

RESTATEMENT OF CANADIAN LABOUR LAW SYMPOSIUM



JULY 20 TO 22, 2024

Indigenous Classroom, Room 123 & Virtually

**PETER A. ALLARD SCHOOL OF LAW
UNIVERSITY OF BRITISH COLUMBIA**



DAY 1

2:00 REGISTRATION & REFRESHMENTS

2:30-4:20 COLONIAL CAPITALISM & RACIAL ORIGINS OF THE LABOUR CONTRACT

Chair: Supriya Routh

Heiner Fechner: Long-term Effects of Colonial Labour Legislation: A Postcolonial Analysis of Legal Segmentation

Diamond Ashiagbor: Race, Legal Form and the Labour Contract

Vasanthi Venkatesh: Legal Exceptionalism in a Racial Capitalist Order: The Contracts for Foreign Labour in Agriculture from a Historical and Comparative Perspective

Kerry Rittich: Reconstructing the Social in the Wake of Colonialism - Guideposts Along the Path

5:30 DINNER & RECEPTION

PRESENTER PROFILES



HEINER FECHNER

University of Bremen

Heiner Fechner specializes in labour law, law and society, legal history, postcolonial legal theory, constitutional law, and law and development. His current research focuses on the history of labour law in the Global South.



DIAMOND ASHIAGBOR

University of Kent

Diamond Ashiagbor joined Kent Law in 2018, teaching labour law and public law. The author of several books, she was the 2006 recipient of the Peter Birks/Society of Legal Scholars prize for outstanding legal scholarship.



VASANTHI VENKATESH

University of Windsor

Vasanthi Venkatesh's research focuses on labour migration, immigration and citizenship law, social movements, racialization and discrimination, and comparative law. This is reflected in her work with a variety of activist, grassroots, and human rights organizations.



KERRY RITTICH

University of Toronto

Kerry Rittich is a Professor of Law, Women and Gender Studies, and Public Policy and Governance at the University of Toronto, where she also served as Associate Dean of the JD Program. She writes in the areas of labour law, international institutions and global governance, law and development, and gender and critical theory.

SUNDAY, JULY 21

DAY 2

9:00-10:00 BREAKFAST

10:00-11:10 GLOBAL JUSTICE & CITIZENSHIP AT WORK

Chair: Adam Hofri

Liam McHugh-Russell: Horizons of Concern: Global Justice and Methodological Nationalism in Canadian Labour Law

11:10-11:30 COFFEE BREAK

11:30-12:40 LABOUR, LAND & CONTRACT: SETTLER-COLONIALISM & RECONCEPTUALIZATION OF CANADIAN LABOUR LAW

Chair: Jennifer Glougie

Amar Bhatia & Adrian A Smith: Labour, Land and Contract: Care-fully Developing Multiple Freedoms in the Burning Home of Canadian Labour Law

Ania Zbyszewska: Labour Law in an Ecological Key - Rethinking Health and Safety at Work

12:45-2:15 LUNCH

2:15-3:45 FREEDOM OF ASSOCIATION & RIGHT TO STRIKE: NEW APPROACHES TO FAMILIAR IDEAS

Chair: Robert Russo

Bethany Hastie: The Constitutional Architecture of Freedom of Association

Brishen Rogers: Lay Legal Praxis in Union Organizing – A Qualitative Study

Sabine Tsuruda: The Right to Strike and Substantive Equality

3:45-4:05 COFFEE BREAK

4:05-5:35 EXPANDING SPACE-TIME: TAKING EMPIRICAL REALITY SERIOUSLY

Chair: Janine Benedet

Laura Dehaibi: Why do Labour Laws Ignore Location? A Look at Platform Work and the Control of Space as a Means of Subordination and Resistance

Ravi Malhotra & Emily Rasic: Disability Accommodation in the Workplace, Adaptive Technology and Reimagining Labour Law through Crip Time

Marin Dumas: Labour Law and its Plumbing

6:30 DINNER

PRESENTER PROFILES

DAY 2



ADAM HOFRI (CHAIR)

Peter A. Allard School of Law

Adam Hofri joined Allard Law in 2023 with expertise in trusts, legal history, and intellectual history. A winner of several research grants, he has delivered talks at the EU Parliament, Danish Parliament, and Scandinavian tax authorities.



