Graydon LLP Vancouver
Jean-Guy Hachey Blake Cassels & Graydon LLP Vancouver
Heather Liesch Blake Cassels & Graydon LLP Vancouver
Hamish Clark Borden Ladner Gervais LLP Vancouver
Justin Khan Borden Ladner Gervais LLP Vancouver
Jamila Sit Borden Ladner Gervais LLP Vancouver
Ryan Campbell Boughton Law Corporation Vancouver
Sowgol Torani Boughton Law Corporation Vancouver

Jennifer Barnard **BTM Lawyers LLP** Port Moody Yana Demidova Clark Wilson LLP Vancouver Meaghan Ferguson Clark Wilson LLP Vancouver Malvika Thomas Clyde & Co Canada LLP Vancouver Lorin Birnie Cozen O'Connor LLP Vancouver Nicole Cristello Hearty Cozen O'Connor LLP Vancouver Nick Sulentic Farris LLP Vancouver Simmy Randhawa Hamilton Duncan Law Corporation Surrey Alanna McCarey Harper Grey LLP Vancouver Melissa Nagy Harper Grey LLP Vancouver Evan Flynn Jenkins Marzban Logan LLP Vancouver Becky Lee Jenkins Marzban Logan LLP Vancouver Cheyanne Worsnop Klein Lawyers LLP Vancouver Amelia Capell Lindsay Kenney LLP Vancouver Ceara Tracey Mandell Pinder LLP Vancouver Andrea Russel Mitha Law Group Vancouver Eda Alper Miller Thomson LLP Vancouver Jessica Howcroft Miller Titerle + Company Vancouver Yury Polykovskiy Nixon Wenger LLP Vancouver Whitney Shing Olthuis van Ert Vancouver Michelle Tong Owen Bird Law Corporation Vancouver Mo Dia Richards Buell Sutton LLP Vancouver Gbenga Owoyele Pushor Mitchell LLP Kelowna Nisra Mohamed Roper Greyell LLP Vancouver Jonathan Ho Synergy Business Lawyers LLP Vancouver Samuel Becker Watson Goepel LLP Vancouver Reena Cheema Whitelaw Twining (DWF) Vancouver



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OCCASION Annual Winter Networking Social

**DATE** November 7, 2024 **VENUE** Sutton Place Hotel

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WHAT MADE IT The noise level! Almost 200 attendees brought their enthusiasm and networking skills **SO SPECIAL** to the holiday-themed room.

> Unique prize giveaways always electrify the atmosphere! This year, people were called by name to choose a tag from a sparkling birch tree. Using the coin attached, they scratched their tag to reveal a prize provided by the BCLMA.

Directors Sandra Lowe and Priscilla Martindale gathered our always-generous sponsors together for a collective thank-you for their ongoing support of the BCLMA. Sponsors' prizes surely made the season bright! Winners received Canuck tickets, Empress Gin, headphones, dinner at Miku, Amazon & Visa gift cards, and Cirque Du Soleil tickets!

THANK YOU, EVERYONE, FOR MAKING THIS EVENT A SUCCESS!

Photos by Anna Beaudry Photographic Design annabeaudry.com





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# Unlocking Growth Through Collaboration

**CLINTON GARY, President of CREDO Consulting** 

#### THE POWER OF COLLABORATION FOR GROWTH

Collaboration is often seen as a challenge exclusive to large law firms. Large firms invest heavily to improve collaboration, fully aware of the inherent complexities. However, my experience as a Chief Strategy and Business Development Officer for firms of various sizes, and now as a collaborative growth consultant, has shown that improving collaboration is equally crucial for small to mid-size firms.

