

The Canadian Industrial & Organizational Psychologist

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<p>Chair's Column <i>E. Kevin Kelloway, PhD</i> <i>Saint Mary's University</i></p>

All rants aside... one of the more useful sections of the CPA website is their publication of fact sheets. Under the heading "Your Health: "Psychology Works" Fact Sheets", (see <http://www.cpa.ca/publications/yourhealthpsychologyworksfact-sheets/>) there are a series of one page fact sheets that deal with a wide range of issues from gambling and end of life to clinical disorders. The intent is to provide accessible information on these issues that is grounded in the science of psychology.

With the economy seemingly crashing around our ears, it strikes me that now is a good time to show that "Psychology Works" "At Work". I/O psychologists deal with, and have specialized knowledge of, issues of work stress, job insecurity, layoffs, job search that have particular relevance today. We also have useful information about issues that affect the day-to-day lives of a majority of working Canadians (e.g., workplace violence/aggression, team work in organizations, and leadership/supervision etc.etc). Accordingly, I would like us to create a series of fact sheets dealing with at least some of these issues. My intent would be to have them posted on the CSIOP webpage as well as submitted for posting to the CPA webpage.

Here's where you come in... if you are interested in writing a one page fact sheet on an issue within I/O psychology please drop me a line (Kevin.kelloway@smu.ca). In the interests of quality control I have recruited an editorial board (me, Past-President Steve Harvey and President Elect Peter Hausdorf) to review the submissions prior to posting – I would also encourage you to review some of the current CPA fact sheets for style, format etc. CPA has their own system of quality control and anything we would like to have posted on their webpage needs to be submitted to them by early April.

I'm not a big fan of New Year's resolutions but with conference preparations well underway my time in this role is fast drawing to a close. Like all good academics, the looming deadline has finally served to motivate me into action.

One of the things I had hoped to accomplish during my term is to put more "IO" into "CPA" – it seems to me that our presence in the organization is often underplayed. Indeed, I recently contacted the larger organization, introduced myself as the president of CSIOP and asked about putting some material on the webpage (see below). Very courteously, the staff person explained to me that posting to the website was for members or sections of CPA only. As much as I appreciated her time and patience, I would have been more appreciative if she had known that CSIOP was a section of CPA!

I hope to hear from you – maybe if we can raise the profile of CSIOP just a bit, the next president might not have to explain what the section is to the staff of CPA (ok, I have a hard time letting go – off to read a fact sheet).

Slainte

Kevin Kelloway



CSIOP Membership
Aaron Schat, PhD
McMaster University

Greetings. Although the holiday season probably seems a distant memory for most of us, I shall still begin this column by wishing you the best in 2009.

The change in the calendar year means that membership picture of CPA and CSIOP is in the process of being updated, with many membership renewals coming in and many more yet to come. You likely received your “Membership Renewal Reminder” late in 2008, but because it is easy to postpone or inadvertently neglect these (which I confess I did this year – yes, I have now renewed), many renewals tend to come in early in the first few months of the new year. I must confess that I was among those who neglected to renew until a few weeks ago – yes, I have now renewed. If you are among those who have not yet renewed for 2009, please do so, via the CPA website if you are a CPA member or student affiliate or by contacting Joan Finegan (finegan@uwo.ca) if you are a CSIOP Associate member.

By the next newsletter, most renewals will have been processed and I will provide you with a membership update. In the meantime, there are a number of new members who have joined CSIOP during the past several months. They are listed below. Please join me in welcoming them to CSIOP.

