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Comments from the Chair	1
CSIOP Membership	4
Student Update	5
Eat it or Mail It?	7
Job Postings	9-10

Comments from the Chair
Steve Harvey, PhD
Bishop's University

It is with excitement that I ponder the things that lie ahead for CSIOP and the role that I must engage as Chair of our section this year. Past CSIOP executives have been very talented in accomplishing the things that needed to be done to get us further along the path of development and growth that we experience today. Indeed, we have come a long way in our short 30+ year history as a section—emerging from a handful of individuals interested in I/O psychology in Canada to a strong membership that counts over 300 members and growing. This realization crystallized for me at our traditional I/O—Military Social in Ottawa this year with some 2/3rd of this history span in my memory bank, but it was even clearer to those who were part of the entire history of the section (or nearly so!). Several of these people talked with me about how incredible and wonderful this growth has been and that it all still had a tight-knit comfortable feel to it. To have grown healthy in numbers and culture like this during the past 30 years tells me that the executive and our membership have been doing a lot of things right. This can be seen in the quality of people on the executive; including those leaving the executive or

stepping out of their current roles, those returning, and the new comers.

Executive Stepping Out or Leaving

Stephane Brutus, is stepping out of the role of Chair and into the position of Past Chair on the executive. In one year I have seen Stephane accomplish amazing advances on several fronts (e.g., affiliation with other associations, updating of professional guidelines.....) for CSIOP and having him in a guiding role as past Chair is very comforting. Marjory Kerr was the Past Chair and is leaving the executive this year. Marjory was an incredibly committed executive and exemplary role model for leader that we all very much appreciated. Thanks for all the guidance Marjory. Lance Ferris is stepping out of the executive after several years as the student representative. Lance showed amazing dedication and skill in working with us on executive issues and he was ever-present for pursuing student interests at the executive and annual conference. Thanks Lance. Tracy Hecht is leaving the executive after having served as the membership coordinator and more recently as secretary on the executive. A delight to work with, Tracy has been an attentive contributor to the workings of our section in both of these roles that she leaves strong for those filling the position.

Our Returning Executive and Their Roles

My primary objective over the year is to help fuel the momentum that is so evident in CSIOP. Many great ideas for the future were discussed at the recent meeting of the executive and at the section business meeting in Ottawa. We will be working on all of these dossiers in the year to come and keep you updated on the progress. In order to accomplish all of this we have the privilege of drawing upon a number of outstanding returning people. Each member of the executive has an important portfolio that is set to advance our cause; and I am sure that they will elaborate on it for

you in this newsletter and/or upcoming communications. My purpose in the remainder of column is to help you understand who they are and what they are doing for CSIOP so that you can get more involved with us as members. I ask you to remember that their success (our success) is much more likely to the degree that you, the membership, get involved in helping each of them. Send them ideas and offer your help.

Returning with experience on the executive is David Stanley, our Newsletter Editor. David has a wealth of ideas and energy that has shown in what he has brought to the expanded roles and nature of our primary publication. We feel rested to know that David is at the helm of this important part of our culture and we ask that you send material to David and ask him about items that you can contribute. Anuradha Chawla is the section's Coordinator of Communications and is returning for a second year. She has already made enormous moves at "getting us out there" in the form of image, awareness, involvement with the media and increased exposure with related professional groups-- and she has a full agenda for the year to come. Her role requires various types of input and assistance from the membership so I urge you to be attentive to her calls for expertise or perhaps simply make it known to her that you are available for assistance. Aaron Schat is returning as our membership coordinator and he too has been active over the past year in getting a handle on our membership situation and building a platform for renewing and growing this membership. A large part of Aaron's role is more strategic than one might imagine and we are confident that he is building strategy with us that will favor on-going growth of our membership. However, a strong part of our success here involves each and every one of you making a conscious effort to get a few more people in your circles to join (or renew) as members or associate members. Returning in a crucial role is Lori Francis as our program coordinator. Lori managed this difficult, time consuming, and, yes, frustrating position very well last year and we are fortunate to have her back to plan the 2008 conference in Halifax. This is truly a place where many of us can help as reviewers, contributors and other facilitating roles—so please contact Lori if you can help. Then we have the staple that keeps us together (and solvent), Joan Finegan, our Treasurer. Joan is the most experienced member of our executive with an eye for detail and our financial health. With Joan at the vault we are able to manage a balanced budget, year over year; and we have recently discussed strategic initiatives that should help us remain balanced or even envision increased revenues directed at new initiatives.