#### **UNDERSTANDING THE UNIQUE CHALLENGES**

Small and mid-size firms, often self-described as "smaller but mighty," serve specific regions with dominant offices and a few nationally ranked practices. Despite their compact structure, these firms frequently face internal miscommunications that frustrate managing partners who recognize the untapped potential for growth. The need to maximize collective capabilities to achieve greater returns on investments in talent and meet more complex client needs to protect and enhance relationships are common themes. As one managing partner aptly put it, "I need 1+1+1 to equal 5."

#### THE COLLABORATION CHALLENGE

Many firms mistake a collegial culture for a collaborative one and struggle with challenges such as:

Silos and fragmented efforts: Lawyers working independently leads to missed synergies and redundant efforts.

- Without collaboration, firms miss out on new business
  - opportunities and fail to showcase the full breadth of services to existing clients.
- » Unrecognized talent: New laterals, valuable associates, and lawyers with relevant expertise often remain unknown or underutilized in time-sensitive and trustbuilding BD initiatives and staffing situations.
- » Lack of collaborative practice teams: Leaders struggle with engagement, teamwork, and advancement of strategic plans.

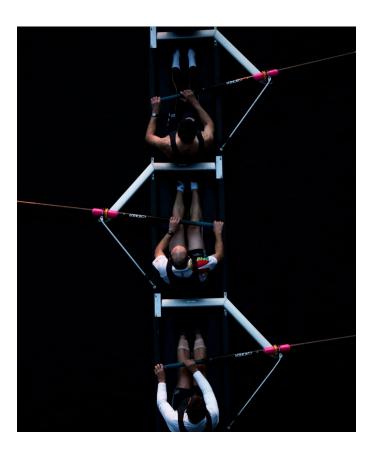
#### STRATEGIES FOR ENHANCING COLLABORATION

To overcome these challenges, small and mid-size firms need intentional strategies.

 Align growth priorities: Share annual BD plans to identify overlapping priorities and foster effective collaboration.

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- **2. Leverage technology:** Use searchable databases for clients, relationships, experience, and skills to enhance coordinated pursuits.
- **3. Standardize processes:** Implement a unified BD methodology for streamlined collaboration.
- **4. Foster knowledge sharing:** Encourage cross-practice knowledge sharing through collaborative team agendas and discussions.
- **5. Develop collaborative leaders:** Train leaders to orchestrate high-level coordination and foster a collaborative culture.



#### CREATING A COLLABORATIVE GROWTH CULTURE

This requires aligning several activities and investments to ensure collaboration is easy and consistent. The momentum typically begins with an assessment to identify barriers, focusing on projects that address significant barriers and deliver immediate value. Research by Dr. Heidi Gardner, author of "Smart Collaboration" and "Smarter Collaboration," indicates at least a dozen barriers to collaboration. These barriers have evolved in the post-crisis period, as observed in my client work. The key is to identify which barriers should be addressed first in a coordinated manner by all leaders and administrative departments.

# CLIENT EXAMPLES OF CREATING MOMENTUM FOR GREATER COLLABORATION

- 1. Improving practice team effectiveness: One firm surveyed all lawyers and administrative leaders to understand the state of collaboration. By reaffirming business development, client service, and talent development expectations, and establishing a streamlined planning and budgeting process, they improved practice team collaboration and developed a key-account management program.
- **2. Maximizing strategic assets:** A firm implemented an enterprise relationship management system, growing known relationships by 400% and formalizing industry teams to develop high-potential clients and referral partners.
- **3. Identifying client collaboration opportunities:** A firm focused on individual partner collaboration success performed a "white space report" to identify specific collaboration opportunities and (ii) provided coaching to pursue these opportunities. Together, these helped address collaboration barriers and generated revenue.
- **4. Building Trust:** To address trust issues in a high lateral growth environment, a firm re-evaluated all gatherings and meetings, including establishing "monthly lunch pairings", unique lawyers introductions, and co-content development projects to foster trusting relationships, leading to a collaborative culture.

