

The Canadian Industrial & Organizational Psychologist

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Spring 2008

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

We are now just weeks away from the CPA meeting in Halifax, the program is complete and we expect a good attendance. There is a great diversity of presentations that we hope you will be able to attend. The events begin Wednesday afternoon and come to an end on Saturday afternoon. In particular, I draw your attention to the fact that we are holding the first pre-conference I/O Psychology Institute on Wednesday afternoon prior to the formal conference. Please take a moment and sign up for it now as per the instructions on our CSIOP website, noting that this registration is separate, independent from that of the CPA conference (<http://psychology.uwo.ca/csiop/institute.asp>). This is a great place to meet up with people in I/O psychology just before the official CPA conference. Also, the military section and CSIOP are again hosting the annual Military-I/O Psychology Social on the Friday evening. This year it

is going to be held on the HMCS Sackville, so please look for details at the conference on how to get there!

The Annual General Business meeting is held on the Friday morning this year. This is a time wherein the executive team will be briefing you, the membership, on numerous exciting developments that are in the works. Indeed, there has been a lot happening in the growth and development of CSIOP, much more than can be communicated in a brief editorial from the executive or myself. We have expanded our professional activities, services to members and we are currently in the midst of increasing revenue streams. Some of the work envisioned will require committees to be formed from within the membership, calling on you therefore to voice your interest when the time comes for seeking volunteers. These developments, which take time to unfold, will continue as I step into the role of Past Chair and Dr Kelloway comes on as Chair this year; we have been working closely to ensure that CSIOP's long term projects stay on course. Your input is valued, and a one-hour general business meeting may not be sufficiently long to hear all your ideas, so please take a moment to share your thoughts with those on the executive at the conference.

As I come to the end of my term as Chair in June, I think back through the year, along with the things we have accomplished, and I recognizing once again that it is a great group of people that have made our advances possible. Every single person on the executive, no exceptions, has at several points throughout the year stepped up to the plate to make a significant contribution to our association. One might say there was a lot of in-role performance and a whole lot of Organizational Citizenship Behavior. We have become stronger, better and more attuned to the membership needs because of them. Many thanks

to Lori, Joan, Stephane, Kevin, Anuradha, Aaron, David, Leah and Blake; you have been a great group of people to work with and you have made a noticeable contribution to CSIOP.

Nous sommes à quelques semaines du congrès de la SCP à Halifax, le programme est complet et nous nous attendons à un bon taux de participation. Nous espérons que vous aurez l'occasion d'apprécier la grande diversité de présentations qui seront présentées. Les événements commenceront le mercredi après-midi et se termineront le samedi après-midi. J'attire notamment votre attention sur la tenue du premier événement pré-congrès pour les psychologues I/O, qui aura lieu le mercredi après-midi, avant le congrès formel. Vous pouvez vous y inscrire dès maintenant en suivant les directives sur notre site internet de la SCPIO. Prenez note que l'inscription à cet événement est séparée et indépendante de celle du congrès de la SCP (<http://psychology.uwo.ca/csiop/institute.asp>). Le pré-congrès est une bonne opportunité de rencontrer des gens de la psychologie I/O juste avant le congrès officiel de la SCP. Aussi, le vendredi soir, la section militaire et la SCPIO accueillent encore une fois cette année la rencontre annuelle des psychologues I/O militaires. La rencontre aura lieu au HMCS Sackville. Alors, prière de vous informer directement au congrès pour savoir comment s'y rendre!