Incoming Executive and their roles

The incoming talent on our executive will certainly enable CSIOP to continue strong into the future. Our new student representative this year is Leah Hamilton from the University of Western Ontario. Students are an integral part of our membership and the executive remains very sensitive to any issues or ideas raised, so I encourage all students to make use of their voice through Leah (lhamil2@uwo.ca). Blake Jelley will be taking on a new role with us as Secretary this year as he takes on a new role at UPEI as well. We look forward to the experience that Blake will bring to

this role and the executive. Finally, we are happy to have Kevin Kelloway as the Chair elect for the CSIOP section. Kevin is no stranger to many of us and we can be certain that his decision to join the executive will lead to a continued strengthening of our section through the determination and devotion that Kevin is known for.

Please join me in welcoming our executive to a new and invigorating year. I hope you will connect with us in growing CSIOP and that you are already thinking about taking part in the Halifax CPA conference.

Thanks are due to Dr. Francois Chiochio of the U of M, department of psychology for the French translation below.

C'est avec fébrilité que je réfléchis aux choses qui attendent la SCPIO et le rôle que je dois jouer en tant que président cette année. Par le passé, les dirigeants de la SCPIO ont montré un grand talent qui aujourd'hui, nous fait bénéficier de la progression et du développement qu'ils ont engendrés. En effet, nous arrivons de loin depuis nos débuts il y a plus de 30 ans comme section, d'une poignée de personnes intéressées à la psychologie I/O au Canada, à un groupe qui compte plus de 300 membres et qui continue de s'accroître. J'en ai pris conscience lors de notre rencontre sociale traditionnelle Militaire-I/O à Ottawa avec mon souvenir des deux tiers de cet historique, mais c'était encore plus évident pour ceux qui ont pris part à toute l'histoire de la section (ou presque!). Plusieurs de ces personnes m'ont parlé de l'incroyable et merveilleux accroissement de notre parcours et du sentiment de confort et de proximité qui l'accompagne. D'avoir pu grandir autant en nombre et sur le plan de la culture au cours des 30 dernières années me dit que nos dirigeants et nos membres ont bien fait. On peut le voir à la qualité de nos dirigeants, incluant ceux qui quittent leur poste, qui changent de rôle, ceux qui reviennent et les nouveaux venus.

Membres du conseil de direction qui changent de rôle ou qui nous quittent.

Stéphane Brutus, passe de président à président sortant. En un an, j'ai vu Stéphane accomplir des avancées fantastiques sur plusieurs fronts (p. ex. : affiliations avec d'autres associations, mise à jour des directives professionnelles...) pour la SCPIO et l'avoir comme guide en tant qu'ancien président est très réconfortant. Marjory Kerr fut ancienne présidente et quitte le conseil de direction cette année. Marjory fut très engagée et un modèle en tant que chef de fil et nous en sommes tous très appréciatifs. Merci pour tous tes conseils Marjory. Lance Ferris quitte le conseil de direction après plusieurs années à titre de représentant des étudiants. Lance a montré un engagement extraordinaire et des habiletés à travailler avec nous sur des problématiques spécifiques à conseil de direction. Il a été de tous les combats à promouvoir les intérêts des étudiants tant sur le conseil de direction que lors du congrès annuel. Merci Lance. Tracey Hecht quitte le conseil de direction après avoir servi à titre de coordonnatrice de nos adhérents et,

plus récemment, comme secrétaire du conseil de direction. En plus d'être agréable de travailler avec Tracey, elle a su être une contributrice sensible au travail et au fonctionnement de notre section dans chacun de ses rôles et quitte en laissant derrière elle des réalisations qui faciliteront le travail des autres.

Nouveaux membres du conseil de direction et leurs rôles.

