

# **Roger Beaudry**, LL.B., LL.M., C.Med., C.Arb.

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## **WORK EXPERIENCE**

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### **APTUS CONFLICT SOLUTIONS**

December 2008 – Present

**Mediator, Arbitrator, Investigator, Senior Trainer, Team Coach and Consultant**

- Conducting mediations, investigations and arbitrations in employment, labour, insurance, commercial, estate and professional malpractice disputes
- Designing and conducting training in negotiation, mediation, arbitration (labour and commercial) and collaborative work skills
- Team coaching
- Designing dispute resolution processes
- Providing services in both English and French

### **ADR CHAMBERS AND THE STITT FELD HANDY GROUP**

January 1998 – November 2008

**Mediator, Arbitrator, Investigator, Senior Trainer, Team Coach and Consultant**

- Conducting mediations, investigations, arbitrations in employment, labour, insurance, commercial, estate and professional malpractice disputes
- Designing and conducting training in negotiation, mediation, arbitration (labour and commercial) and collaborative work skills worldwide including in Canada, Europe, Africa, the United States, Australia and the Caribbean
- Team coaching
- Designing dispute resolution processes for various organisations

### **UNIVERSITY OF OTTAWA, FACULTY OF LAW**

**Lecturer**

- Labour Arbitration (1999 and 2004 to present)

- Interviewing and Communication Skills (2002 - 2003)
- Alternative Dispute Resolution – Negotiation, Mediation and Commercial Arbitration (1996 - 2006)

## **NELLIGAN, O'BRIEN PAYNE, BARRISTERS AND SOLICITORS**

**January 1986 - December 1997**

### **Lawyer and Mediator**

- Practice of law focussed primarily on litigation involving employment, labour, insurance, commercial, estate, regulatory and professional malpractice litigation
- Partner as of February 1, 1991
- Began conducting mediations in 1995 mainly in matters involving employment and insurance litigation

## **UNIVERSITY OF OTTAWA, FACULTY OF LAW**

**July 1983 – December 1985**

### **Full-time Professor in the Faculty of Law, Common Law Section**

- Taught Commercial Law, Evidence, Wills, Criminal Law and Advanced Criminal Law

## **EDUCATION**

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### **MASTER OF LAWS**

**University of Toronto, Faculty of Law (1983 - 1985)**

**Degree conferred in 1985**

### **BACHELOR OF LAWS**

**University of Ottawa, Faculty of Law, Common Law Section (1979-1982)**

**Degree conferred in 1982**

- Magna Cum Laude
- Second ex aequo in class of 153 students
- Gold medal for highest grade point average in third year (combined French-language and English-language programs)

## **BACHELOR OF SOCIAL SCIENCES (POLITICAL SCIENCE)**

**University of Ottawa, Faculty of Social Sciences (1977-1979)**

**Degree conferred in 1979**

- Degree completed in two years, rather than standard three years

## **PROFESSIONAL DESIGNATIONS**

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### **INTERNATIONAL MEDIATION INSTITUTE (IMI)**

- 2009 – Became an IMI Certified Mediator

### **TEAM COACHING INTERNATIONAL**

- 2008 - Authorised Facilitator for the Team Diagnostic

### **ADR INSTITUTE OF CANADA**

- 2005 - Designated a Chartered Arbitrator (C.Arb.)
- 1999 - Designated a Chartered Mediator (C.Med.)