Cette année, l'assemblée générale annuelle aura lieu le vendredi matin. Ce sera l'occasion pour les gens de l'exécutif de vous présenter à vous, les membres, la multitude de projets sur lesquels ils travaillent actuellement, De plus, beaucoup de choses se sont produites en ce qui concerne la croissance et le développement de la SCPIO; beaucoup plus qu'il soit possible d'en communiquer dans un bref éditorial de l'exécutif ou de moi-même. Nous avons étendu nos activités professionnelles ainsi que le service aux membres et nous sommes actuellement au cœur d'un accroissement de nos sources de revenu. Une partie des projets envisagés nécessiteront la création de comités formés de membres de la Société. Je vous invite donc à manifester votre intérêt lorsque nous serons à la recherche de volontaires. Ces projets, qui nécessiteront du temps pour se développer, seront poursuivis après ma transition au rôle de président sortant et après que Dr. Kelloway aura pris le rôle de président. Nous avons travaillé de façon rapprochée pour assurer que les projets à long terme de la SCPIO continue de progresser après la transition qui aura lieu cette année.

Vos commentaires sont très précieux et il se peut qu'une heure d'assemblée générale ne suffise pas pour donner à tous la chance de s'exprimer. Alors, je vous invite à prendre un moment durant le congrès afin de partager vos opinions aux membres de l'exécutif qui seront sur place.

Mon mandat en tant que président prenant fin en juin, je porte un regard d'ensemble sur la dernière année, avec tout ce que nous avons accompli, et je constate encore une fois que ces avancées n'ont été possibles que grâce à un groupe extraordinaire de personnes. Chaque individu au sein de l'exécutif, sans

exceptions, a mis l'épaule à la roue à plusieurs reprises durant l'année et ils ont tous contribué de façon significative à l'essor de notre association. On pourrait dire qu'il y a eu beaucoup de « in-role performance » et encore plus d'« Organizational Citizenship Behavior ». Grâce à cette équipe, nous sommes devenus une meilleure société, plus solide et plus près des besoins de ses membres. Tous mes remerciements à Lori, Joan, Stéphane, Kevin, Anuradha, Aaron, David, Leah and Blake : vous avez été une équipe de travail extraordinaire et vous avez tous apporté une contribution notoire à la SCPIO.



CSIOP Membership
Aaron Schat, PhD
McMaster University

In my last column, I did not provide a membership update because during the first several months of a new year, the membership data are in a state of flux while renewals are being processed. As we are now several months into 2008, most renewals have been received and the membership data have begun to stabilize. Although there may be a few more renewals yet to arrive, the following numbers should represent a good picture of CSIOP's current membership. As of the end of April, CSIOP consists of 355 members, including 216 full members (including fellows), 7 international and special affiliates, 25 associate members, and 107 student members.

The level of student membership – more than 100 members – is particularly notable. This is the highest level of student membership CSIOP has experienced during the last 5 years, and is the first time it has surpassed 100 over that period. I don't have data that precede 2003, so I do not know whether this is the highest level of student membership in CSIOP's history, and will leave that to be determined by those with a more intimate knowledge of CSIOP's membership history than I. Regardless, having more than 100 student members is notable and something to be celebrated. Our students contribute in numerous and significant ways to CSIOP's vitality, and an increasing number of students will only enhance this in the coming year(s). I would like to acknowledge the work of Leah Hamilton, the student representative on the CSIOP Executive, who spearheaded a recent student recruitment initiative, the fruits of which we are seeing in these latest numbers.

The students and other members who have joined CSIOP since January are listed below. Please join me in welcoming them to CSIOP.

Full Members

Steve Burton	Angelika Mellema
Timothy Clark	Harold Mendes
Sarah Crown	Anne Pawlak
Debra Gilin	Patricia Pitsel
Todd Kettner	Marsha Rogers
Caroline Kramer-Zilkha	George Tolomiczenko
Catherine Kwantes	Jelena Zikic
Richard MacLennan	
James Marland	

Student Members

Homan Allami	Suzanne Kiani
Katherine Andrien	Heidi Klett
Amanda Baldwin	Manon LeBlanc
Lyndsay Bozec	Stephanie Leblanc
Veronique Dagenais-Desmarais	Stephanie Maillet
Shelley Delano Parker	Paula Martin
Natalya Domina	Sonya Melnyk Stevens
Ricki Dooley	Natalie Polito
Annette Gagnon	Tom Purcell
Bernadette Gatien	Laura Rudy
Simon Grenier	Iwona Tatarkiewicz
Marta Iordanova-Maximov	Kate Toth
Chun Seng Kam	

