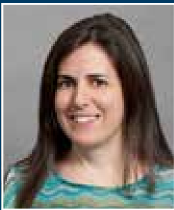
Atlantic Employers' Counsel

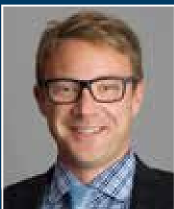
LEGAL DEVELOPMENTS OF INTEREST TO BUSINESS IN ATLANTIC CANADA

Fall 2015

Editors:



Michelle Black
Halifax, NS
902.420.3332
mblack@stewartmckelvey.com



Sean Kelly
Halifax, NS
902.444.1742
skelly@stewartmckelvey.com

In this issue

The Editors' Corner

Bullying isn't Just For Kids Anymore: Actually, it Never Really was...

When Harassment is not Harassment

Top 10 Considerations for Workplace (and Thereabouts) Sexual Misconduct

False/Unfounded Allegations: What about the Unsubstantiated Complaints?

Service First

Follow us on Twitter
@SM_EmployerLaw

The Editors' Corner

Trick, Treat or…Taunt?
Workplace Bullying and Harassment

Fall has arrived! The leaves are changing colours, families are stockpiling Halloween candy (some of which will actually last long enough to be distributed on the 31st), and warm knitwear is being dragged back out of the closet. But what is happening at your workplace? Are all of your employees "playing nice" with each other or do you have some ghouls in the group?

Workplace harassment and bullying have been receiving (rightfully so, we think) more and more of the spotlight in terms of the negative impact on both employees and employers. Sometimes one difficult employee is like a razorblade in an apple – creating fear and intimidation for everyone in proximity. This establishes and perpetuates tricky work situations for the affected employees and wreaks havoc with the productivity of the business.

This edition of the AEC focuses on bullying and harassment at the workplace – what is (and what is not) bullying and harassment? What kind of policies should you have and how can you make them even stronger? How do you deal with false allegations?

We hope you can carve out some time to review these articles and collect some ~~tasty~~ helpful hints.

Bullying isn't Just For Kids Anymore: Actually, it Never Really was...

The recognition that bullying occurs far beyond the playground is now so widespread that an entire episode of *The Simpsons* was dedicated to the topic earlier this year. However, despite the recognition of its occurrence, even the most seasoned human resources professionals often still shy away from dealing with serious interpersonal conflicts between coworkers or between superiors and subordinates.

Most Canadian provinces (the only exceptions are New Brunswick, Nunavut, Northwest Territories, and Yukon) have legislation addressing workplace violence and/or harassment. Further, if your workforce is unionized, your applicable collective agreement(s) may require you, as the employer, to provide a workplace free of harassment and similar conduct. If harassment relates to a protected ground under human rights legislation, such legislation imposes requirements on employers in this context as well.

Regardless of the form of bullying, employers are responsible, even if specific legislative or collective agreement requirements are absent or inapplicable. There are important legal and practical reasons to take workplace bullying/ harassment seriously and to respond to it accordingly.

Recognizing and identifying workplace bullying

Some examples of what is not workplace bullying are discussed elsewhere in this issue. Certainly, conduct that may constitute workplace bullying falls on a wide spectrum, from isolated incidents to prolonged campaigns, from the seemingly innocuous to the extreme and vicious. Bullying may occur between superiors and subordinates (and may flow in either direction), between coworkers unconnected by any reporting structure, through direct or virtual (online) conduct, and within or even outside the workplace itself. However, Employers are responsible for taking appropriate action to provide a safe workplace and for instituting and enforcing related policies. Some of the many forms of bullying that employers should watch out for include:

- Interfering with the work of others;
- Disregarding or criticizing work done by others;
- Falsely accusing subordinates or coworkers of errors;
- Insulting, belittling, demeaning or threatening others;
- Using non-verbal tactics to intimidate others (e.g. glaring);
- Discounting the thoughts or feelings of others;
- Deliberately excluding others from work or social activities at work;
- Encouraging others to turn against someone;
- Making up or changing standards “on the fly”; and
- Starting, or perpetuating, destructive rumours or gossip.

Another example of bullying that is rapidly becoming an employer’s concern is online bullying – whether the bullying is done at, or outside of, work. Much can be said about this topic, and many cases have recently been published about employees being disciplined or terminated for bullying or threatening coworkers, supervisors or subordinates via social media, even if the behavior occurred during off-hours, because the online conduct was somehow connected (or thought to be connected) to the employee’s employment.