### **LAW SOCIETY OF UPPER CANADA**

- 1985 – Called to the Bar of Ontario

## **PROFESSIONAL ACTIVITIES**

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### **ONGOING ONTARIO MANDATORY MEDIATION PROGRAM (1998 – PRESENT)**

#### **CHAIR OF THE LOCAL MEDIATION COMMITTEE FOR OTTAWA-CARLETON**

- Appointed by the Attorney General of Ontario in accordance with the Rules of Civil Procedure
- Assessing applicant mediators for the Mandatory Mediation Roster
- Receiving and processing complaints under the Code of Conduct
- Making recommendations to the Attorney General of Ontario on the creation, structuring, functioning and evaluation of the Mandatory Mediation Program

## **ONTARIO MINISTRY OF EDUCATION (2007 – PRESENT)**

### **MEMBER OF THE PROVINCIAL ADVISORY COMMITTEE ON FORMAL DISPUTE RESOLUTION REGARDING SPECIAL EDUCATION PROGRAMS AND SERVICES**

- Committee overseeing the design, implementation and evaluation of a formal dispute resolution system to resolve disputes between parents and school boards relating to accommodating students with special needs

## **ADR CHAMBERS UK (2002 – PRESENT)**

### **TRAINER**

- Assisting in setting up panel of mediators and arbitrators in the United Kingdom by providing mediation and advanced mediation training to ex-judges (all levels including the Court of Appeal and the House of Lords) and to distinguished counsel of the U.K. bar

## **OTTAWA STEERING COMMITTEE ON MANDATORY MEDIATION IN ESTATES MATTERS (2002 – PRESENT)**

### **COMMITTEE MEMBER**

- Committee of mediators, judges and lawyers overseeing the application of Rule 75.1 of the Rules of Civil Procedure in Ottawa

## **NEXIENT (2002 - PRESENT)**

### **TRAINER IN PROJECT MANAGEMENT STREAM**

- Delivering workshops in managing the procurement process and in negotiation for project managers across Canada

## **CCH CANADIAN LIMITED (2000 – PRESENT)**

### **AUTHOR AND EDITORIAL BOARD MEMBER**

- Member of the Editorial Board for the ADR PRACTICE MANUAL published by CCH

## **ADR INSTITUTE OF ONTARIO (2008-PRESENT)**

### **MEMBER OF THE OTTAWA REGIONAL CHARTERED ARBITRATOR ACCREDITATION COMMITTEE**

- Processing and making recommendations to the ADR Institute

regarding applications for the C.Arb. designation

## **ONTARIO BAR ASSOCIATION (2008-PRESENT)**

### **MEMBER OF THE EXPANSION OF MANDATORY MEDIATION WORKING GROUP**

- Member of a group studying the feasibility of rolling mandatory mediation out to various centres in Ontario.

**2007**

## **ADR INSTITUTE OF ONTARIO (2002-2007)**

### **MEMBER OF THE OTTAWA REGIONAL CHARTERED MEDIATOR ACCREDITATION COMMITTEE**

- Processing and making recommendations to the ADR Institute regarding applications for the C.Med. designation

**2005**

## **CANADIAN HUMAN RIGHTS COMMISSION (1998-2005)**

### **DISPUTE RESOLUTION DESIGN CONSULTANT AND MEDIATION TRAINER**

- Designing, implementing and evaluating pre-investigation mediation in the Commission`s processes
- Developed selection criteria for mediators and assisted in selecting mediators to act on behalf of the Commission
- Delivered training workshops to Commission mediators
- Designed and implemented an evaluation protocol and tools to evaluate the use of mediation by the Commission
- Developed a publication to give to the public to explain mediation
- Developed a mediation agreement, criteria to select cases for mediation, and a detailed Procedural Protocol to be followed by staff and mediators

**2004**

## **WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA (2003-2004)**

### **DISPUTE RESOLUTION DESIGN CONSULTANT AND MEDIATION TRAINER**

- Diagnosed strengths and weaknesses of the existing systems and made recommendations for improving it
- Work included the planning and design of a new dispute resolution process, reports recommending a new system design, and designing a pilot project
- Delivered mediation training for Board neutrals.