Associate Members

Philip Hunter	Simon Kerbel
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International & Special Affiliate Members

O Babatunde Bodunrin	Wayne St-Amour
Pylin Chuapetcharasopon	

Changes to your Membership Information

If your contact information (e.g., email addresses, work phone number, areas of interest) has changed, please let me know. My contact information is as follows:

Aaron Schat
DeGroot 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

If your membership is through CPA (i.e., if you are a full member or student member), we receive your contact information via CPA. Therefore, please be sure to update your information with CPA directly as well. The CPA membership coordinator can be reached via email at membership@cpa.ca.



Conference Update *Lori Francis, PhD* *Saint Mary's University*

The countdown to CPA 2008 is on! We hope to see a large turn out of CSIOP Members in Halifax for the CSIOP Institute (June 11, 2008 at Saint Mary's University) and the Conference (June 12-14, 2008 at the Marriott Harbourfront Hotel).

I have heard that there is limited to no availability in the two conference hotels (the Marriott Harbourfront and the Delta Barrington). However, never fear, Halifax has numerous downtown hotels a short walk to the conference site. Visit www.halifaxinfo.com and look under accommodations to see various options. This site lists hotels all over the city, but with a quick look on Google maps you should be able to determine proximity to the conference site, which is at 1919 Upper Water Street.

I/O Institute: Public Policy: A Role for I/O Psychology
1:00-4:30 pm Thursday, June 11, 2008,
Saint Mary's University, Halifax, NS

I/O Psychologists have considerable know how and experience in affecting change among individuals and in organizations. However, researchers and practitioners in I/O bring less influence to matters of public policy even though we possess expertise in a number of relevant areas such as unionization,

occupational health and safety, human rights, retirement, and working conditions.

During the Institute I/O Psychologists, policy makers, and media experts will join in a series of panel sessions to explore I/O psychology's potential in public policy development.

Opening Remarks (1pm-1:15pm):

Dr. E. Kevin Kelloway, CSIOP Chair Elect

Panel Session 1 (1:15pm-2:15pm):

I/O Psychology and Public Policy

I/O Psychologists who have applied their science and practice to shape public policy will discuss their experiences.

Coffee Break (2:15pm-2:30pm)

Panel Session 2 (2:30pm-3:30pm): Reaching Policy Makers

Individuals from inside the public policy arena will share their insights on how academics can use their experience to inform matters of public policy.

Panel Session 3 (3:35pm-4:30pm): Influencing Public Opinion Through Positive Interactions with the Media.

One way to bring issues to the attention of policy makers is to influence public opinion. In this session individuals from the fields of journalism and public relations will offer insights on bringing academic research and scientific practice to the attention of the general public.

Closing Remarks and Cocktail Hour (cash bar)

Please consider coming to CPA a day early and join in the Institute. The registration fees are \$15 for students and \$25 for CSIOP members and \$30 for non-members. You can register for the Institute by contacting the CN Centre for Occupational Health and Safety (cncoshs@smu.ca or 902.491.6253). Please ask for Jennifer and indicate that you would like to register for the CSIOP Institute. Updates about this event will be posted regularly on the CSIOP website (www.csiop.ca).

Tentative I/O Section Schedule for CPA 2008 June 12-14 Halifax, Nova Scotia

The schedule below notes the I/O components of the program as well as some plenary session and sessions from other sections' programs that CSIOP members might be interested in.