Why address workplace bullying?

Aside from any requirements to address bullying that may (or may not) be prescribed by legislation or collective agreements, employers have a vested interest in doing so:

Employees who feel bullied are less productive

Statistics from the Canada Safety Council show that bullied employees lose between 10% and 52% of work time from spending time defending themselves against the bully, networking with friends and coworkers for support and thinking about the situation. They often feel demotivated and stressed as a result of the situation, sometimes leading to sick leave due to stress-related illnesses.

Significant damages may be awarded when an employer fails to act in face of bullying

Last summer, the Ontario Court of Appeal released a decision which (although it significantly reduced the damages awarded by the court below) imposed a hefty damages award on the employer and the manager who bullied an employee until she left work and never returned.

In ***Boucher v. Wal-Mart Canada Corp.,*** 2014 ONCA 419, after refusing to falsify a record at the request of her manager, the employee was disciplined and then subjected to a campaign of ridicule, disrespect and humiliation by

her manager, often in front of her coworkers. The manager regularly used profane language towards her and even pulled Boucher's subordinates in to meetings to witness him telling her how "stupid" she was and to otherwise demean her. Boucher complained to senior management under the employer's "open door communication" policy but her concerns were dismissed as being "unsubstantiated" and she was informed that she would be held accountable for complaining. Shortly thereafter, the manager grabbed Boucher by the elbow in front of a group of coworkers and again berated her by making her prove she could count to ten. Boucher was so humiliated that she left the store. She later emailed the employer saying that she would not return to work until her complaints about the manager were resolved. They never were and she never returned to work.

Boucher's action for constructive dismissal and damages was tried before a judge and jury, who found that Boucher had been constructively dismissed and awarded her severance totalling 20 weeks' pay in accordance with her employment contract. The jury awarded damages against the manager personally in the amount of $100,000 for intentional infliction of mental suffering, which the Court of Appeal upheld, as well as $150,000 in punitive damages, which the Court of Appeal reduced to $10,000 (for a total of $110,000 in damages against the manager). As against the employer, the Court of Appeal upheld the jury's award of $200,000 in aggravated damages but reduced the award of $1,000,000 to $100,000 for punitive damages (for a total of $300,000 in damages against the employer, in addition to the salary continuation Boucher had received).

This case is certainly an example of flagrant misconduct by a workplace bully, and blatant disregard and inaction by the employer to end the manager's conduct. However, despite these extremes, this case serves as a reminder and a warning to employers (and managers/supervisors) that they may be held accountable for bullying behaviour – for failing to enforce workplace policies designed to protect employees, and/or for failing to take seriously the complaints of bullied employees (or in this case, for threatening retaliation for complaining).

Some do's and don'ts of addressing workplace bullying

DO:

- Employers should implement a workplace bullying/harassment policy, either as a stand-alone policy or as an element of their existing policies (e.g. social media policies, general codes of conduct). Review and update the policy periodically. Then, make the policy known to employees and enforce it!
- Listen to employees who claim they are being bullied.
- Pay attention to conduct that seems off-side or inappropriate.
- Investigate complaints to determine if allegations of bullying are legitimate.
- Take appropriate action – this may or may not involve disciplining the bully. Discipline may not always be required under the circumstances. Evaluate each situation on a case-by-case basis and, if the circumstances warrant, don't be afraid to (reasonably and proportionately) discipline the workplace bully.

DON'T:

- Ignore conduct that amounts to bullying in the hopes that it will "just go away".
- Impose negative consequences on a complainant if your investigation shows the complaint is not substantiated – this may discourage future complainants from coming forward, and could attract liability on the part of the employer.

Ellen Oakes Thompson
Frederickton, NB
506.444.8970
eoakes@stewartmckelvey.com

When Harassment is not Harassment

There is more and more discussion today about harassment and bullying in the workplace. This has led to assertions of harassment and bullying in situations even where the claims are unwarranted. Discipline is one of the most frequent areas where we see claims of harassment from employees - employees claim that they are being harassed but managers feel they are simply doing their job. Problems arise because workplace harassment is a serious and legitimate topic, but employees sometimes allege they have been "harassed" because they are receiving negative feedback.

The development of the law surrounding harassment has not changed the fact that employers are still allowed to discipline employees. Discipline is not a pleasant part of the relationship – for the employee or the employer – but that does not mean that it is harassment. Where the manager is acting appropriately and respectfully, there is no harassment. Importantly, adjudicators have confirmed that just because the situation is uncomfortable or there are unpleasant consequences for the employee, it does not equate to harassment.