Mon principal objectif cette année est d'aider à alimenter l'impulsion du moment si caractéristique de la SCPIO. Plusieurs très bonnes idées pour l'avenir furent discutées à la récente rencontre du conseil de direction et à la réunion des affaires courantes de la section à Ottawa. Nous allons travailler à ces projets cette année et vous tenir informé de nos progrès. Afin d'accomplir tous ces projets, nous pouvons compter sur un bon nombre d'excellents membres qui reviennent au conseil de direction. Chacun des membres du conseil de direction a un porte-folio qui avancera notre cause et je suis assuré qu'ils en parleront avec plus de détails en ces pages ou dans des communications futures. Mon but pour le reste de ce texte est de vous aider à comprendre qui ils sont et ce qu'ils font pour la SCPIO de manière à ce que vous impliquiez davantage avec nous en tant que membre. Je vous demande de garder à l'esprit que leur succès (notre succès) est assuré dans la mesure où vous, les membres, vous impliquez et les aidez. Envoyez-leur vos idées et offrez votre aide.

David Stanley est de retour au conseil de direction avec son expérience à titre d'éditeur de notre Bulletin de liaison. David est plein d'idées et d'énergie qui transparaissent dans les objectifs élargis de notre principal organe de communication. Nous sommes rassurés de savoir que David est à la barre de cette importante composante de notre culture et nous vous demandons de lui envoyer des textes, en plus de lui demander de vous suggérer quelles thématiques vous pourriez aborder. Anuradha Chawla est Coordinatrice des communications et effectue un retour pour une seconde année. Elle a déjà de nombreuses réalisations nous ayant permis d'être visible sur le plan de l'image, de notre notoriété de marque, de notre implication avec les médias et de notre exposition aux associations professionnelles; elle a plein d'idées pour l'année qui vient. Son rôle suppose plusieurs types de contribution et de formes d'aide et je vous invite fortement à porter attention à ses demandes concernant diverses expertises ou, plus simplement, faites-lui part de votre disponibilité. Aaron Schat revient à titre de Coordonnateur de nos membres et lui aussi fut très actif au cours de la dernière année en comprenant bien notre situation et en permettant de renouveler et d'accroître le nombre de nos membres. Une grande part du rôle d'Aaron est plus stratégique qu'on pourrait le croire et nous sommes persuadés qu'il déploie une stratégie qui nous permettra un accroissement continu du nombre de nos membres. Toutefois, une part importante de notre succès suppose que chacun d'entre nous fasse un effort concret afin que de nouveaux membres se joignent à nous ou renouvellent leur appartenance en tant que membres ou membre associé. De retour dans un rôle crucial à titre de Coordinatrice de la programmation est Lori Francis. Lori a très bien su gérer ce rôle aussi difficile et prenant que, disons-le, frustrant, et nous sommes choyés qu'elle revient pour planifier notre congrès d'Halifax en

2008. Il s'agit d'un travail auquel nous pouvons tous collaborer à titre de réviseurs, de contributeurs et dans d'autres rôles facilitateurs. Je vous en conjure, entrez en communication avec Lori afin de proposer votre aide. Enfin, notre liant (et notre solvant) Joan Finegan nous revient en tant que Trésorière. Joan est notre membre du conseil de direction la plus expérimentée avec son œil de lynx et son intérêt pour notre santé financière. Avec Joan dans notre chambre forte, nous sommes en mesure d'équilibrer notre budget année après année et nous avons récemment discuté d'initiatives stratégiques qui devraient nous aider à assurer cet équilibre dans l'avenir ou même à envisager des revenus additionnels que nous allons investir dans de nouveaux projets.

Nouveaux membres du conseil de direction et leurs rôles.

Les arrivages en talents au sein de notre conseil de direction aideront certainement la SCPIO sur sa lancée. Notre nouvelle représentante des étudiants cette année est Leah Hamilton de l'University of Western Ontario. Les étudiants font partie intégrante de nos adhérents et le conseil de direction est très sensible aux problématiques les concernant ou les idées qui proviennent d'eux alors, j'encourage tous les étudiants à se faire entendre par l'entremise de Leah (lhamil2@uwo.ca). Blake Jelley s'impliquera dans un nouveau rôle auprès de nous en tant que Secrétaire en même temps qu'il amorce aussi un nouveau rôle à l'University of Prince Edward Island. Nous avons hâte de profiter de l'expérience que Blake apportera au conseil de direction. Finalement, nous sommes heureux d'avoir Kevin Kelloway à titre de Président élu de la SCPIO. Kevin est bien connu de plusieurs d'entre nous et nous sommes certains que sa décision de joindre le conseil de direction assurera un renouvellement des forces vives de notre section de par sa détermination et le dévouement que nous lui connaissons.

