

BLAINE DONAIS B.A., LL.B., LL.M. (ADR), RPDR, C. Med., WFA



President and Founder - Workplace Fairness Institute

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Workplace Fairness Institute

Conflict Management Solutions

PROFILE

Blaine Donais B.A., LL.B., LL.M. (ADR), RPDR, C. Med., WFA author of *Workplaces That Work*, *Engaging Unionized Employees*, and *The Art and Science of Workplace Mediation* all published by Carswell, is President and Founder of the *Workplace Fairness Institute, Conflict Management Solutions*. He has acted as a labour lawyer since 1995. He is an expert in both the practice and theory of assisted labour/management negotiation, mediation-arbitration and facilitation. He is Adjunct Professor of Workplace Conflict Management at York University and University of Toronto (Centre for Industrial Relations and Human Resources). He is Academic Director of the Advanced Mediation Program at York University. He acts as a mediator, investigator, leadership and conflict coach, facilitator, ombuds and consultant for union and non-union workplaces.

SIGNIFICANT MEDIATION AND WORKPLACE INTERVENTION EXPERIENCE

President, Consultant, Mediator, Conflict Coach, Trainer, Systems Designer WORKPLACE FAIRNESS INSTITUTE – 2005 TO PRESENT

As President and Founder of the *Workplace Fairness Institute*, Blaine provides workplace interventions for various companies and unions. He also offers advice on how to improve workplace conflict management systems. Through his book *Workplaces That Work*, he is now considered a leading expert on conflict management systems analysis and design. In addition, he provides conflict management training with a specialization in unionized work environments.

The Workplace Fairness Institute also acts as a progressive policy analysis centre for workplace related issues. The Institute provides research for various organizations on public and private forms of conflict management in Canada. Blaine has been invited to speak around the world on the topic of workplace fairness.

Mediator

DONAIS MEDIATIONS AND ARBITRATIONS – 2000 TO PRESENT

Blaine has acted as a mediator for civil matters and in the workplace setting for over 12 years. Over the course of these years he has performed hundreds of mediations as a roster and off-roster mediator. He is recognized for his mediation excellence by the ADR Institute of Canada with the Chartered Mediator (C. MED) designation. He has been conferred the designation Registered Practitioner in Dispute Resolution (RPDR) by the Canadian International Institute of Applied Negotiations (CIAN). Presently he has become certified as a Workplace Fairness Analyst (WFA) by the Workplace Fairness Institute.

SIGNIFICANT LABOUR RELATIONS AND LEGAL EXPERIENCE

Staff Officer/Counsel, Negotiator, ADR Systems Designer

THE SOCIETY OF ENERGY PROFESSIONALS – 1995 TO PRESENT

As a negotiator, facilitator, mediator, and systems design professional for the Society of Energy Professionals for the last ten years, Blaine has used ADR and litigation skills to amass the following accomplishments:

- 500+ grievances settled using Interest-Based Negotiations Techniques
- Numerous cases arbitrated and adjudicated through the OLRB
- 100+ Purchase Services Agreements reviewed and negotiated
- Dozens of Collective Agreements and hundreds of Letters of Understanding negotiated
- Over 500 meetings facilitated and over 100 inner-union disputes successfully mediated
- 50+ Human Rights/Harassment Investigations
- 50+ dispute resolution systems designed
- 50+ negotiation/dispute resolution skills training sessions developed and delivered

TEACHING, TRAINING AND PUBLISHING

- Academic Director - Advanced Mediation Certificate Program, York University, 2012 to present
- Editor-in-Chief - *wfiJOURNAL*, on-line and print quarterly academic/practice journal published by the Workplace Fairness institute, 2010 to present
- Adjunct Professor – University of Toronto, Centre for Industrial Relations and Human Resources – ADR in the Workplace, 2007 to present
- Adjunct Professor – York University, Atkinson College– Dispute Resolution in the Workplace 2000 to present
- Visiting Lecturer – Masters of Conflict Analysis and Management, Royal Roads University, Victoria BC, 2012 - 2013
- Visiting Lecturer – LEADR NZ, Auckland and Wellington New Zealand – Workplace Fairness, 2008
- Visiting Lecturer – Queensland University, Brisbane Australia – Workplace Conflict Management, 2008
- Visiting Lecturer – La Trobe University, Melbourne Australia - Workplace Conflict Management, 2007 to present