Thursday, June 12, 2008

9:00 am to 9:55 am: Welcoming Ceremony - Honoring our Best

10:00 am to 10:55 am: CPA Presidential Address, Canadian Psychology in a Global Context (Thomas Hadjistavropoulos)

11:00 am to 11:55 am: Section/CPA Invited Speaker, The Science and Practice of Employee Engagement (John Meyer)

12:00 pm to 12:55 pm: KS, Toward Organizational Research 2.0 (Natalie Allen)

2:00 pm to 3:55 pm: WKSP, Occupational Stress Prevention and Intervention (Joseph Hurrell, Jr.)

4:00 pm to 5:25 pm: SYMP, Defining and operationalizing aspects of a healthy work environment (Arla Day)

Friday, June 13, 2008

8:00 am to 8:55 am: Section Business Meeting (Steve Harvey). Please note that in addition to discussing section business we will announce with winner of the RHR Kendall Award at this event.

9:00 am to 9:55 am: Honorary President's Address, The Stuff of Thought: Language as a Window into Human Nature (Steven Pinker)

10:00 am to 10:55 am: The Family of Psychology Keynote Address, The Culture Cycle: Our Cultures, Our Selves, Our Cultures... (Hazel Markus)

11:00 am to 11:55 am: CS, Development and Implementation of the Certified Human Resources Professional (CHRP) credential (Cheryl Lamerson)

3:00 pm to 4:25 pm: SYMP, The Healthy Workplace: A Review of Occupational Health Psychology Research (Arla Day)

3:30 pm to 3:55 pm: TR, Positive Compromise and Worklife Psychology (Charles P. Chen)

4:30 pm - 6:30 pm: (Please note that this start time is tentative). Student Mentoring Event. (Location TBA)

6:30 pm - 9:30 pm: (Please note that this start time is tentative) Joint I/O-Military Social. (TBA)

Saturday, June 14, 2008

9:00 am to 9:55 am: Science & Applications Keynote Address, Understanding Human Well-Being: An Overview of Research and Practice (Carol Ryff)

10:00 am to 11:25 am: SYMP Clinical Psychology, Issues in Analyzing Longitudinal Data (Dennis Jackson, Robert Cribbie, David Flora, Ian Clara)

12:00 pm to 12:55 pm: CS Students in Psychology, What Are the Benefits of Mentoring Early Career Psychologists? (Iris Jackson)

12:00 pm to 1:55 pm: I/O Poster Session

1:00 pm to 2:55 pm: WKSP Students in Psychology, Effective Teaching Strategies for Teaching Assistants and New Faculty (Philip Johnson)



Student Update

*Leah Hamilton,
The University of Western Ontario*

Greetings!

Believe it or not, the annual CPA Convention is only a month away. After attending the CSIOP long-range planning meeting in Halifax at the end of March, I have some important updates to tell you about.

Thanks to the help of Mike Teed from SMU, plans for the CSIOP student-mentor social are well underway. This social, generously sponsored by SHL Canada, is a chance for I/O students to speak informally with I/O graduates who have a variety of academic and practitioner positions. This year's mentors will include:

Sarah Crown, who is currently a consultant at SHL's Toronto office. She joined SHL shortly after completing her MSc in Industrial/Organizational Psychology at Saint Mary's University. Sarah is involved in several key projects in various capacities at SHL, from project coordination and centre management to assessment and training design, and assessment delivery.

Dr. Natalie Allen, an I/O Psychology professor at the University of Western Ontario. Natalie Allen has made many contributions to the field and will be honoured with the "Distinguished Contributions to I/O Psychology in Canada" Award at this year's Convention.

Dr. Blake Jelley, an Assistant Professor of Organizational Behaviour and Human Resource Management in the School of Business at the University of Prince Edward Island. Previously, Blake spent five years in the Research and Evaluation Unit of the Ontario Police College (OPC). At OPC he also served as Acting Team Leader of Research and Evaluation and Acting Promotional Examination Coordinator, as well as President of the OPC Staff Association. Blake has worked and consulted in both the public and private sectors.