Joignez-vous à moi et souhaitons la bienvenue à notre conseil de direction à l'aube de cette nouvelle année enlevante. Je souhaite que vous vous joindrez à nous dans nos efforts pour faire grandir la SCPIO et que vous êtes déjà à réfléchir à votre participation au congrès de la SCP à Halifax.

Merci à François Chiochio pour cette traduction.



CSIOP Membership

Aaron Schat, PhD
McMaster University

Greetings colleagues.

I hope that you have all been enjoying summer and its various activities, including conference attendance, research and writing, consulting projects, and hopefully, some vacationing, golfing, theatre-going, or other forms of leisure and relaxation.

Membership update

The CPA convention held in the spring of each year is usually a catalyst for membership renewal and the available data suggest that this trend has continued this year. As of the middle of July, CSIOP has 240 full members, 81 student members, and 12 associate members. The number of associate members should increase as the renewals come in following a recent renewal reminder. Those who have not yet renewed for this year—or those that are not sure if they need to—are invited to email me and I will check the records and send you the membership application/renewal form, if necessary.

Membership dues changes

If you missed the CSIOP section business meeting at the CPA conference, then there are a couple of membership-related changes that you should be aware of. First, the membership passed a motion proposing a \$5 dues increase for full and associate CSIOP members. Specifically, for the coming year, membership dues will go from \$18 to \$23 for full CSIOP members and from \$35 to \$40 for associate members. Recall that “full” CSIOP members are non-students who are also members of CPA (and, therefore, also pay CPA dues that are separate from CSIOP dues) whereas “associate” CSIOP members are not members of CPA. CSIOP dues for student members will remain at \$5 per year for 2008.

Please help spread the word

During the CSIOP Business Meeting at the recent CPA convention, it was observed that many of us—in both academic and professional settings—have colleagues that do I/O-related work, but are not members of CSIOP. Please consider if there are those with whom you work that you may invite to consider joining CSIOP. By becoming members, they would have access to the various membership benefits and, moreover, CSIOP would benefit from their unique skills, experiences, and contributions.

In a related vein, for those of you in academic settings who will soon see the beginning of a new school year, please en-

courage new and returning I/O students to become members of CSIOP. CSIOP provides numerous development opportunities for students, who have been and continue to be a vital part of the CSIOP community.

Welcome to new and returning members

And now, please join me in welcoming the following individuals to CSIOP, whether they are new or returning members or those making the transition from student to full membership.

Full Members

Janos Botschner
Delroy Paulhus
Laura Goodine
Laurie Barclay
Mirella De Civita
Nathalie Houlfort
Eddy Ng
Ann Foster

Student Members

Marvin Claybourn
Jessica Sherin
Lisa Thompson
Jennifer Komar
Caroline Landry
Frances Tuer
Dana Knoll
Mariana Soraggi
Babatunde Ogunfowora
Numrah Irfan
Natasha Wentzell
Monika Frenker
Angela Langille

Associate Members

Ginette Vautour
Andre Thivierge
Edie Knight

Marci Pernica
Angela Dumoulin
Samme Doshen
Troy Rieck

Changes to your membership information

Once again, here is a reminder to please keep your membership information updated. If you are a member of CPA, then your membership information is maintained by CPA. Therefore, any changes should be sent directly to the CPA membership coordinator at membership@cpa.ca. If you are an Associate Member of CSIOP, please direct any updates to me using the information below.

Aaron Schat
DeGroote School of Business, McMaster University
1280 Main Street West,
Hamilton, Ontario, Canada L8S 4M4
Email: schata@mcmaster.ca
Phone: 905.525.9140, Ext. 23946
Fax: 905.521.8995



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Student Update

Lance Ferris, University of Waterloo
Leah Hamilton, University of Western Ontario

Hi all,

Welcome to a very special two-part student rep column! This is my last column as CSIOP student rep, as I pass the torch on to your new CSIOP student rep: Leah Hamilton from the University of Western Ontario.

Before handing you off to Leah, though, given this is my final column, I'd like to extend my sincere thanks to everyone who has helped me out over the past 3 years, either as a mentor for the student-mentor socials, or members of the CSIOP executive who have provided guidance on the student rep responsibilities, or fellow students who have helped me with questions to which I didn't know the answer!