The frequently cited definition for workplace harassment is "engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome". Discipline can become harassment when it strays into this territory, for example, where the discipline is vindictive, cruel, or demeaning. However, the majority of discipline does not fall into the category of "harassment". Correcting problem behavior, providing a negative performance review, or telling an employee that he or she is falling below expectations would not usually be harassment but, instead, would be a normal function of the managerial role.

Amodeo v. Craiglee Nursing Home provides some examples of alleged harassment where the conduct was merely disciplinary in nature. For example, the employee was repeatedly reminded that she must document all discussions with residents' families. This was found to be a normal reminder of the expectations of the employee. Another allegation of harassment was based on the employee being told that she would have to work more hours if she could not keep up with completion of resident assessments, a required part of her job. The employee thought this was an impossible work demand. The Board found that, while some of the comments made towards the employee were blunt and unflattering, they were part of the manager's role in disciplining employees who were failing to meet expectations.

What does this mean for Employers? While harassment is a serious matter, not every unpleasant situation for an employee is harassment. Employers can and should continue to discipline employees for problematic behavior. Where an employee claims they have been harassed, the employer should investigate the matter to ensure that the discipline was appropriate and the message was conveyed in a respectful manner. If such is the case, the employee should be reminded, respectfully, of the difference between being harassed and being asked to do her job.

Stephen Carpenter, CHRP
Charlottetown, PE
902.629.4556
scarpenter@stewartmckelvey.com

Patti Wheatley
Charlottetown, PE
902.629.4546
pwheatley@stewartmckelvey.com

Top 10 Considerations for Workplace (and Thereabouts) Sexual Misconduct

Over the past year Jian Ghomeshi went from being the "King of Spain" to eating "Humble Pie" (if you are too young/old to know what this is referring to, search "Moxie Früvous"). Whether it's the CBC or Bill Cosby, issues of sexual misconduct have been dominating the headlines. Even off-duty conduct is up for scrutiny – consider the worker who yells "FHRITP" to a reporter during a live broadcast[1] or heckles a female comedian off the stage during a work party.[2]

Maybe it's time to revisit that Sexual Harassment Policy ("SHP"). Here's a top 10 list of things to consider:

1. Does the SHP conflict/overlap with other policies or processes? In recent years, employers have been adding a Respectful Workplace Policy, a Harassment Policy, and a Code of Conduct to their repertoire. Sometimes these policies are drafted in isolation without consideration of how they might affect other policies already in existence. Does having multiple policies still make sense for your organization? Should they be combined in one policy? Can the same behaviour be challenged under multiple policies?

   Similarly, it had been common for an SHP to have language prohibiting a complainant from filing a complaint under the SHP and also seeking a remedy pursuant to a grievance or through the relevant human rights legislation. More recently, policies are being revised to allow management the discretion to allow a process through an SHP even though a complainant may also file a complaint through another process to preserve any time limits.

2. Is your policy only about sexual harassment or are other types of sexual misconduct, such as sexual assault, included? How is sexual harassment defined? Is off-duty conduct covered? The definition of sexual harassment should at a minimum include these concepts:

   (a) A course of vexious conduct or comments related to sex

   (b) The conduct or comments are known or reasonably ought to be known to be unwelcome

   (c) The conduct or comments are repeated over time (or there is one significant event)

   (d) The conduct or comments may include (but are not limited to) conferring a benefit for a sexual favour.

3. Is the level of confidentiality appropriate? It's never a good idea to have an SHP which promises anonymity. Similarly, an SHP which provides too much confidentiality contributes to a "culture of silence" regarding the reporting of potential sexual harassment. In the fall out from the Ghomeshi investigations, The Toronto Star reported that a former York University Student was at an informal meeting of about 25 students in the fall of 1988 where residence advisors told the group that a couple of female students had said that Ghomeshi hit them. One said she was choked in a stairwell. Nothing official was done because the students were talking to the advisors "confidentially" to get advice. They were told to report it but none of them wanted to.

   Be careful to strike the right balance when addressing requests for confidentiality. Use wording to the effect of "confidentiality will be provided to the extent possible" and "people who participate in a process under the SHP are required to maintain confidentiality (or face discipline)". The SHP should also state that managers have a positive obligation to maintain a harassment-free workplace and therefore must intervene if they become aware of an allegation.