#### WHY IT MATTERS

Collaboration is key to unlocking your firm's full potential. You can't mandate collaboration, but you can orchestrate it where it matters most. By breaking down silos and fostering a collaborative culture, small to midsize firms can enhance BD efforts, attract and retain laterals and clients, and drive sustainable growth to punch above your weight class.



Clinton Gary is the founder of CREDO – a consulting firm dedicated to creating more collaborative growth in law firms through firmwide growth strategies, client initiatives, team excellence, and business development coaching. He presented at the BCLMA bi-annual conference in April 2024. For a collaborative growth assessment, contact Clinton at <a href="mailto:clinton@credocg.com">clinton@credocg.com</a>

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# Save the Date

#### **BCLMA Educational Event**

Title: Artificial Intelligence in the

Legal Space

Date: March 6, 2025 Time 11:45 am - 1:30 pm Venue: Terminal City Club

#### **BCLMA Annual General Meeting**

Date: April 3, 2025 Time: 12:00 pm - 1:00 pm Venue: Harris & Company LLP

#### **BCLMA Industry Newcomers Social Event**

Title: Next Generation Date: Thursday, May - TBA Time: 5:00 pm - 7:00 pm

Venue: TBA

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

Date: Thursday, June 5, 2025 Time: 5:15 pm - 7:30 pm

Venue: D6 Lounge, Douglas Hotel



# MEMBERS: Website Tip Can't remember if you've registered for an event?

- 1. Log in to bclma.org/login/
- 2. At the top of page, hover over "Members Area Events Events I'm Attending."
- 3. If you've registered, it will show here. If you are now unable to attend the event, click the cancel button.
- 4. If you registered for an event but didn't receive an invoice and it's not showing up on this page, then the registration isn't complete.

  Contact info@bclma.org. Our website prefers registrations are made in one swoop (otherwise it's marked as incomplete).

Visit <u>bclma.org</u> for more information and to register for events.



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# MEMBER SNAPSHOT ROBYN LAPLANTE





#### Where did your legal career begin?

I first worked at Heenan Blaikie LLP. I've since joined Stikeman Elliott LLP.

#### Tell us about your current role.

I oversee daily operations with our reception desk, courier desk, boardroom services, and facilities. I manage a team of five staff and together we keep our office in good shape, running smoothly and efficiently. I also work on facility projects (moves, renovations, or repairs).

#### What do you enjoy the most about your role?

The variety! Specifically, I enjoy the organization required to implement process and structure, schedule our time, and run an effective department.

Recently, I have found the mentorship work with my team quite rewarding. It has been a pleasure to welcome new members into this industry, teach them, and watch them arow into their careers.

#### When did you join the BCLMA?

I have been affiliated with the BCLMA since 2012.

#### What is the greatest value you receive from the BCLMA?

The networking opportunities and connection with other professionals. I really enjoy meeting people from other firms who work in the same area and hearing about their experiences. I enjoy collaboration within my own workplace and believe that building connections with others in the community can benefit us all.

#### What advice would you give to young professionals developing their legal career?

Be open to new experiences and opportunities while on your professional journey and take time to reflect, especially when you enjoy the work or feel challenged.

Don't worry so much about the destination as your career will grow with you over time in ways you may not expect.

### If you could pick a movie title or song title to describe your legal career, what would it be?

Stranger Than Fiction

#### My dream vacation:

Spend three to six months exploring France!

#### My favourite quote or joke:

The world is changed by your example, not by your opinion. – Paulo Coelho

#### My favourite restaurant – anywhere:

A l'ami Pierre, in Paris, France.

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This fall was full of learning and fun with valuable presentations and webinars to help us grow as leaders and navigate bumps along the way.

We wrapped up the year with another festive Winter Social. Enjoy the photos in this edition!

Great sessions are planned for 2025 in addition to the HR Employment Update on January 22. As a non-conference year, the BCLMA will host three educational sessions in addition to the two annual socials and the Industry Newcomers social event (formerly: Young Professionals event).