Thanks also to RHR International, whose continued support of Canadian IO Psych students through their sponsoring of the RHR-Kendall award is much appreciated. Thanks also to Marjory Kerr and SHL Canada for their sponsoring of the student-mentor social – which is no doubt appreciated by hungry and thirsty IO students at the conference! And last but not least,

thanks to Jacques Forest for translating my articles into French – often on short notice! His efforts have helped to make this a truly “Canadian” column!

And, of course, thanks to all the students from all the universities I've ever met – you make the CPA conferences a lot of fun and have helped the student-mentor socials grow in size each year that I've held them (approx. 40 students came out this year in Ottawa)! So, thank you all! And with that, I'll introduce you to your next student rep! Below is a mini-biography of Leah, and some of her thoughts regarding what she'd like to accomplish as the next CSIOP student rep!

Lance

Hello!

After completing my Master's in I/O psychology at the University of Guelph, I began my Ph.D. studies at the University of Western Ontario in the fall of 2006. My primary research interests are in the area of social justice (e.g., prejudice and discrimination), predominantly in an organizational context. In addition, I have been involved in consulting projects both in Guelph (at Organization and Management Solutions) and in London (at Western's Research Unit for Work and Productivity).

I believe that my experience as a graduate student in two of



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Canada's I/O programs has given me the opportunity to develop a broad perspective on issues that are important to I/O students (e.g., fostering strong research skills while gaining valuable applied experience). I hope to draw on my diverse experiences in order to make valuable contributions to the I/O community in Canada.

As some of you may know, last October, Western hosted the 1st Annual Southwestern Ontario I/O Psychology Student Conference. The conference provided an excellent opportunity for students to hone their presentation skills, develop networks, and discuss their research and applied experiences. At the CSIOP military social this June in Ottawa, it was very apparent to me that the student conference had fostered feelings of connectedness and community among the I/O students in Canada. Thus, one of my goals is to see that this conference continues and perhaps becomes a more formalized CSIOP event. I am also committed to looking for ways to expand the conference to include our I/O colleagues from Eastern and Western Canada.

Please contact me at lhamil2@uwo.ca with any questions you have about CSIOP. I encourage both student and non-student CSIOP members to email me with any comments or any suggestions you have about changes you would like to see in CSIOP in the upcoming year. I look forward to representing I/O students across Canada!

Leah

>Thank you to Guillaume Duguay for the French translation that follows.

Salut à tous,

Bienvenue à cette rubrique très spéciale et en deux parties du représentant étudiant! Ceci est ma dernière rubrique en tant que représentant étudiant de la SCPIO puisque je passe le flambeau à votre nouvelle représentante : Leah Hamilton de l'université Western Ontario.

Avant de vous laisser aux soins de Leah, considérant que ceci est ma dernière rubrique, j'aimerais offrir mes remerciements les plus sincères à tous ceux qui m'ont aidé durant les trois dernières années; que ce soit les mentors pour les rencontres étudiant-mentor ou bien les membres de l'exécutif de la SCPIO qui m'ont guidé dans mes responsabilités de représentant étudiant ou encore mes collègues étudiants qui m'ont aidé sur des questions dont je ne connaissais pas la réponse!

Merci également à RHR International, pour leur continuel et très apprécié support aux étudiants canadiens en psychologie I/O par la commandite du prix RHR-Kendall. Merci également à Marjory Kerr et SHL Canada pour leur commandite des activités étudiant-mentor — qui est sans aucun doute apprécié par d'affamés et assoiffés étudiants en I/O participant à la conférence! Et le dernier mais non le moindre, merci à Jacques Forest pour avoir traduit mes articles en français — souvent avec un court préavis. Ses efforts ont contribué à rendre cette rubrique véritablement « canadienne »!

Et évidemment, merci à tous les étudiants de toutes les universités que j'ai rencontrés — vous rendez les conférences plaisantes et

vous contribuez à faire croître les rencontres étudiant-mentor à chaque année où je les ai organisées (approximativement 40 étudiants ont participé cette année à Ottawa)! Alors, merci à tous! Et sur ce, je vous présente votre nouvelle représentante étudiante! Ci-dessous vous trouverez une courte biographie de Leah et quelques unes de ses visions sur ce qu'elle aimerait accomplir en tant que nouvelle représentante étudiante de la SCPIO.

Lance

Allô!