CPA Members

Mona Abbondanza	Patrick Gaudreau
Paul Arnold-Schutta	Eugene Kalita
Cheryl Boglarsky	Cathy Kerzner
Sylvie Bourgeois	Tarie Kinzel
Kathryn Cochran	Linda Meyer
Alain Forget	Lynette Monteiro

Roy Musten	Bobbe Wood
Christian Ricard	Chelsea Willness
Shannon Seymour	

CSIOP Associate Members

Rick Goffin	Earon Kavanagh
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Student Members

Sandeep Aujla	Céline LeBlanc
Mathieu Bernier	Diane LeBlanc
Andrea Butler	Amy Morgan
Michel Cossette	Daniella Permack
Dylan Davies	Lynne Poirier
Amanda Feiler	Vlad Pop
Jessica Fife	Olusore Taylor
Dharshini Gnanapandithen	Stacey Tetz
Kyle Handley	Sheerin Thussu
Simon-Pierre Harvey	Alexandra Van Veeren
Sarah Heller	Zhe Ni Wang
Holly Holmes	Nicole Wilson
Tatjana Ilic	Jocelyn Wiltshire
Sarah Imran	

CPA International &

CPA Special Affiliate Members

Geralyn Bayross	David Hutchison
Ruta Brazauskaite	Jiyoung Kim
Shirley Edwards	Sonia Lovell

Changes to your Membership Information

If your contact information (e.g., email addresses, work phone number) has changed and you are a CPA member, please contact the CPA membership coordinator at membership@cpa.ca. If you are not a CPA member, then please inform me (schata@mcmaster.ca) or Joan Finegan (finegan@uwo.ca) of the changes.

Conference Update

*Kibeom Lee, PhD
University of Calgary*

We have received many very interesting posters, symposia, and workshops for the upcoming CSIOP conference (June 11th – June 13th, 2009, the Fairmont The Queen Elizabeth Hotel, Montreal). The CPA hasn't yet announced the accepted submissions for the conference, but it looks as though there will be approximately 50 CSIOP section presentations including half a dozen symposia. Let me first thank the reviewers, Michael Ashton, Kathleen Boies, Derek Chapman, Marylène Gagné, Deborah Powell, Joseph Schmidt, and Chelsea Willness for their work during the busiest time of the year. I also thank Steve Harvey, Jacques Forest, and Lori Francis for their advice in planning the CSIOP conference.

All of the presentations in the 2009 CSIOP conference look very interesting, but let me get your attention to three invited events. Our CSIOP keynote speaker will be Gary Johns from Concordia University, who will deliver the address entitled "Beyond the Individual: Contextual Influences on Work Attendance." Gary Johns will speak about contextual factors that affect absenteeism and presenteeism, a topic given little attention in conventional notions of withdrawal from work.

Tracy Hecht of Concordia University has organized a symposium titled "The effect of organizational and managerial practices on job performance." This symposium includes four empirical studies that examine the effects of organizational/managerial practices on in-role and extra-role job performance.

Alain Forget (Analys psychologie organisationnelle inc.), in collaboration with Jean Phaneuf and Jean-Sébastien Boudrias, has organized the practitioner workshop for our section. On the basis of their large-scale study about leadership development and competencies, the presenters will discuss how to identify key success factors for leadership development. They will also describe some critical aspects of the work environment that should be in place to support the performance and development of leaders.

In addition, I am pleased to provide you with some more information about the 2009 edition of the CSIOP Institute, titled "Passion, Motivation and Employee Engagement: Fostering Optimal Human Functioning at Work" [Co-chairs: Jacques Forest (UQAM) and François Chiochio (Université de Montréal)]. It will be held in the afternoon of June 10th at the UQAM school of management science, near the conference hotel. Speakers at this event include Robert Vallerand (UQAM), and Nathalie Houlfort (ENAP) on passion at work; Christian Vandenberghe (HEC Montréal) on organizational commitment; Marylène Gagné (JMSB) on motivation at work; and the discussants, Catherine Privé and Marie-Ève Bérubé, consultants at ALIA-conseil (Alia-Conseil). If you have further

questions, contact Jacques (forest.jacques@uqam.ca) or François (f.chiochio@umontreal.ca). Please come to CPA a day early and join us in the CSIOP Institute!

In the article for the 2005 Montreal CPA conference, Steve Harvey (the CSIOP program coordinator then) wrote, "Remember—great conference, great colleagues, great location, great food and fun—why miss it?". I can't agree more, and I very much look forward to seeing you all in Montreal!