**ADR INSTITUTE OF ONTARIO (2003-2004)**  
**MEMBER OF THE BOARD OF DIRECTORS**

**1999**      **ONTARIO MANDATORY MEDIATION PROGRAMME (1998-1999)**

**MEMBER OF THE PROVINCIAL WORKING GROUP**

- Recommending guidelines for Local Mediation Committees and advising the Ministry of the Attorney General on structure and evaluation of the Mandatory Mediation Program

**CANADIAN BAR ASSOCIATION, EAST AFRICAN STUDY TOUR TO ONTARIO AND ALBERTA**

**MEDIATION TRAINER**

- Conducted a half day of mediation training for representatives of Law Societies of Uganda, Kenya and Tanzania

**1998**      **ONTARIO BAR ADMISSION COURSE (1990-1998)**

**LECTURER**

- Lecturer on mediation (1997 and 1998)
- Panel member on ethics and on professional negligence (1994, 1995, 1996 and 1997)
- Lecturer on trial tactics (1990)

**1995**      **ONTARIO COURT OF JUSTICE (GENERAL DIVISION)**

**BACKLOG ELIMINATION PROGRAMME FOR THE EASTERN REGION**

- On the invitation of the Regional Senior Justice, conducted civil pre-trial conferences to assist in eliminating the court's backlog of civil cases

**LASKIN MOOT COURT COMPETITION (1995 AND 1997)**

**JUDGE AT THE COMPETITION**

**1989**      **ONTARIO PAY EQUITY COMMISSION**

**LEGAL CONSULTANT**

- Assisted the Commission with translation of its Rules of Practice into the French language

## **PROFESSIONAL APPOINTMENTS**

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### **2007 GOVERNMENT OF ONTARIO**

- Became Vendor of Record (VOR) for workplace investigations and workplace restoration services

### **2003 TARION CORPORATION (FORMERLY THE ONTARIO NEW HOME WARRANTY PROGRAM)**

- Appointed to Arbitration Roster

### **2002 ONTARIO COLLEGE OF TEACHERS**

- Appointed to Mediation Roster

### **2000 CANADA CUSTOMS AND REVENUE AGENCY**

- Appointed to Panel of Independent Third Party Reviewers for arbitration of staffing disputes

### **1999 ONTARIO MANDATORY MEDIATION PROGRAMME**

- Appointed to Mediation Roster, Toronto and Ottawa

### **1997 ONTARIO COURT OF JUSTICE (GENERAL DIVISION)**

- Appointed to Court-Connected Mediation Roster

### **ONTARIO HUMAN RIGHTS COMMISSION**

- Appointed to Mediation Roster
- Received two days of Ontario Human Rights Commission mediation training

### **1997 ONTARIO INSURANCE COMMISSION**

- Appointed to roster of pre-hearing arbitrators
- Received two days of Ontario Insurance Commission mediation training

## SELECTED PUBLICATIONS, LECTURES AND SPEAKING ENGAGEMENTS

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- ***Collaborative Work Skills (CWS); The Soft Skills that Make Teams Work*** (in draft), Book
- “**Things Mediators Do to Break Log Jams**”, Ottawa-Gatineau Chapter of Christian Legal Fellowship, Speaker.
- “**Diagnosing and Curing the Toxic Workplace**”, ADR Institute of Canada and Institut de Médiation et d’arbitrage du Québec Conference (2008), Speaker and panellist.
- “**It’s All in the Preparation: Risk Analysis, Principled Negotiation and Mediation**”, ADR Institute of Canada and Institut de Médiation et d’arbitrage du Québec Conference (2008), Speaker and panellist.
- “**How to be More Effective in Mediation**”, Ontario Bar Association – Young Lawyers’ Division (2007), Breakfast Speaker
- “**Negotiation for Project Managers**”, Ottawa Centre for Research and Innovation (2006), Speaker
- “**Introducing Court-Based ADR: A workshop to Explore International Best Practices**”, National Judicial Institute of Canada” (2004), Panellist
- “**Mediation in Condominium Disputes**”, Association of Condominium Managers in Ontario (2004), Speaker
- “**Court-Connected Not So Confidential Mediation**”, CCH ADR Forum (2004), Article
- “**Round Table Discussion on the Use of Mediation in Medical Malpractice Cases**”, Association des juristes d’expression française de l’Ontario Annual Conference (2003), Panellist
- “**Case Management and Mediation**”, County of Carleton Law Association: Civil Litigation Updated Conference (2001), Panellist
- “**Recent Developments in Mediation**”, Barreau du Québec (2001), Paneliste
- “**Streamlining the Administration of a Court-Connected Mediation Practice**”, Finessing Court-Connected Mediation – A Continuing Education Seminar for Court-Connected Mediators, Ontario Mandatory Mediation Program (2001), Speaker
- “**Choosing an Arbitrator**”, CCH ADR Practice Manual (1999), Article