Après avoir complété ma maîtrise en psychologie I/O à l'université de Guelph, j'ai commencé, à l'automne 2006, mes études de Ph.D. à l'université Western Ontario. Mes principaux intérêts de recherche se situent dans le domaine de la justice sociale (i.e. préjugés et discrimination) particulièrement dans un contexte organisationnel. De plus, je suis impliquée dans des projets de consultation à Guelph (chez Organization and Management Solutions) et à London (chez Western's Research Unit for Work and Productivity).

Je crois que mon expérience en tant qu'étudiante graduée dans deux des programmes de psychologie I/O au Canada m'ont donné l'opportunité de développer une large perspective des préoccupations importantes pour les étudiants en I/O (i.e. développer de solides compétences en recherche tout en gagnant une expérience pratique utile). J'espère pouvoir tirer profit de mes diverses expériences de façon à contribuer à la communauté I/O du Canada.

Comme certains d'entre vous le savez peut-être, en Octobre dernier, Western a été l'hôte de la 1ère Conférence étudiante de Psychologie I/O du Sud-ouest de l'Ontario. Cette conférence a fourni une excellente opportunité à des étudiants d'accroître leur talent de présentateurs, de développer leurs réseaux et de discuter de leurs expériences appliquées et de recherche. Au cours de la rencontre sociale de la section militaire et de la SCPIO en juin à Ottawa, il était très apparent que la conférence étudiante avait soulevé un sentiment de connectivité et de communauté entre les étudiants en I/O du Canada. Donc, un de mes buts est de voir à ce que cette conférence continue et devienne peut-être même un événement officiel de la SCPIO. Je suis également à la recherche de façons d'étendre cette conférence pour qu'elle regroupe nos collègues en I/O de l'est et de l'ouest du Canada.

S'il vous plaît, contactez-moi à lhamil2@uwo.ca pour toute question que vous auriez sur la SCPIO. J'encourage les membres de la SCPIO, étudiants ou non, à m'envoyer un courriel avec vos commentaires ou suggestions à propos des changements que vous aimeriez voir dans la SCPIO dans l'année qui vient. J'aspire à représenter les étudiants en I/O de partout au Canada!

Merci à Guillaume Duguay pour cette traduction.

Leah

Eat it or Mail it: A Summary and Review of a Recent Labour Law Case

Erika Ringseis & Elizabeth France¹

Life is like a box of chocolates...one minute sweet and the next minute deadly. The good news, however, for anyone contemplating mailing contaminated chocolates to a workplace enemy, is that a recent Court of Appeal decision² suggests that such a present is not grounds for dismissal.

Facts

Mr. Keating worked as a radio journalist for the CBC in Nelson, B.C. One day he broadcast a news story regarding an organization called SOS. The head of SOS, Mr. Hamilton, filed a formal complaint with the CBC. Mr. Hamilton also publicly referred to Mr. Keating as an untrustworthy "toady of the government" and questioned how he could function as a journalist.

Mr. Keating purchased a box of chocolates for Mr. Hamilton, which sounds like a rather nice present. However, Mr. Keating decided to throw the chocolates onto his dirty kitchen floor and then return them to the box. Perhaps the floor was not dirty enough, so he subsequently removed two chocolates from the box, rubbed them in thawed, raw chicken, and then put them back in the box. He drafted an anonymous note that read "keep up the good work" and mailed it with the chocolates to Mr. Hamilton.

That evening, Mr. Keating told his wife what he had done and she had the good sense to agree that he should promptly telephone the Hamiltons to warn them about the contaminated chocolates. Mr. Keating also confessed the incident to his supervisors at the CBC and, shortly thereafter, he contacted a psychologist for help. Mr. Hamilton reported the incident to the police.

Mr. Keating apologized for his actions and showed remorse. But, two days later, the CBC dismissed him for gross misconduct. The Canadian Media Guild (the Guild), Mr. Keating's union, grieved Mr. Keating's dismissal.

Was CBC's dismissal of Mr. Keating justified?

As the Guild and the CBC are parties to a collective bargaining agreement negotiated under the Canada Labour Code³, the dispute went to arbitration instead of court. The arbitrator found that although Mr. Keating's behaviour was "clearly aberrant and disciplinable", his dismissal was excessive.

In analyzing the issue, the arbitrator found it necessary to consider not only Mr. Keating's reproachable actions, but also other circumstances surrounding the event:

The employer's concerns, expressed by [the CBC representative], and described above, are real legitimate concerns. It is necessary

nevertheless to assess the complete circumstances surrounding the grievor's vengeful act and it cannot be ignored that before any possibility of harm actually occurring to [the target], the grievor came to his senses and took every possible step to neutralize what he had done, including making a full admission to the [target] of what he had done, knowing that by doing so he was placing his own job in jeopardy.