Student Update

*Leah Hamilton,
The University of Western Ontario*

Greetings!

I hope you all had a relaxing holiday season and that 2009 has been good to you so far.

For those of you who haven't done so already, remember to renew your CPA membership so that you can continue to enjoy its many benefits (such as reading these quarterly newsletters!). To renew your membership, simply go to CPA's website (www.cpa.ca/) and, when prompted to select a section, choose Industrial/Organizational. As always, please spread the word about CSIOP and encourage other students in your department to become members.

Another reason to renew your CSIOP membership is that CPA convention fees are significantly reduced for student members. This year the convention will take place from June 11th to 13th at the Fairmont Queen Elizabeth in beautiful Montréal. For those of you on a budget, keep in mind that McGill University offers reasonably priced accommodations close to the Fairmont Queen Elizabeth. When making your travel arrangements, please consider attending the 2009 CSIOP Institute on June 10th. Co-chaired by Jacques Forest (UQAM) and François Chiochio (Université de Montréal), this year's Institute is titled "Passion, Motivation and Employee Engagement: Fostering Optimal Human Functioning at Work."

A few other convention issues merit attention. First, if you will be presenting a poster or symposium at CPA, I strongly encourage you to consider submitting a paper to the RHR Kendall Award for best I/O student paper. This is a great way to get a head start on writing up a research project for your master's thesis, Ph.D. dissertation or for publication. Submissions are typically due at the end of April so keep your eye out for more information. Second, I will be organizing another CSIOP student-mentor social, which will likely take place on Friday June 12th. Last year's mentoring outing was a great suc-

cess and both students and mentors alike enjoyed themselves. I would love to hear from any academics or practitioners who are interested in mentoring at this year's event.

If you are attending the SIOP conference in New Orleans and you are interested in meeting up with other students for lunch or dinner, please send me an email at lhamil2@uwo.ca and I will be happy to organize something. Also, don't forget to register early because rates increase as of February 16th.

I'm always looking for newsletter ideas and general feedback about your experience as a CSIOP student member, so please feel free to contact me anytime.

Leah



IOTA

*John Tivendell, PhD
University of Moncton*

Well it is freezing here and just about everywhere else in Canada, except in British Columbia. You would think I would thus have more time for my own work but, somehow, my students and colleagues have all decided that it is a good time to find me in the lab or the office. I bet this sound familiar to you too! Perhaps that is the reason why you have found little time to let me in on the local gossip about what is happening in I/O Canada. Are things really that frozen at the water cooler? That said we are a few days away from the beginning of February, i.e. the now famous month of psychology. Do tell us what the various scolds (or are we surfeits?) of CSIOP psychologists are planning, in order to celebrate this month of psychology?

Meanwhile, what little news do we have? Well going against the prevailing winds, both economic and geographic, we must begin by congratulating Kevin Kelloway for his appointment to a Canada Research Chair in Occupational Health Psychology (is the next step, the throne?). He has also become an Associate Editor at Routledge's *Work & Stress*, which means he will be the boss of UBC's Bonita Long, Utrecht University's Wilmar Schaufeli and even Nottingham University's Phil Leather. Now Nicole Evers, still a fairly new I/O psychologist at PPC, would have loved to have such power whilst studying with the latter. Moving westwards, David reminded us that Steve Harvey is looking for someone to work with him at Bishop's University. Was SMU's Mike Teed that difficult to replace? All we know is that Lenoxville is in competition with Guelph for such a body. We also know that Steve's colleagues at l'Université de Sherbrooke have just

hired Yann LeCorf as a professor in psychometrics. If any of you have plans for some cross-border research you might think of calling him up.