LIAM MCHUGH-RUSSELL

Schulich School of Law

Liam McHugh-Russell's research focuses on labour, corporate governance, and economic development to produce scholarship at the intersection of law, political economy, and the sociology of knowledge. In addition to teaching, he has professional experience working at the International Labour Organization in Geneva and with a union-side labour law firm.



JENNIFER GLOUGIE (CHAIR)

BC Labour Relations Board

Jennifer Glougie practiced with a boutique Union-side labour firm for 12 years before joining the Labour Relations Board as a Vice-Chair in 2016. She is the current Chair of the BC Labour Relations Board and BC Employment Standards Tribunal.



AMAR BHATIA

Osgoode Hall Law School

Amar Bhatia joined Osgoode's full-time faculty in 2014, teaching courses in property law, refugee law, globalization & the law (focused on migrant work). He also co-directs the Intensive Program in Indigenous Lands, Resources and Governments.



ADRIAN A. SMITH

Osgoode Hall Law School

Adrian Smith joined Osgoode in 2018, serving a term as Academic Director of Parkdale Community Legal Services, teaching the intensive seminar in poverty law. He has travelled across the globe for his research on the regulation of labour in colonial and settler-colonial contexts.



ANIA ZBYSZEWSKA

Carleton University

Ania Zbyszewska's interdisciplinary, socio-legal research is conceptually and methodologically informed by feminist political economy, political ecology, and critical legal studies. She is a co-founding member of the Moving Labour Collective, a collaboration between labour law researchers invested in working with activists and the mentoring of junior colleagues.



ROBERT RUSSO (CHAIR)

Peter A. Allard School of Law

Robert Russo has guided the teaching for the Distance Learning and LLMCL programs as well as teaching in the first-year J.D. program. His current interests in law extend to human rights, labour, and justice issues.

PRESENTER PROFILES

DAY 2



BETHANY HASTIE

Peter A. Allard School of Law

Bethany Hastie's research examines issues of precarious labour in the intersecting spaces of labour and employment, migration, and human rights law, with a focus on migrant labour, domestic work, labour exploitation, gender and work, and employment discrimination.



BRISHEN ROGERS

Georgetown Law

Brishen Rogers' current research explores the relationship among labour and employment law, technological development, and economic and social equality. He recently published a book on those questions: *Data and Democracy at Work: Advanced Information Technologies, Labor Law, and the New Working Class*.



SABINE TSURUDA

University of Toronto

Sabine Tsuruda teaches in the areas of contract, labour and employment, and the philosophy of law. Her research addresses issues in legal doctrine that concern social equality and moral agency.



JANINE BENEDET (CHAIR)

Peter A. Allard School of Law

Janine Benedet joined Allard Law in 2005 and served as Dean pro tem. Her areas of teaching expertise include criminal law, labour law, the law of sexual offences, and legal ethics.



LAURA DEHAIBI

Laval University

Laura Dehaibi is an assistant professor in the Department of Industrial Relations and co-researcher for the Interuniversity Research Center on Globalization and Work. With expertise in international labour law, she is particularly interested in the historical and geographical dimensions of marginalization at work, particularly in the agricultural sector.



RAVI MALHOTRA

University of Ottawa

Ravi Malhotra is a member of the Labour Law Casebook Group and Human Rights Committee of the Council of Canadians with Disabilities. His primary research interests include labour and employment law, human rights, globalization, and disability rights law, for which he has authored multiple books.



EMILY RASIC

University of Ottawa

Emily Rasic recently completed her JD in the English Common Law Program with a strong interest in civil litigation.