The arbitrator characterized Mr. Keating's actions as immature and lacking judgment, but he noted that Mr. Keating had taken positive steps to save Mr. Hamilton from injury, which suggested that the recurrence of similar behaviour was unlikely.

The arbitrator then examined the likelihood of the CBC suffering damage if they retained Mr. Keating as an employee. Although Mr. Keating had damaged his personal credibility, the arbitrator found that he had not irreparably damaged his professional credibility. Based on these considerations, the arbitrator concluded that the CBC lacked reasonable grounds to dismiss Mr. Keating. He substituted the dismissal with an unpaid three-month suspension and ordered Mr. Keating to participate in an anger-management course.

Was the arbitrator's decision "patently unreasonable"?

The CBC did not agree with the arbitrator and sought judicial review of the decision. At the first level of court, the judge used the patent unreasonable standard. Essentially, this requires that the decision made by an arbitrator be unreasonable in light of all of the evidence. This standard is less intrusive than the "correctness" standard, whereby courts will intervene if the arbitrator's decision is incorrect.

The Judge found that the credibility of both Mr. Keating and the CBC had been irrevocably damaged by Mr. Keating's unprofessional conduct and questioned how the public could possibly view him as an impartial reporter after his biased behaviour towards SOS. Further, the judge found that Mr. Keating's actions were directly related to his role as a journalist and suggested that "his continued presence as a CBC reporter would likely create a "chill" with respect to anyone in the community who might wish to criticize his news coverage." She concluded that the CBC was justified in terminating Mr. Keating because his misconduct had fundamentally breached the employment relationship. The judge set aside the arbitrator's ruling and reinstated Mr. Keating's termination.

The Guild appealed the judge's ruling to the Court of Appeal in an effort to restore Mr. Keating's job.

The Court of Appeal found that the arbitrator had correctly analyzed the situation by adopting a broad view of the circumstances and considering a range of factors, including the CBC's journalistic standards and practices, the potential consequences flowing from his conduct, the likelihood of similar actions in the future, and the effect that Mr. Keating's actions may have on the public trust in him and the CBC. The Court of Appeal concluded that since the arbitrator's decision was based on reason and considered

a number of factors, it was not patently unreasonable. The Court allowed the appeal and reinstated the arbitrator's order.

The Court of Appeal's decision emphasizes the difference between a review on the basis of "correctness" and a review based on "patent unreasonableness." Although the Courts appear to take the position that the decision to reinstate Mr. Keating was not correct, it was reasonable.

Implications and Conclusion

This case illustrates an obvious, albeit important consideration in employment law: employers in unionized work environments must exercise great caution when dismissing employees. In particular, this case highlights that employers should adopt a wide scope of examination and consider all circumstances before reaching a decision regarding dismissal. It is very difficult to justify terminations for cause, and, in the unionized environments, failure to justify the termination can result in the employee being returned to the workplace.

The arbitrator took note of Mr. Keating's desire to prevent harming his target, his choice to report the incident to his employer rather than having the CBC discover it independently, and his effort to seek professional help. These factors assisted the arbitrator in substituting the termination with a three-month suspension, emphasizing the importance of proportionality when disciplining employees in the workplace setting.

This case also stresses the need for progressive discipline in employment cases. Since there was no clear evidence that Mr. Keating had exhibited angry or vengeful behaviour in the past, terminating him was too harsh a punishment. Naturally this will be of interest to any industrial psychologists involved in the creation of performance management systems: Arbitrators will favour the principle of progressive discipline and substitute terminations with suspensions or warnings where appropriate.

This case sends a strong message to employers that they must consider the principles of proportionality and progressive discipline in dismissal cases. It also provides a great "chicken chocolate" recipe for any employees looking for a three-month, unpaid leave...

¹ Erika Ringseis received her Ph.D. in Industrial/Organizational Psychology from Penn State University and her LLB from the University of Calgary. She practices labour and employment law in the Calgary office of McCarthy Tétrault. Elizabeth France is a student at McGill Law school who was crazy enough to think that being a summer student at a law firm would be a good way to spend her summer.