The Annual General Meeting will take place on April 3, 2025. Visit the Events page on our website for all events.

By now, all Representatives should have received their membership renewal notice. Please complete your renewal promptly so that your membership does not lapse.

On behalf of the BCLMA, I thank all the incredibly dedicated volunteers and always-generous sponsors who made all the events possible--and successful--throughout 2024.

Read the full President's Message on our website.









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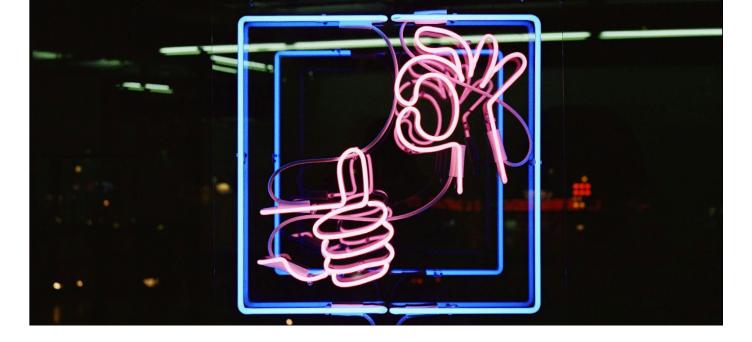
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# What the Employer Did Right

PRESTON PARSONS, Partner, Overholt Law LLP

The BC Human Rights Tribunal (the "Tribunal") in Salanguit v. Parq Vancouver and another, 2024 BCHRT 119 recently dismissed a complaint of discrimination on the basis that proceeding to adjudicate it on its merits would not further the purposes of the BC Human Rights Code, R.S.B.C. 1996, c. 210. In reaching that conclusion, the Tribunal found that the employer ("Parq") took reasonable and effective steps to address and remedy the alleged discrimination at first instance, as well as provided a reasonable settlement offer to the employee complainant. Given the practical tips and positive comments made by the Tribunal about what the employer did right, instead of wrong, this decision is required reading for employers of all kinds.

# THE WORKPLACE COMPLAINT AND INVESTIGATION

Ms. Salanguit was employed at Parq for over a decade and was employed as Cage Shift Manager during the period relevant to her complaint. The Cage is the casino's cash storage and cashier station, and she was responsible for managing all operations of the Cage, including overseeing a team of unionized employees. Ms. Abonitalla, the individual respondent in the complaint, was one of those unionized employees.

Ms. Salanguit is a survivor of a serious health condition and related surgery, which led to a speech impediment. Sometime in July 2019, Ms. Abonitalla mocked and mimicked her in front of other employees. Ms. Salanguit reported the bullying, then discrimination, and shortly after, went on medical leave.

She reported feeling severely impacted by Ms. Abonitalla's conduct, including questioning her relationships with her other co-workers who she had considered to be her friends, out of fear that they would mock her too. She felt ashamed of how she looked and sounded. Despite the passage of time, she struggled to heal and move on.<sup>1</sup>

Parq investigated her claim for about two months, including interviewing several witnesses. At least one eyewitness corroborated Ms. Salanguit's discrimination allegation.<sup>2</sup> Parq found that the allegation against Ms. Abonitalla was substantiated and concluded that Ms. Abonitalla violated the casino's policy against bullying and harassment.

Despite Parq's efforts, Ms. Salanguit was dissatisfied and filed a complaint for discrimination with the Tribunal. She took issue with both Ms. Abonitalla's conduct and Parq's

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subsequent investigation, along with Parq's corrective and remedial actions.