Speaking of Québec, Claude Fernet is in his second year as a professor of organisational behaviour at l'UQTr. If we could get him to join CSIOP he might also win over some of his students, and some old colleagues from Laval? Meanwhile we are glad that Sunjeev can take time away from his Police Sector Council's Psychologists Working Group's activities (the RCMP is just his day job) to reintroduce us to the *Journal of Business Psychology* and now we know Gary Latham is a member of their Senior Advisory board (and Gary, Senior means "old" in English, albeit "hi" in Spanish if said with a flurry on the end; hmmm, yes Gary this is the kettle calling the pot)! Still moving west, will there ever be a 2009 copy of the University of Waterloo's *The I/Opener* newsletter? Next, in a reverse cognitive dissonance methodology, we could ask recent Windsor graduate and OCB specialist, Dr Charlotte Karam (2008) now at the American University in Beirut, if she would like to join CSIOP? Perhaps we could get fellow graduate Dr Rebecca Purc-Stephenson (2008), now an assistant professor at Alberta U, to approach her for us. Still wanting to convert some of those still elusive western IOP's, does anyone know why UBC psychology professor and EQ psychometrician Ralph Hakstian is not a member of CSIOP? The good news (which you will note moves us back east a tad) is that our Chelsea Willness (Calgary, 2008) is now an assistant professor at Brock University. No more student fees Chelsea, but congratulations from all of us!

Finally from outside of CSIOP, three unrelated events may, when taken together, be of interest to us. First, Memorial University has announced that their new Psy.D. program in clinical psychology, a program designed to be between a Master's and a Ph.D., will be up and running next September. Secondly, our British colleagues are in a turmoil about how to deal with the new Parliamentary directives concerning the chartering of Occupational and Organisational psychologists as health professionals. Thirdly, our Ontario clinical counterparts in OPA are once again arguing about the distinction between licensed psychologists, registered associate psychologists and, a new pléiade of unlicensed psychotherapists all vying for the same turf. Has a CSIOP members' task force speculated on if and how these trends might affect us? Is chartering/licensing in the cards for us? Will Marjory Kerr and I soon find other licensed psychologists as CSIOP mates? Have a great month, psy.

Cheers

John

Submit IOTA to:

j.tivendell@umoncton.ca

Why Employers Should Keep Careful Records and Think Twice Before Firing for Cause: The case of Palidwor v. Julian Ceramic Tile Inc.¹

Erika Ringseis and Lana Jackson²
McCarthy Tétrault LLP

Introduction

Employers often believe that paying a salary instead of an hourly rate exempts them from the need to pay an employee overtime. Life and employment law is not that simple, which can be an expensive lesson for employers. Recently, we have seen a number of class action lawsuits for unpaid overtime highlighted in the media. The following case from British Columbia is an interesting twist on the overtime cases. What is of interest in this case is not only whether or not the employee is entitled to overtime, but whether or not the employer was entitled to dismiss for cause based on the employee's inappropriate claims for overtime.

Facts

The plaintiff, Mrs. Palidwor, was the bookkeeper for Julian Ceramic Tile Inc. (the "Employer") from 1992 until 2004 when she was dismissed for cause. In a 15 month period, Mrs. Palidwor, a salaried employee, had been incorrectly claiming and receiving payment for overtime in excess of \$10,000. There was no written policy provided by the Employer outlining overtime payments to salaried employees. Mrs. Palidwor asserted that she had been hired to work seven hours a day, while the Employer argued that all employees were expected to work eight hours a day.

Trial Decision

The trial judge found that Mrs. Palidwor was not entitled to claim for overtime after working more than 35 hours in a week. In reaching this decision, the judge examined evidence provided by the Employer and several of their salaried employees and the fact that Mrs. Palidwor had not been paid overtime prior to 2003.

The trial judge determined that, although Mrs. Palidwor incorrectly claimed for overtime, no insidious motive could be ascribed to her. There was no attempt made by Mrs. Palidwor to conceal the amount she was claiming or receiving payment for overtime and the Employer could have discovered the incorrect claim if more attention had been paid to detailed pay reports provided by the outside payroll specialists. Therefore, the Employer did not have sufficient cause to terminate Mrs. Palidwor without providing adequate

notice to her.