² Canadian Broadcasting Corporation Radio-Canada v. Canadian Media Guild, [2007] B.C.J. No. 821. Please note that no chocolates were harmed (or consumed) in the creation of this article.

³ R.S.C. 1985, C. L-2.

Applications are being accepted for the position of Assistant to Full Professor, Industrial/Organizational Psychology: University of Waterloo, Department of Psychology.

The Department of Psychology at the University of Waterloo invites applications for a tenure-track position at the Assistant to Full Professor level in **Industrial/Organizational Psychology**. The successful candidate must have a Ph.D. in I/O Psychology or equivalent field (e.g., Organizational Behavior), and a demonstrated record of published research. Candidates with expertise in either Personnel or Organizational Psychology will be considered. Responsibilities will include undergraduate and graduate teaching, graduate student supervision, and the conduct of an ongoing research program. The I/O Psychology graduate program is under future expansion and another faculty position is expected in the near future. Information about the I/O program and the Department of Psychology can be found at <http://www.psychology.uwaterloo.ca>. The anticipated start date for the position is July 1, 2008. Review of applications will begin on October 31, 2007 and will continue until the position is filled. Applicants should submit a curriculum vitae, a statement of research and teaching interests, reprints or preprints of recent papers, and arrange for three confidential letters of reference to be sent to: I/O Psychology Search Committee, Department of Psychology, University of Waterloo, Waterloo, Ontario, Canada N2L 3G1. The University of Waterloo encourages applications from all qualified individuals, including women, members of visible minorities, native people, and persons with disabilities. All qualified candidates are encouraged to apply; however, Canadians and permanent residents will be given priority.



Position: Management Consulting Psychologist Organization and Management Solutions (OMS)

Are you interested in combining your consulting and academic abilities into one dynamic opportunity?

Organization and Management Solutions is a not-for-profit, research-based, human resources management consulting firm. Working in association with the Industrial/Organizational Psychology graduate program at the University of Guelph, a major purpose of OMS is to provide opportunity for graduate students to gain practical consulting experience while at the same time provide business and industry with research and theory-based consulting services.

We are seeking applications from individuals interested in leading a dynamic and learning-oriented team in the role of Management Consulting Psychologist. This is a unique and challenging position that has the potential to impact the field of Industrial/Organizational (I/O) Psychology in Canada.

We are looking for an individual with a graduate degree in I/O Psychology (preferably a doctorate) or a closely related discipline as well as relevant consulting experience. Provincial licensure would be an asset. Compensation is competitive and the start date is flexible and is negotiable with the OMS Board of Directors.

Reporting to the Board of Directors, main responsibilities to include:

- Coordinate projects, liaise with clients, and market and sell consulting services
- Develop budgets and business plans and maintain financial controls (with assistance from the Business/Office Manager)
- Work with graduate students, faculty, and associates in designing and delivering I/O Psychology interventions
- Supervise and engage in the professional development of research consultants and staff, through mentoring, development and goal setting

Secondary responsibilities to include:

- Engage in continuous quality improvement of OMS structure, process and ideas
- Report to and work with the Board of Directors in strategic of OMS
- Conduct performance appraisals with, and deliver feedback to, staff and consultants
- Have a working knowledge of client project demands & skill requirements

The successful candidate must have a willingness and capability to:

- Support, advocate and work within the OMS Mission, Purpose and Values statements
- Engage in a participative style of management
- Promote and maintain an innovative "idea" culture
- Work within the ethical, technical, procedural, and regulatory constraints set down by the College of Psychology of Ontario and the University of Guelph
- Work with the Business/Office Manager to market and sell research and consulting services to business, industry and government
- Accept primary responsibility for generating income to further OMS goals and support business operations

Please submit a detailed Curriculum Vita on or before **October 12, 2007** to:

Tammy Kondratuk, Acting Executive Director
#3-304 Stone Rd. W, Suite 402, Guelph ON, N1G 4W4
Tel. 519.767.5071 Fax. 519.767.2613 email. tkondrat@uoguelph.ca
(email submissions are acceptable)

For more information regarding the position, please contact our Office Manager as listed above.

For more information about OMS, the I/O graduate program and the City of Guelph please visit the following websites:
www.omsconsult.com www.researchpracticeguelph.ca www.city.guelph.on.ca



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Note: The articles in this newsletter do not necessarily reflect the opinion of the Canadian Society for Industrial and Organizational Psychology.