# PARQ'S APPLICATION TO DISMISS & THE TRIBUNAL'S FINDINGS

The Tribunal, in deciding to dismiss Ms. Salanguit's discrimination complaint, found that Parq took reasonable steps to address the complaint, the discrimination, and to prevent it from reoccurring, including:

- » Investigating the discrimination claim quickly and informing Ms. Salanguit about the efforts being made;
- » Connecting her with Parq's employee assistance program where she was able to access counselling;
- » Accommodating her medical leave;
- » After upholding the discrimination complaint, Parq:
  - immediately outlined its findings and conclusions to Ms. Abonitalla and issued a letter of discipline to her condemning the discriminatory behaviour, warning against any repetition, and requiring her to apologize to Ms. Salanguit;

- offered to arrange a meeting between Ms. Salanguit and Ms. Abonitalla to allow them to discuss what happened; and
- made a reasonable settlement offer to Ms. Salanguit that was left open for as long as Ms. Salanguit remains an employee.
- » Taking corrective and remedial actions to appropriately ensure discriminatory conduct did not happen again within its organization, including:
  - delivering a memorandum to all Cage employees reminding them of respectful workplace policies and requirements;
  - reviewing and updating its bullying and harassment policy to further highlight the prohibited grounds of discrimination, including renaming the policy to draw specific attention to discrimination;





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- adopting a "zero tolerance" position regarding discrimination, bullying and harassment and informing all employes of this stance; and
- requiring all employees to attend in-person mandatory training, as well as to acknowledge the updated Bullying, Harassment & Unlawful Discrimination Prevention Policy.

In summary, the Tribunal found that Parq took the complainant's discrimination claim seriously; it appropriately addressed the impact on the complainant; and it took appropriate steps to ensure the discrimination would not happen again.

Many court and tribunal decisions detail what the employer ought to have done to handle discrimination complaints in the workplace. This decision joins the minority of cases where the adjudicator applauded the employer for its efforts and serves as a good roadmap of positive steps for other employers to follow. It emphasizes the good that can come from an employer swiftly undertaking a thorough, compassionate investigation in response to a complaint. In this case, Parq's reasonable response to the discrimination claim resulted in the dismissal of the human rights complaint, an ideal outcome for the employer.



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.

- Note: the Tribunal commented at paragraph 4 of its decision that "Ms. Abonitalla appears to have engaged in cruel and childish behaviour that, at least in the immediate term, has influenced the course of Ms. Salanguit's employment in a very negative wav"
- 2 The Tribunal noted that the bullying allegations specifically did not touch upon a ground under the BC Human Rights Code, meaning the Tribunal had no jurisdiction to comment on the bullying allegations specifically. It therefore confined its analysis to the discrimination allegation and Parq's investigation in that regard.



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#### We support the BCLMA because

Having worked with firms in Western Canada for 20+ years, we've grown passionate about the BC legal market. We cherish the relationships we've made through the BCLMA and value the resources it provides us!

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#### **ARE YOUR SALARIES COMPETITIVE?**

#### The 2024 Business Services Compensation Survey Results are now available

The BCLMA conducts this annual survey in conjunction with the CBABC. The resulting report is crucial for firms that wish to ensure their salaries and benefits are competitive.

#### This year, 105 firms across the province participated. Of those:

- 42% of firms have 15 or fewer lawyers
- 35% of firms have 16-39 lawyers
- 23% of firms have 40 or more lawyers

#### The survey breaks down the information by:

- Position description, including years of experience, level of supervision, experience/ education
- Geographic location
- Salaries are weighted by firm and by incumbent
- Closeness of match to the published description

In addition to cash compensation, the survey provides detailed information on bonuses and benefits offered to staff.

At a glance, the 2024 Surveys shows that salaries are predicted to increase by 3.75%, on average, in 2025. Moreover, almost 90% of the 100+ participating firms offer remote working opportunities under a wide variety of circumstances.

The survey comes in PDF format and in Excel so you can filter and sort based upon your own criteria: location, firm size, etc.

For those who missed participating in the survey, but would like to purchase the results, you can do so by contacting orders@cbabc.org.