Although the trial judge noted that Mrs. Palidwor had worked for the Employer for 12 years and had a reasonably responsible position; ultimately, the trial judge only awarded 6 months notice. It was determined that Mrs. Palidwor had removed herself from the active job seeking market approximately 6 months after her termination. Factors that led to this conclusion included the fact that she had put her house up for sale and that she made plans to join her husband in Mexico and eventually did join him before the end of the year. In calculating damages, the trial judge subtracted the overpayment of overtime from the amount awarded for six months pay in lieu of notice.

Court of Appeal Decision

The Employer appealed the decision to the British Columbia Court of Appeal. The Employer argued that the trial judge erred in determining that Mrs. Palidwor had not fundamentally breached her contract of employment and was therefore dismissed without cause, and that the trial judge had erred in finding that Mrs. Palidwor had mitigated her damages by diligently seeking employment.

In regards to the Employer's assertion that Mrs. Palidwor had fundamentally breached her contract, the Court of Appeal upheld the decision of the trial judge:

An employee, who in the complete absence of any dishonesty makes a mistake about an employment benefit she is entitled to receive, cannot be said to have fundamentally breached her employment contract by receiving the benefit.

As for the Employer's appeal regarding mitigation, the Court of Appeal reminded the Employer that the onus to prove a terminated employee's failure to mitigate is on the Employer. It was up to the Employer to provide evidence to the court showing employment opportunities available to the departing employee. Furthermore, even though Mrs. Palidwor was unable to produce any records to provide evidence of her efforts, the trial judge was not bound to draw an adverse inference. The Court of Appeal found no reversible error in either ground argued by the Employer and dismissed the appeal.

Conclusion

When alleging that an employee has fundamentally breached her employment contract and therefore terminating an employee for cause, it is important to remember that, if the matter is something that could have been resolved or clarified, courts may not side with the employer. Cause is difficult to establish and unless the employer has documented instances where it has tried to remedy the situation, the courts tend to side with employees in the absence of evidence to the contrary. Similarly, although not at issue in this case per se, courts tend to side with diligent employees who have kept track of overtime hours for which payment was not received, where employers have failed to keep adequate records.

Final Comments

Cases such as the one reviewed above remind employers of the importance of keeping clear records with respect to hours of work. Further, an important lesson learned is that employees need to be given an opportunity to explain discrepancies and fraud and deliberate bad faith should not necessarily be the first assumption. “Innocent until proven guilty” is not only relevant in the world of criminal law.

From an Industrial Psychology Perspective, it is worthwhile to keep in mind the lessons learned by employers when designing compensation systems and assisting employers with the management of documentation. When facing the prospect of a for cause termination, the legal hurdles to surmount are great and employers should be counselled to consider carefully evidence before taking the drastic step of terminating for cause. The bottom line lesson to employers and those who advise employers: think twice and document carefully.

1 (2008) BCCA 395; The Supreme Court of British Columbia decision was decided on October 2, 2008 and is available online at <http://www.courts.gov.bc.ca/search/searchjdb.asp>.

2 Erika Ringseis has her Ph.D in Industrial Organization Psychology from Penn State University and subsequently her Law Degree from the University of Calgary. She is currently an associate in the Labour & Employment Group of McCarthy

Tétrault LLP in Calgary. Dr. Ringseis practices solely in the area of labour and employment law, including dismissal issues, harassment and other human rights issues, privacy and policies and procedures. Ms. Jackson is a recent addition to the McCarthy Tétrault LLP Labour & Employment team in Calgary. Both Lana and Erika note that they did not receive, nor did they claim, overtime for the completion of this article. Should you have any questions, Erika can be reached at eringseis@mccarthy.ca.