4. Who can file a complaint? Too often an SHP limits the ability to file a complaint to the person who was the target of the behaviour. If that person is unwilling to file a complaint then it is much more difficult for management to

deal with the behaviour. SHPs are being revised to allow bystanders (those who have witnessed or know about potential sexual harassment) or management to initiate the complaint process. The SHP should also provide for discipline for false complaints made maliciously or in bad faith.

5. What are the time limits? Historically, the time limit in an SHP frequently corresponds to the time limit under the relevant human rights legislation. However, the legislative time limit may have changed. Further, the legislation may allow for extensions of the time limit under certain circumstances. Management may wish to retain discretion to waive a time limit under extenuating circumstances.
6. Have you maintained the right amount of discretion in your investigative process (formal vs. informal; internal vs. external)?
7. Are there various options for resolution (mediation, restorative justice, transformative mediation)? Have you been keeping up to date on emerging alternate dispute mechanisms and is the wording of your policy broad enough to include these?

   Restorative justice is a process where the perpetrators, victims and other stakeholders all come together to discover what and why something (e.g. sexual harassment) happened and how to fix it. It does not focus on punitive measures, as the thinking is that such measures do not change attitudes or positively influence future behaviour.

   Transformative mediation, similarly, is designed to get people communicating and working together. Its purpose is not to obtain a "settlement".

   Alternative dispute resolution ("ADR") can take many forms – is your SHP broad enough to include these or is it limited to traditional mediation?
8. What training is ongoing in conjunction with the Policy? Is it time to consider some of the new trends in training such as focusing on bystander intervention and consent?

   Bystanders are people who observe, or learn about, inappropriate workplace behaviour but who are not themselves the target of the behaviour. Workplaces across Canada are addressing attitudes such as "it was just a joke"; "she must have deserved it" and "it's none of my business" through bystander intervention awareness campaigns and education. Bystander training empowers men and women to take individual and collective responsibility for preventing sexual violence. These campaigns address fears or hesitation about getting involved. They teach people the skills they need to recognize and intervene when they witness behaviours that are, or may lead to, sexual violence.

   Similarly, more recent training on consent has abandoned the traditional "no means no" and moved to a "yes means yes" model reflecting that consent does not mean the absence of a "no" and cannot be provided in certain circumstances (e.g. minors, incapacity). Consent goes to the "unwelcome" component of the definition of sexual harassment.
9. What data are you keeping on the number of complaints and the manner in which they are resolved? Is this information available? If not, should you make it available to executives? What about to the workforce generally?
10. How are you evaluating the effectiveness of your Policy? Have you conducted audits of your staff to test their awareness of the Policy?

Twila Reid
St. John's, NL
709.570.8828
treid@stewartmckelvey.com

[1] http://www.huffingtonpost.ca/2015/05/12/shawn-simoes-fired-hydro-one-fhritp_n_7269462.html

[2] http://www.theglobeandmail.com/life/tc-transcontinental-employee-suspended-after-heckling-female-comic-at-awards-show/article24506521/

False/Unfounded Allegations: What about the Unsubstantiated Complaints?

As long as there are harassment and respectful workplace policies that provide employees an opportunity to file complaints against their fellow employees, there will be, periodically, false or unfounded allegations. Employers can put themselves in a better position to avoid the liability associated with such false or unfounded allegations if they abide by the following:

1. A Clear and Appropriately Restrictive Definition of Bullying and Harassment

   Bullying and harassment are inherently fuzzy concepts. One person's harassment or bullying may be another person's discipline or constructive criticism. A clear definition of bullying and harassment that is contained in a policy ("Policy") that complies with applicable legislation should decrease the number of false or unfounded allegations.

2. Written Complaint

   The Policy should require the Complainant to provide a written complaint, outlining in detail the material facts associated with the alleged harassment or bullying (i.e. who, what, when, where, why, how, and witnesses).

   A false or unfounded allegation may be evident from the written Complaint.

   If the Complainant is unable to write the Complaint, an unbiased member of management may assist. Such assistance, however, has to be provided carefully to avoid any suggestion that the manager "put words in the Complainant's mouth" or omitted key facts. The Complainant should be given the opportunity to review and approve the final version of the Complaint.

3. The Investigator

   The Investigator should be unbiased, detail oriented, willing and able to ask tough questions (particularly of the Complainant) in as sensitive a way as possible. Working knowledge of basic legal concepts (fairness, hearsay, harassment), and the ability to write well are also important qualities the Investigator should possess.