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# 2025 Schedule of Annual Surveys

Surveys provide valuable data to law firm managers. The more firms that respond, the more accurate the results so we need your input! Survey results are distributed only to participants, with the exception of the BCLMA Compensation & Benefits and Charge-Out Rates Surveys, which can be purchased from the Canadian Bar Association (CBA) at <a href="mailto:cbabc.org/bclma">cbabc.org/bclma</a>.

The BCLMA distributes the surveys throughout the year at a time that should work for the majority of participants. The BCLMA welcomes your feedback! Feel free to contact Leslie Green, chair of the survey committee by <a href="mailto:email

Survey	Distribution Date	Reply Deadline	<b>Publication Date</b>	Coordinator
Associate Salaries	April 2	April 15	May 1	Leslie Green
Staff Ratios	May 5	May 16	May 30	Leslie Green
BCLMA Compensation & Benefits	July 16	September 15	October 15	Janiene Chand
Charge-out Rates	July 16	September 15	October 15	Janiene Chand
Administrative Staff Salaries (30+ lawyers)	October 1	October 14	October 31	Leslie Green

- The Disbursement Survey gets conducted every five years, as needed.
- The BCLMA Compensation & Benefits Survey (formerly known as the Business Services Compensation & Benefits Survey) is compiled by Western Compensation & Benefits Consultants and distributed by the CBA with significant input from BCLMA.
- The Charge-out Rates Survey rolls out with the BCLMA Compensation & Benefits Survey.
- The Economic Survey was last conducted by MNP LLP in 2023. This survey will be conducted periodically.
- The Administrative Staff Salaries Survey (firms with 30+ lawyers) is compiled by Western Compensation & Benefits Consultants.

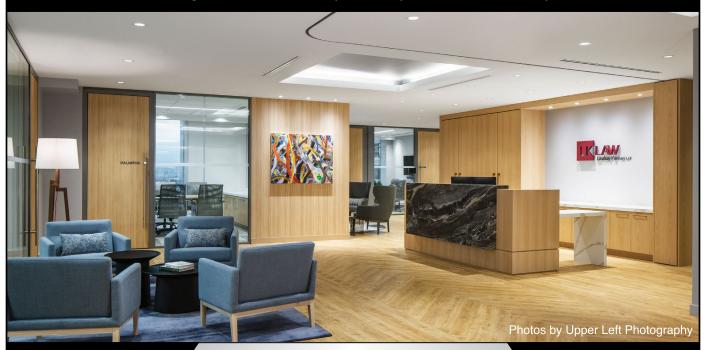
\*Please note: While we do publish the names of the law firms who participate in the surveys, no direct links or references to any of the results are made public. Thank you,

BCLMA Survey Committee

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# Another quality build for Lindsay Kenney LLP

Congratulations on your 1-year anniversary

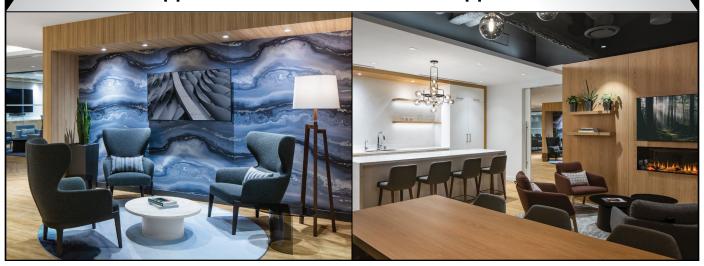


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#### RECIPE

Lentil Cauliflower Curry Soup

This is a satisfying soup to try because it has both vegetables and beans in it. If you're in the cilantro camp, then pass around chopped cilantro to sprinkle on top and don't forget to add a dollop of sour cream!