We Can Do It: Evidence and Interventions for Transforming Mental Health in the Workplace
4th Annual Canadian Congress for Research on Mental Health and Addiction in the Workplace
October 28th to 30th, 2009

You're invited to the leading Canadian forum dedicated to improving the working environment and the mental health of employees. During this two and a half day congress, hundreds of researchers, business leaders, policy-makers and workers will gather to exchange information on the latest research and practical, evidence-based policies, programs and tools focusing on five main areas:

- Workplace Prevention and Promotion
- Disability Management and Return to Work
- Diagnosis and Treatment
- Stigma/Discrimination
- Policies for Workplace Mental Health and Addiction

Join us to help make connections that will transform mental health in the workplace. By focusing on best practices and best advice on helping people remain engaged and supported at work and when they return to work, we can do it!

To register as a delegate, visit [Evidence and Interventions for Transforming Mental Health in the Workplace \(http://www.wwrepcamh.org\)](http://www.wwrepcamh.org). Special rates are available for students and early bird registrations.

We are also accepting abstracts for oral or poster presentations. All abstracts will be reviewed by the Scientific Committee to determine the pertinence of the theme, scientific quality and clarity of text. Presentations may be based on quantitative, qualitative or mixed research methods. To encourage exchange and diversity, the Scientific Committee will only review abstracts for one oral presentation and one poster presentation per primary author.

Abstracts will be accepted until **February 27, 2009**. Contact secretariat@wwrepcamh.org should you have any questions about registration or submitting an abstract for consideration. See you in Toronto on **October 28, 2009!**

Nous Pouvons Y Arriver! Des interventions éprouvées pour améliorer la santé mentale au travail
Le 4^{ème} congrès canadien annuel pour la recherche sur la santé mentale et les toxicomanies en milieu de travail
28 au 30 octobre 2009

Vous êtes invités au principal forum scientifique canadien dédié à améliorer l'environnement de travail et la santé mentale des travailleurs. Durant les deux journées et demie du congrès, des centaines de chercheurs, gens d'affaires, décideurs, fournisseurs de services et travailleurs vont se réunir pour partager l'information sur les plus récents travaux de recherche et sur des politiques, programmes et outils pratiques et fondés sur des preuves scientifiques autour de cinq champs :

- Prévention et promotion dans le milieu de travail
- Gestion de l'incapacité et retour au travail
- Diagnostic et traitement
- Stigmatisation et discrimination
- Politiques à l'égard de la santé mentale et des toxicomanies en milieu de travail

Rejoignez-nous pour aider à établir des liens qui aideront à transformer la façon de traiter de la santé mentale en milieu de travail. En se concentrant sur les meilleures pratiques et les meilleurs conseils sur comment aider les gens à rester engagé et soutenu au travail et lorsqu'ils retournent au travail, nous pouvons y arriver!

Pour s'inscrire comme délégué, visitez [Des interventions éprouvées pour améliorer la santé mentale au travail \(http://www.wwrepcamh.org\)](http://www.wwrepcamh.org). Tarif réduit pour les étudiants et pour la pré-inscription.

Nous acceptons également des résumés en vue d'une communication orale ou par affiche. Les propositions de communication seront examinées par le comité scientifique qui jugera de la pertinence du thème, de la qualité scientifique et de la clarté du texte. Les présentations peuvent s'appuyer sur des méthodologies quantitatives, qualitatives ou combinées de recherche.

Afin de favoriser les échanges et la diversité, le nombre de communications à titre de premier auteur sera limité à une communication orale et à une affiche. Les résumés seront acceptés jusqu'au 27 février, 2009.

Contactez secretariat@wwrepcamh.org si vous avez des questions à propos de l'inscription ou la soumission d'un résumé. À vous voir à Toronto le 28 octobre, 2009!



Leadership & Organizational Development Consultant Right Management

Stand out from the Crowd

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Right's Consulting Services group has grown nearly 30% over the last year and is striving to meet the increasing demands of our clients. We are seeking a senior-level Leadership and Organizational Development Consultant who can:

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If this position sounds like you please send your resume to Julie Wray, National Resource Manager, Right Management, Canada. 888.926.1324 ext. 254 or Julie.Wray@Right.com



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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.