- **“Mediators’ Commitments and Undertakings in the Mandatory Mediation Programme”**, Ottawa-Carleton Orientation Session for Mandatory Mediation Programme (1999), Speaker
- **“La négociation raisonnée”**, University of Ottawa Faculty of Law (1999), Panel Member
- **“Le futur du RED”**, University of Ottawa Faculty of Law ADR Week (1999), Speaker
- **“Introduction to Alternative Dispute Resolution”**, Canadian College of Health Service Executives (1999), Speaker
- **“La médiation – Introduction”**, MacKenzie Group International (1998), Played the role of the mediator in a video on mediation
- **“Ten Common Traps for Mediators”**, Society of Adjudicators and Regulators (SOAR) and Council on Government, Dispute Resolvers (COGDR) ADR Forum (1998), Speaker
- **“Introduction to Alternative Dispute Resolution”**, Federal Court Clerk Lecture Series (1998), Speaker
- **“Le rôle du RED dans la pratique du droit”**, Université of Ottawa Faculty of Law (1998), Speaker
- **“Le renvoi obligatoire à la médiation”**, Association des juristes d'expression française de l'Ontario (1997), Speaker
- **“The Civil Justice System, Arbitration and Mediation: Similarities and Distinctions”**, University of Ottawa Faculty of Law ADR Week (1997), Speaker
- **“Introduction à la négociation et à la médiation”**, Annual Conference of the Association des juristes d'expression française de, l'Ontario (1997), Speaker
- **“Méthodes de règlement des différends”**, University of Ottawa Faculty of Law Lecture Series (1997), Speaker
- **“Alternative Dispute Resolution in Real Estate Disputes”**, The Ottawa Real Estate Forum (1997), Speaker
- **“Mediation: An Introduction”**, Queen's University Faculty of Law (1997), Speaker
- **“The ABC's and a Few DEF's About Choosing an Arbitrator”**, County of Carleton Law Association Fifth Annual Solicitors Conference (1997), Speaker
- **“What is Alternative Dispute Resolution”**, Federal Court Clerk Lecture Series (1996), Speaker

- **“School Support in the 1990’s”**, Ontario Separate School Business Officials Association (1994), Speaker
- **“La pratique du droit en marge des règles”**, University of Ottawa Conference on Professional Negligence (1993), Speaker
- **“Négligence professionnelle”**, Association des juristes d'expression française de l'Ontario (1992), Speaker
- **“Charter Mobility Rights: Five Years Down the Road”**, Charter Issues in Civil Cases (1988) 151-169 (Carswell), Chapter
- **“Utilisation du droit des délits dans les causes de renvoi injuste”**, Association des juristes d'expression française de l'Ontario (1988), Speaker
- **“The Doctrine of Recent Possession: A Black Box Presumption”** (1986-87), 29 Crim.L.Q. 453-486, Article

## **PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS**

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### **ASSOCIATION DES JURISTES D'EXPRESSION FRANÇAISE DE L'ONTARIO**