#### INGREDIENTS: Serves 4

- · 1 tablespoon canola oil
- · 1 medium yellow onion, diced
- · 2 cloves garlic, minced
- 1-inch piece of fresh ginger, peeled and finely diced
- 1 tablespoon curry powder
- 1 teaspoon ground coriander
- 1 teaspoon ground cumin
- ½ teaspoon red pepper flakes
- · 1 cup dried red lentils, rinsed well

- ½ medium cauliflower cut into bite-size florets (about 3 cups)
- 1 cup diced carrots (about 2 medium carrots)
- 1 can (14.5 oz) of chopped tomatoes
- · 4 cups of chicken or vegetable broth
- Salt and pepper to taste
- Sour cream
- Chopped fresh cilantro, for serving (optional)

#### DIRECTIONS:

- In a large pot, heat oil on medium-high heat. Add the onions and stir-fry until soft, six to eight minutes, stirring frequently.
- 2. Add the garlic, ginger and spices. Stir for one minute, and then add the lentils, cauliflower, carrots, tomatoes, and broth.
- 3. Bring to a boil, then decrease the heat to medium and simmer for 25 minutes, until the lentils are soft, but still holding their shape.

4. Season with salt and pepper and serve with cilantro and sour cream as toppings.

Barb Kemp is a passionate home cook and food educator who believes food is the foundation of good health. Visit recipestotherescue.blogspot.com to access her blog, newsletter, and free online course.

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# MEMBER SNAPSHOT STEVEN PELLERIN





#### Describe your current role at your firm/organization.

Director of IT at Woodward and Company Lawyers LLP where I stand on the front lines, ensuring the office environment and staff are finely tuned, well-supported, and resilient against nefarious threat actors seeking to compromise security and informational assets. With 15+ years of experience managing IT and cybersecurity functions, I am well-versed in optimizing operation efficiency while maintain the highest standards.

#### What do you enjoy the most about your role?

Continual developments and challenges in the field.

#### When did you join the BCLMA?

I joined two years ago, after being a member of TLOMA for more than 10 years.

#### What is the greatest value you receive from the BCLMA?

Community of like-minded individuals with common goals and pain points working towards workable solutions.

# What advice would you give to young professionals developing their legal career?

Stay humble and attentive in all aspects of life.

# If you could pick a movie title or song title to describe your legal career, what would it be?

Hackers [1995]

#### My dream vacation:

Aruba

#### My favourite quote or joke:

Teamwork makes the dream work!

#### My favourite BC day trip location:

Butchart Gardens with our daughter to ride the carousel

#### The last book I read:

Dune by Frank Herbert

#### Movie title or song title to describe my life:

Feeling Good (Joel Corry Remix) - Nina Simone

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# BCLMA Ask a Coach

#### **DEAR COACH:**

My boss is a roadblock! I can't get my work done and my motivation is fading.

#### DEAR READER,

This is a tough one. "Managing up" is a core competency critical to your success.

Have you tried talking to them about it? If not, start there. This takes courage but remember that you and your manager have the same goals – your success is tied to their success.

If you have had the conversation, then reflect on whether your communication was clear and direct enough for them to understand HOW MUCH these issues impact (i) your ability to do your job and (ii) your motivation levels.

#### Try these messages:

- » I really value our working relationship. Would you be willing to talk about how we best work together?
- » I want to make sure I deliver on my responsibilities. Could we talk about some roadblocks I'm experiencing?
- » I have noticed we approach projects differently could we explore what is working and not working?
- » We have talked about me having a long-term career here. I think it's important that you know what keeps me motivated and at my best. Can we chat about some recent projects?

I'll bet your manager will feel grateful for your courage to spark a critical conversation AND help them see what may not be so obvious to them. (If not, that is a different conversation.)

Remember: your manager wants you to succeed. And in choosing to manage up, you practice leadership and self-advocacy.



Megan (Meegan) McAllister is a professional coach and leadership development facilitator and strategic workplace culture consultant, specializing in the legal industry and law firm management. She is on a mission to create a ripple effect of better workplaces, leaders, careers and lives. <a href="https://www.meganmcallister.ca/">www.meganmcallister.ca/</a>

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