I am still in the process of finding additional mentors so if you have a mentor in mind (or if you would like to be a mentor) please email me. I plan to have a diverse group of mentors in order to maximize what students get out of the event.

The student-mentor social will be held on Friday, June 13th from 4:30 until 6:00pm at the Lower Deck (www.lowerdeck.ca). The Lower Deck is located on Upper Water St., less than half a kilometre northwest of the conference hotel. It is also within walking distance of the Military-CSIOP Social, which will start right after the mentoring event.

The mentoring event is an excellent opportunity for you to network with academics and practitioners, and ask them any questions you like, such as: How did you find your job? What does a realistic preview of your job look like? Given my career goals, do I need a Masters or PhD? What kind of jobs can students with degrees in I/O get? How can I "sell" my I/O degree? How can I supplement my formal academic training to prepare myself for the job market?

CANADIAN SOCIETY FOR
INDUSTRIAL & ORGANIZATIONAL
PSYCHOLOGY



SOCIÉTÉ CANADIENNE DE
PSYCHOLOGIE INDUSTRIELLE &
ORGANISATIONNELLE

Student-Mentor Social

4:30 – 6:00pm
Friday, June 13th
Lower Deck (Beer Market)
1869 Upper Water St
½ km Northwest of conference hotel

*Light refreshments will be served.
Come and chat with mentors from
the academic and applied world!*

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Whether this will be your first or fifth time attending the student-mentor social, I encourage you all to come out and get some valuable advice. If you are planning to attend the student-mentor meeting, or would like more information, please email me at lhamil2@uwo.ca so I know how big of a room we will need (and, perhaps more importantly, how much food (and beer) to order).

I will send out an email shortly before the conference with more details about the meeting and a map of the location.

I look forward to seeing you in Halifax!

Leah



Pulling the Brakes on the Wallace Train: A Discussion of the Ontario Court of Appeal’s Decision in *Mulvihill vs. Ottawa (City)*¹
*Erika Ringseis*²
McCarthy Tétrault LLP

A judgment of the Ontario Court of Appeal, released on March 28, 2008, represents a welcome judgment for employer side legal counsel in the world of wrongful dismissal.

Background

Ms. Mulvihill accepted a fulltime position at the City of Ottawa starting in July of 2003. She signed a written contract that provided for a severance payment, should termination of her employment occur without cause, in accordance with a structured formula.

In December of 2004, the City dismissed Ms. Mulvihill from her position, alleging that she was being terminated for cause. Specifically, Ms. Mulvihill was terminated for failing to return to work upon the request of the City. Ms. Mulvihill had commenced a harassment complaint that was ultimately dismissed after a thorough investigation. Nevertheless, Ms. Mulvihill

refused to return to work because she did not want to work under the same supervisor.

Ms. Mulvihill commenced a lawsuit against the City for wrongful dismissal. Initially, the City defended the claim on the basis of a just cause dismissal due to Ms. Mulvihill's insubordination. As the lawsuit progressed, however, the City amended its Statement of Defence to withdraw the just cause defence. Further, the City offered, in advance of trial, to pay Ms. Mulvihill the 4.5 months salary in lieu of notice that she was entitled to under the terms and conditions of her contract.

Ms. Mulvihill refused the City's offer and the matter proceeded to Court. At trial, the trial Court held that Ms. Mulvihill was entitled to 4.5 months salary in lieu of notice as laid out in the contract and an additional 5.5 months of salary as Wallace damages.

The City appealed this decision to the Ontario Court of Appeal. The 4.5 months of salary in lieu of notice was upheld, but the Court of Appeal agreed with the City of Ottawa that the case was not one where Wallace damages were appropriate and therefore overturned that portion of the trial decision.

Who is Wallace?