- Member since 1979

### **ADR INSTITUTE OF ONTARIO**

- Member of Board of Directors in 2004 and 2005
- Member since 1995

### **ADR INSTITUTE OF CANADA**

- Member since 1995

### **ADR SECTION OF THE ONTARIO BAR ASSOCIATION**

- Member since 1995

### **COUNTY OF CARLETON LAW ASSOCIATION**

- Member since 1985

### **THE NETWORK: INTERACTION FOR CONFLICT RESOLUTION**

- Member 1998-2000

### **DISPUTE RESOLUTION CENTRE FOR OTTAWA-CARLETON**

- Member 1996-1999

## **MOUVEMENT D'IMPLICATION FRANCOPHONE D'ORLÉANS**

- Member of the Board of Directors 1992-95
- Certificate of Appreciation for contribution the Mouvement d'implication francophone d'Orléans and to the Centre culturel d'Orléans (1995)

## **SELECTED LIST OF CLIENTS**

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### **INSURERS**

- Allstate Insurance
- AIG Life Insurance
- Assurance-Vie Desjardins-Laurentienne
- Aviva Insurance
- Canadian Medical Protective Association
- Economical Insurance
- ENCON Group Inc
- Great West Life
- ING Direct Canada
- Lloyds of London
- Ontario Teachers' Insurance Plan,
- Manulife Financial
- Lawyers' Professional Indemnity Company
- London Life Insurance
- Maritime Life
- Reinsurance Management Associates Inc
- State Farm Insurance

### **LAW FIRMS**

- Blake Cassels & Graydon
- Borden Ladner Gervais
- Cassels Brock
- Cooligan Ryan
- Doucet McBride
- Emond Harnden
- Fasken Martineau DuMoulin
- Frazer Milner Casgrain
- Gowling Lafleur Henderson
- Heenan Blaikie
- Hicks Morley Hamilton Stewart Storie
- Jewitt Morrison and Associates
- Kelly Santini
- Lang Michener
- Lavery DeBilly
- Miller Thomson
- Nelligan O'Brien Payne
- Ogilvy Renault

- Osler Hoskin & Harcourt
- Perley-Robertson, Hill & McDougall
- Rasmussen Starr Ruddy
- Raven Cameron Ballantyne & Yazbeck
- Smart & Biggar
- Soloway Wright
- Stikeman Elliott
- Tierney Stauffer
- Thompson Rogers
- Torys

## **FINANCIAL**

- American Express
- Bank of Montreal
- Business Development Bank of Canada
- Canadian Imperial Bank of Commerce,
- Export Development Canada
- Laurentian Bank of Canada
- MBNA Canada
- Merrill Lynch Canada Inc
- RBC Royal Bank
- Scotiabank
- TD Bank

## **GOVERNMENT AND OTHER PUBLIC**

- Canada Revenue Agency
- Canadian Blood Services
- Canadian Human Rights Commission
- Canadian Turkey Marketing Agency
- Children's Aid Society of Ottawa
- City of Ottawa
- Conseil des écoles catholiques de langue française du Centre-Est
- Conseil des écoles publiques de l'est de l'Ontario
- Conseil scolaire catholique Franco-Nord
- Conseil scolaire catholique des Grandes Rivières
- Government of Canada (various ministries/departments)
- Government of Ontario (various ministries/departments)
- Hawkesbury Hospital
- Lakehead University
- Lycée Claudel
- Montfort Hospital
- NAV Canada
- National Capital Commission
- Ombudsman for Banking Service and Investments
- Ontario Human Rights Commission
- Ottawa-Carleton District School Board
- Ottawa Catholic School Board
- Ottawa Community Housing Corporation

- Ottawa Hospital
- Ottawa Police Services
- Royal Canadian Mint
- Royal Canadian Mounted Police
- Tarion Corporation
- University of Ottawa

## **UNIONS**

- Association des enseignantes et des enseignants franco-ontariens
- Association of Professors of the University of Ottawa
- Canadian Postmasters and Assistants Association
- Ottawa Police Association
- Public Service Alliance of Canada,
- Professional Institute the Public Service of Canada