MARTIN DUMAS

Laval University

Martin Dumas has served as an international labour advisor to the secretariat established under the North American Agreement on Labor Cooperation in Washington, DC. and continues to advise various organizations. His research interests include constitutionalism and consumer regulation, labour law and legal theory, and the law of child labour.

MONDAY, JULY 22

DAY 3

9:00-10:00 BREAKFAST

10:00-11:30 FREEDOM, RECONCILIATION & PLURAL VALUES OF LABOUR

Chair: Gordon Christie

Bruce P Archibald: Reconciliation, Capability Theory and Restorative Resolution of Workplace Indigenous Identity Issues - Getting to the Basics

Supriya Routh: Market Capitalism, Environmental Spirituality and the Value of Work: PKFN Case Study

Roberto Fragale Filho: A Glimpse at Labour in the Makuxi Ethnic Group

11:30-11:50 COFFEE BREAK

11:50-1:20 LEGAL RESTATEMENTS OR NOT? MODELS OF NORTMATIVE REGULATION

Chair: Sam Beswick

Gillian Demeyere: Sword, Shield, or White Flag: In Defence of the Contract of Employment

Bruce Curran: Is a Labour Law System Based on Private Contractual Exchange Currently Fit for Purpose? An Analysis of the Evidence

Brian Langille: Grammar and Narrative / Legality and Morality: What are Restatements? How do they Work?

1:30 LUNCH & GOODBYES



PRESENTER PROFILES

DAY 3



GORDON CHRISTIE (CHAIR)

Peter A. Allard School of Law

Gordon Christie joined Allard Law in 2004, acting as Academic Director of Indigenous Legal Studies from 2005 to 2016.



BRUCE P. ARCHIBALD

Schulich School of Law

Bruce Archibald has taught law at Dalhousie since 1976. He spent the last sabbatical leave in various parts of the world doing research on criminal and restorative justice, labour law and globalization, as well as democratic theory human capital investment policy, and integrated labour market regulations.



SUPRIYA ROUTH

Peter A. Allard School of Law

Supriya Routh is an Associate Professor with research interests in labour and employment law theory, social justice, human rights, and workers' collective action. His current SSHRC-funded research aims to contribute to non-Eurocentric and postcolonial legal imaginations in regulating sustainable development by generating empirical data and contributing to the theoretical literature on law, postcolonialism, and development.



ROBERTO FRAGALE FILHO

Federal Fluminense University

Roberto Fragale Filho is a Professor of the Postgraduate Program in Sociology and Law and labour judge at the 1st Labor Court of São João de Meriti.



SAM BESWICK (CHAIR)

Peter A. Allard School of Law

Samuel Beswick's current research concerns the temporal scope of judicial changes in the law, as well as the rule of law in public authority civil liability.



GILLIAN DEMEYERE

Western University

Gillian Demeyere teaches in the areas of contract law, labour and employment, human rights, social justice, and gender and the Law. She previously held the Daryl T. Bean Professorship in Law & Women's Studies and is a current member of the Labour Law Casebook Group.



BRUCE CURRAN

University of Manitoba

Bruce Curran is primarily focused on using empirical methods to study labour and employment law and dispute resolution. He has received a number of awards and honours for his teaching in many different areas of law, including dispute resolution, negotiation, contracts, labour and employment law, trusts, and human rights.



BRIAN LANGILLE

University of Toronto

Brian Langille is the former Associate Dean of Graduate Studies and former Acting and Interim Dean of the Law Faculty. He is an experienced labour arbitrator and has advised on constitutional and international labour law to several Canadian provinces, the Canadian Federal Government, the International Labour Organization, and the World Commission on the Social Dimension of Globalization.



**THANK YOU FOR
YOUR ATTENDANCE**

ORGANIZING TEAM

- Supriya Routh
- Michelle Burchill
- Grace Bian
- Liam Bryne

DESIGN TEAM

- Daniel Johnstone (Website)
- Grace Bian (Program)