In 1997 the Supreme Court of Canada developed the concept of "bad faith in the manner of discharge" in the case that has become a landmark case for labour and employment lawyers: *Wallace v. United Grain Growers Ltd.*³ Wallace damages are available to increase the notice period to which an employee is entitled if the employer acts in bad faith in the manner of dismissal. Essentially, the requirement is that employers ought to be candid, reasonable, honest and forthright with their employees and should refrain from engaging in conduct that is unfair or is in bad faith by being, for example, untruthful, misleading or unduly insensitive.⁴

What does this Case Mean?

Often plaintiffs have, almost as a matter of course, tacked on Wallace damages to their Statement of Claim for wrongful

dismissal. This word from the Ontario Court of Appeal, however, reminds us that there must be bad faith beyond simply dismissing the employee. Neither does abandoning a defence of just cause automatically provide grounds for Wallace damages:

*The mere fact that cause was alleged, but not ultimately proven, does not automatically mean that Wallace damages are to be awarded. So long as an employer has a reasonable basis on which to believe it can dismiss an employee for cause, the employer has the right to take that position without fear that failure to succeed on the point will automatically expose it to a find of bad faith.*⁵

Rather, the situation in its entirety must be examined in order to determine whether or not an employer acted in bad faith. In these particular circumstances, the employer was not "playing hardball" by asserting cause when there was no reasonable basis for the assertion. Further, the employer did not continue to allege cause in light of further evidence but rather showed a willingness to change its position. The Court noted that:

*Employers must be free to abandon a position based on cause without fear that abandonment will automatically lead to liability for Wallace damages.*⁶

Thus, employers need to act reasonably, but the Court has now recognized that employers also need some leeway in order to defend a claim appropriately and settle where possible.

A twist in the story was that Ms. Mulvihill was terminated while she was on sick leave, timing which is often regarded as a big "no no" and a red flag for Wallace damages. The Court clarified that the mere fact that she was on sick leave at the time of termination did not necessarily mean that the dismissal was conducted in an unfair or bad faith manner. The Court noted that this was not a case where an employee was punished for making a human rights claim or accommodation was refused for an employee who had a severe medical condition. The City had tried to accommodate Ms. Mulvihill by offering her an alternative position and she had failed to respond to the City's attempts to accommodate her needs. The fact that the City

Look for the return of the IOTA column in the summer issue of

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made a “mistake” when it dismissed Ms. Mulvihill while she was officially on sick leave did not mean that she should have been awarded Wallace damages for the timing of the dismissal.

Summary

The Mulvihill case reminds us that Wallace damages should not be the norm in a wrongful dismissal action. Wallace damages should attach to behaviour that is truly bad faith conduct or unfair treatment, such that it is malicious, oppressive and high handed. We cannot forget that an employer ultimately has the right to terminate an employee’s employment with pay in lieu of notice. Provided that the appropriate steps are taken, employers should not be scared to exercise this right.

Wallace instructs employers to be “candid, reasonable, honest and forthright” in the course of dismissal. There is nothing in the Dismissal Letter that was untruthful, misleading or insensitive. The City was candid, honest and forthright about why it was dismissing Ms. Mulvihill. It explained that her employment was terminated because the City viewed her actions as insubordination and it explained the specific conduct that gave right to that view. Contrary to the implied assertion in...the trial judge’s reasons...it cannot be said that the City’s position was unreasonable. As I have explained, the City held and acted on an honest, reasonably held belief that Ms. Mulvihill’s conduct constituted insubordination amounting to just cause for dismissal.

Individuals with training in industrial/organizational psychology are well positioned to assist employers in conducting appropriate terminations that will not attract Wallace damages. If the advice and assistance of experts are followed, Wallace damages can be avoided.

1. 2008] O.J. No. 1070; available online
2. Erika Ringseis has her Ph.D in industrial/organization psychology from Penn State University and her LLB from the University of Calgary. She currently practices labour and employment law at the Calgary office of McCarthy Tétrault LLP.
3. [1997] 3 S.C.R. 701.
4. See para. 98 of the Wallace decision.
5. Para. 49.
6. At para. 55.



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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.