4. Give the Respondent the Opportunity to Respond

   A fair and thorough investigation must give the Respondent (i.e. the person against whom the allegations are being made) an opportunity (and likely many opportunities) to respond to the Complaint and witness statements.

5. Do Not Rush to Judgment

   "Gut-feelings" and "hunches" should never override objective evidence and analysis. A Respondent's past performance difficulties do not give an employer license to rush to judgement. This is not to say that the Respondent's past is irrelevant but it can never override objective evidence and analysis.

6. Speed is Important but Getting it Right is More Important

   Bullying and harassment allegations have to be investigated with relative speed, but speed should not override the goal of "getting it right". Employers who get it wrong (because, for example, they jumped to a conclusion without conducting a thorough investigation) inevitably subject themselves to potential liability (e.g. bad faith findings, punitive damages, defamation claims, etc.).

7. Do not Overreact

   When serious allegations are made and such serious allegations, if true, put other members of the workplace in jeopardy, extraordinary measures may be appropriate (e.g. call the police, remove the employee against whom the allegations were made from the workplace). Employers, however, must proceed with caution because an overreaction that is detrimental to a Respondent's reputation will be problematic.

8. Confidentiality

   There is no question that maintaining confidentiality is easier said than done, but employers should make best efforts to make sure that the process is as confidential as possible.

   Confidentiality cannot be promised to the Complainant or Respondent because the Respondent, Complainant, and witnesses must be interviewed and be able to respond to specific factual assertions. However, this does not mean that witnesses should not be cautioned against "gossiping" about their interviews. Confidentiality should be emphasized.

9. If Allegations are Unfounded

If the allegations are unfounded, the Respondent and Complainant should be so advised in separate meetings. Some policies provide that making intentionally false allegations will result in discipline. Given the fuzziness associated with even the most carefully worded definition of bullying and harassment, it may be difficult to conclude that a Complainant made an intentionally false allegation.

In the event of unfounded allegations and when it is evident that confidentiality has not been maintained (see #8), an appropriate communications strategy should be created. There is no "one size fits all" communications strategy because any such strategy will be dependent upon the size and nature of the workplace, the allegations, and the extent to which confidentiality has been breached. Importantly, employees will need to be assured that, even though unfounded allegations may arise from time-to-time, the internal reporting system, and any resulting investigation, will be managed in a fair and reasonable way.

Rick Dunlop
Halifax, NS
902.420.3384
rdunlop@stewartmckelvey.com

This newsletter is intended to provide brief informational summaries only of legal developments and topics of general interest and does not constitute legal advice or create a solicitor-client relationship. The newsletter should not be relied upon as a substitute for consultation with a lawyer with respect to the reader's specific circumstances. Each legal or regulatory situation is different and requires review of the relevant facts and applicable law. If you have specific questions related to this newsletter or its application to you, you are encouraged to consult a member of our firm to discuss your needs for specific legal advice relating to the particular circumstances of your situation. Due to the rapidly changing nature of the law, Stewart McKelvey is not responsible for informing you of future legal developments.

Service First

Clients expect and have the right to receive full value for the fee charged. We have earned a reputation for providing value to business, the public sector and individuals. *Service First* defines the standards of client service at Stewart McKelvey. Our lawyers and staff hold themselves accountable to deliver the following standards of service to each of our clients:

Outperforming your expectations

At Stewart McKelvey, *Service First* means outperforming your expectations by:

Understanding your business and objectives;
Providing value through creative and timely service; and
Maintaining effective communication.

If you believe we have failed in any way to meet our *Service First* commitment, please do not hesitate to contact the lawyer handling your matter or our chief executive officer to discuss your concerns:

Lydia Bugden
902.420.3372
lbugden@stewartmckelvey.com

Labour and Employment Group Members

Office	Group Members	Direct Dial	Residence	Email
Charlottetown, PE				
Tel: 902.892.2485	Tracey Clements, QC	629.4538	569.3776	tclements@stewartmckelvey.com
Fax: 902.566.5283	Murray Murphy, QC, CHRP	629.4558	892.8019	mmurphy@stewartmckelvey.com
Email: charlottetown@stewartmckelvey.com	Janet Clark, CHRP	629.4562	367.2141	jclark@stewartmckelvey.com
	Stephen Carpenter, CHRP	629.4556	687.2855	scarpenter@stewartmckelvey.com
	Patti Wheatley	629.4546	940.7431	pwheatley@stewartmckelvey.com
	Jonah Clements	629.4527		jclements@stewartmckelvey.com
	Counsel			
	Rosemary Scott, QC	629.4503	569.3021	rscott@stewartmckelvey.com
Fredericton, NB				
Tel: 506.458.1970	Fred McElman, C.M., QC	444.8979	454.2403	fmcelman@stewartmckelvey.com
Fax: 506.444.8974	Lana MacLellan	443.0125		lmaclellan@stewartmckelvey.com
Email: fredericton@stewartmckelvey.com	Ellen Oakes Thompson	444.8970		eoakes@stewartmckelvey.com
	Lara MacDougall	443.0151		lmacdougall@stewartmckelvey.com
	Sheila Lanctôt	444.6981		slancot@stewartmckelvey.com
	Chad Sullivan	443.0126		csullivan@stewartmckelvey.com
	E. Anne MacLean	444.6984		amaclean@stewartmckelvey.com
	Counsel			
	Gérard La Forest, C.C., QC	443.0135	460.0992	glaforest@stewartmckelvey.com
Halifax, NS				
Tel: 902.420.3200	Peter McLellan, QC	444.1717	425.5248	pmclellan@stewartmckelvey.com
Fax: 902.420.1417	John Plowman, QC	420.3322	423.4942	jplowman@stewartmckelvey.com
Email: halifax@stewartmckelvey.com	Brian Johnston, QC	420.3374	422.5896	bjohnston@stewartmckelvey.com
	Grant Machum	420.3330	477.6788	ggmachum@stewartmckelvey.com
	Lisa Gallivan	420.3392	443.6230	lgallivan@stewartmckelvey.com
	Rebecca Saturley	420.3333	423.8622	rsaturley@stewartmckelvey.com
	Rick Dunlop	420.3384	229.7424	rdunlop@stewartmckelvey.com
	Mark Tector	420.3358	225.0520	mtector@stewartmckelvey.com
	Level Chan	420.3389	229.5838	lchan@stewartmckelvey.com
	Andrea Baldwin	420.3370		abaldwin@stewartmckelvey.com
	Michelle McCann	444.1724	440.7064	mmccann@stewartmckelvey.com
	Sean Kelly	444.1742	471.5359	skelly@stewartmckelvey.com
	Michelle Black	420.3332		mblack@stewartmckelvey.com
	Dante Manna	420.3343		dmanna@stewartmckelvey.com
	Alison Strachan	420.3387	429.2174	astrachan@stewartmckelvey.com
	Richard Jordan	444.1712		rjordan@stewartmckelvey.com
Moncton, NB				
Tel: 506.853.1970	André Richard, QC	853.1962	384.3922	arichard@stewartmckelvey.com
Fax: 506.858.8454	Christopher Stewart	383.2224	384.7115	cstewart@stewartmckelvey.com
Email: moncton@stewartmckelvey.com	Sacha Morisset	853.1942	383.6939	smorisset@stewartmckelvey.com
	Renée Fontaine	853.1973		rfontaine@stewartmckelvey.com
	Josie Marks	383.2304		jmarks@stewartmckelvey.com
	Timothy Bell	383.2306		tbell@stewartmckelvey.com
Saint John, NB				
Tel: 506.632.1970	James LeMesurier, QC	632.2776	652.8962	jlemesurier@stewartmckelvey.com
Fax: 506.652.1989	Stephen Hutchison	632.2784		shutchison@stewartmckelvey.com
Email: saint-john@stewartmckelvey.com	Catherine Lahey, QC	632.8307	672.2602	clahey@stewartmckelvey.com
	Clarence Bennett	444.8978	454.8978	cbennett@stewartmckelvey.com
	Vanessa Paton	632.8332	651.9765	vpaton@stewartmckelvey.com
St. John's, NL				
Tel: 709.722.4270	Harold Smith, QC	570.8895	753.8337	hsmith@stewartmckelvey.com
Fax: 709.722.4565	Ian Wallace	570.8839	739.9495	iwallace@stewartmckelvey.com
Email: st-johns@stewartmckelvey.com	Rodney Zdebiak	570.8841	722.8538	rzdebiak@stewartmckelvey.com
	Stephen Penney	570.8881	722.8874	spenney@stewartmckelvey.com
	Twila Reid	570.8828	237.1339	treid@stewartmckelvey.com
	Ruth Trask	570.8893	728.9256	rtrask@stewartmckelvey.com