## **OTHER**

- Accenture Inc
- Allstream
- Bell Canada
- IBM Canada
- MINTO Construction
- MP Lundy Construction Ltd
- Raytheon Canada
- Sprint Canada
- Telesat Canada
- ThyssenKrupp

## **SELECTED LIST OF TRAINING CLIENTS**

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### **INSTITUTIONS (TRAINING DELIVERED IN ASSOCIATION WITH)**

- Queen's University
- LaTrobe University
- Nexient. Training
- Notre Dame University
- University of New South Wales
- University of Melbourne
- University of Ottawa
- University of Windsor

### **CLIENTS FOR WHICH CUSTOMIZED TRAINING WAS DELIVERED**

- ALCOA
- Beaumont Hospital (Ireland)
- Association des enseignantes et des enseignants franco-ontariens
- Association des juristes d'expression française de l'Ontario
- Association of Canadian Court Administrators
- Forum of Canadian Ombudsman

- Government of Canada (various departments/ministries)
- Government of Ontario (various departments/ministries)
- Government of Nunavut
- Human Resources Professional Association of Ontario
- Humber College
- INCO Irish Bar Association
- Masterfoods
- Novartis Ontario Bar Association
- Ontario Power Generation
- Ontario Vegetable Marketing Growers' Board
- Scotiabank
- TBAYTel
- Vertex
- Workers` Compensation Board of British Columbia

## **SELECTED LIST OF WORKSHOPS DELIVERED**

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### **ALTERNATIVE DISPUTE RESOLUTION WORKSHOP**

This workshop gives participants the tools they need to manage conflict constructively both in the workplace and at home. Participants learn how to use interest based negotiation and how to mediate disputes. The course is typically delivered over a 4-day period and is often tailored to meet the specific learning objectives for in-house clients.

### **ADVANCED ALTERNATIVE DISPUTE RESOLUTION WORKSHOP**

The workshop is designed for those who want to improve their dispute resolution skills, become mediators professionally or mediate within their own organisation. Participants learn advanced negotiation and mediation skills, including how to deal with complex issues and challenges that can arise in mediation. The workshop is typically delivered over a 4-day period.

### **APPLIED ALTERNATIVE DISPUTE RESOLUTION WORKSHOP**

This is a 4-day advanced negotiation and mediation skills building workshop.

### **COLLABORATIVE WORK SKILLS (CWS)**

In this workshop participants learn the skills effective leaders, negotiators, mediators, team builders, investigators and coaches use to help people work together in teams. It is meant to give participants the soft skills they need to work collaboratively with others in the work place.

## **BUILDING LABOUR ARBITRATION CASES**

This is a 4-day workshop in which client representatives (human resource personnel and union representatives) learn how to build cases for arbitration. Participants learn how to develop theories, interview witnesses, collect and preserve evidence and otherwise prepare cases to be handed off to their lawyers for hearing. By the end of the workshop each participant has been involved in the preparation and hearing of 5 mock arbitrations. In addition to preparing the cases, the participants get to see the cases they have prepared unfold in mock hearings in which they take turns playing the role of witnesses, board side chairs and counsel.

## **BUILDING, SETTLING AND PRESENTING COMMERCIAL ARBITRATION CASES**

In this workshop participants learn how to build cases and present them at an arbitration hearing. The workshop consists of a number of role plays that involve the participants in mock arbitration hearings.

## **CONTRACTING PRINCIPLES FOR PROJECT AND CONTRACT MANAGERS**

This 3-day course is geared towards project and contract managers. It provides an overview of all phases of procurement, from developing requirements to closeout. A significant part of the course is focussed on dispute prevention and resolution.

## **SELECTED LIST OF DISPUTE RESOLUTION SYSTEMS DESIGN CLIENTS**

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- Canada Revenue Agency
- Canadian Human Rights Commission
- Commission for Complaints About the RCMP
- Office of the Commissioner of Official Languages
- Ombudsman for Banking Services and Investments