- Instructor and Course Developer: Canadian Union of Public Employees Regional Training In-service - 2007
- Course Consultant – Laurentian University – Interpersonal Dispute Resolution - 2007
- Instructor and Course Developer - Workplace Fairness Institute – 2006 to present
- Director of Domestic Training - Canadian International Institute of Applied Negotiations (CIAN) - 2002-03

EDUCATION, TRAINING, AND PROFESSIONAL DESIGNATIONS

- Bachelor of Arts, B.A. (History) University of Winnipeg 1987
- Joint Masters Program, (History) University of Winnipeg and University of Manitoba, course work completed, 1988
- Bachelor of Law Degree, LL.B. University of Saskatchewan, Distinction, 1993
- Masters of Law Degree, LL.M. Osgoode Hall Law School, specializing in Alternative Dispute Resolution, 2000
- University of Windsor, Negotiation & Mediation Certificate 2000, Advanced Certificate, 2001
- “Certified Consultant of Workplace Mediation,” conferred by Mediation Training Institute 2002
- “Registered Practitioner in Dispute Resolution”, RPDR conferred by Canadian International Institute of Applied Negotiations, 2002
- Harvard Law School Program of Instruction for Lawyers, Negotiations Certificate 2003, Advanced Negotiations Certificate 2004
- Roster Mediator, Ontario Mandatory Mediation Program, 2003 – present
- “Chartered Mediator” Designation, C. MED., ADR Institute of Canada 2004
- “Certificate in Conflict Management,” Algonquin College, 2009
- Certified “Workplace Fairness Analyst” WFA Workplace Fairness Institute 2010
- Ombudsman Foundations Course Certificate – International Association of Ombudsmen 2014

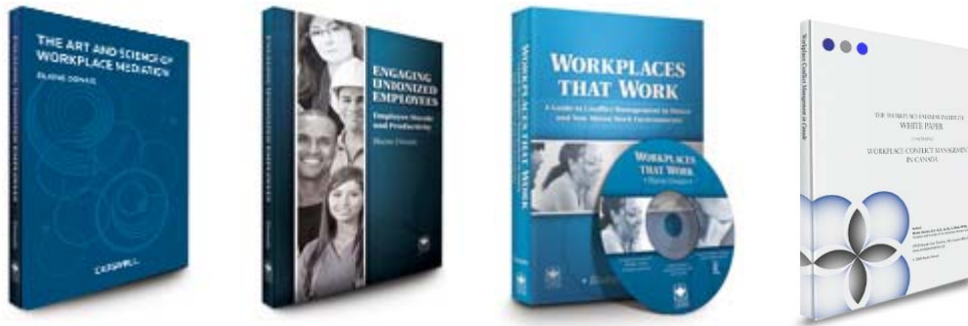
LEADERSHIP ACTIVITIES AND PROFESSIONAL ASSOCIATIONS

- ADR Institute of Ontario Co-Chair C.Med. Certification Committee, 2010 - Present
- ADR Institute of Ontario Executive Board Member, 2006-2007
- Ontario Bar Association ADR Section Executive Member, 2005-2007
- Ontario Bar Association Labour Section Executive Member, 2005-2007
- Canadian Union of Public Employees (CUPE) Local 3902 Member, 2006 - Present
- Canadian International Institute of Applied Negotiations (CIAN), Director of Domestic Training, 2002-03
- The Society of Energy Professionals, Board Member, 1995-97
- Conflict Resolution Network (CRNet), 2001-04
- Association for Conflict Resolution, 2001- Present
- ACR Workplace Section Member, 2001- Present
- Canadian International Institute of Applied Negotiations, Registered Practitioner, 2001- Present
- Law Society of Upper Canada, Member 1995- Present

PUBLICATIONS

BOOKS

- *Engaging Unionized Employees* (Aurora: Canada Law Book, 2010)
- *WFI White Paper Concerning Workplace Conflict Management in Canada* (Toronto: WFI Press, 2010)
- *Workplaces That Work: A Guide to Conflict Management Systems in Union and Non-Union Work Environments* (Aurora: Canada Law Book, 2006)
- *The Art and Science of Workplace Mediation* (Aurora: Carswell, upcoming 2014)



SELECTED ARTICLES and REPORTS

- "The Six Levels of Workplace Health," *Queens IRC Journal*, 2013
- "Head Down Theory: Understanding and Mitigating the Costs of Unfairness in the Workplace," *Queens IRC Journal*, 2014
- "Bill 168 in Unionized Workplaces," *wfiJOURNAL*, Fall 2010
- "How to use ADR to reduce workplace harassment," *Lawyers Weekly*, 9 July 2010
- "Report to the Korea Labor Institute on Public and Private Forms of Workplace Conflict Management," 100 page report submitted to the Korea Labor Institute, 2009
- "Training Managers in Handling Conflict," *Canadian HR Reporter*, March 12, 2007
- "Every Workplace Has a Culture," 2007 by www.mediate.com
- "Who are Your Workplace Actors?" 2007 by www.mediate.com
- "How fair is Your Conflict Management System?" 2007 by www.mediate.com
- "The Difference Between Union and Non-Union Work Environments," to be published 2007 by www.mediate.com
- "Measuring the Cost of Unfairness in Workplace Conflict Management Systems" 2007 by www.mediate.com
- "Redefining Conflict Management System Options for Non-Union Workplaces," 2007 by www.mediate.com
- "A Team Approach to Fairness in Conflict Management Systems Design", 2007 by www.mediate.com
- "What are the sources of Workplace Conflict?," published 2006 by www.mediate.com
- "Mediation-Arbitration: Winning Through Reason" *IFPTE Outlook*, Summer 2006
- "Why Professionals Make Good Conflict Management Partners", 2006 www.mediate.com

- "Why Professionals Make Good Conflict Management Partners", *IFPTE Outlook* January-March, 2006,
- "Negotiating in a Mediation-Arbitration Environment", *IFPTE Outlook*, September-October 2006
- "Why Professionals Make Good Conflict Management Partners", *IFPTE Outlook* January-March, 2006
- "Three Strikes and Human Rights is Out," journal article for *Saskatchewan Law Review*, 1993
- "Due Process in the Workplace," paper submitted to the Government of Saskatchewan Labour Relations Review Committee, 1992

SELECTED CONFERENCE and SEMINAR PAPERS

- "First Agreement Arbitration, Social Media in the Workplace and Employee Surveillance," Panel Discussion Member for Conference of Canadian Union's Annual Convention, October 2011
- "Engaging Unionized Employees," Keynote address to the Health Association of Nova Scotia's annual conference, May 2011
- "Understanding and Mitigating the Cost of Unfairness in the Workplace," Seminar for HANS, May 2011
- "Violence and Harassment in the Workplace: New Approaches to Prevention and Correction" Lancaster House, Toronto, Ontario, Canada, 10 December, 2010
- "The Importance of Fairness in Workplace Conflict Management," Association for Conflict Resolution 10th Annual Conference, Chicago, September, 2010.
- "Engaging Unionized Employees in Workplace Conflict Management," Association for Conflict Resolution 10th Annual Conference, Chicago, September, 2010.
- "Mediation and Arbitration Agreements: Avoiding the Pitfalls for Smooth Sailing " ADR Institute of Ontario at Ontario Bar Association, Toronto, June 2010.
- "Preparing For Bargaining," Conference Panellist, Lancaster House, 2008
- "Making Workplaces Work: The Science of Workplace Fairness", four day seminar, La Trobe University, Melbourne Australia, 2007
- "Should Governments Mandate Workplace Fairness?" – public lecture, key note address, La Trobe University, Melbourne Australia, 2007
- "Strengthening the Foundations of Workplace Conflict Management Systems – a Diagnostic Approach," concurrent seminar for International Ombudsman Association Conference, St. Louis, April 2007
- "From Identification to Systems Renewal" concurrent seminar for International Ombudsman Association Conference, St. Louis, April 2007
- "Conflict Management During a War for Talent: Making Workplaces Work" Insight Conference, Ottawa, March 2006
- "Conflict Management During a War for Talent: Making Workplaces Work" Insight Conference, Vancouver, November 2006
- "Making Workplaces Work: Achieving Excellence in Conflict Management." Insight Conference Seminar Presentation, Vancouver, November 2006
- "Preparing For Bargaining," Conference Panellist, Lancaster House, November 2006
- "Mediation-Arbitration: Panacea or Placebo?" Conference seminar for the Canadian Council of Professionals, November 2006
- "Presentation to the Standing Committee on Justice Policy on Bill 14, Access to Justice Act, 2006", 2006
- "Access to Justice Act - More Justice than One Union Can Handle?" 2006 Labour and Civil Section Meeting
- "Measuring Workplace Fairness", Conference Paper for the ACR International Conference, Philadelphia, 2006