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**Legislation**

- Going to focus on three sorts of legislation:
  - Human Rights legislation
  - Employment Standards legislation
  - Occupational Health and Safety legislation

 **Education**

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**Director's Liability**

- Directors can be found personally liable where the co-op has breached some obligation that the co-op owes as an employer
- Two primary sources of such liability:
  - in some instances, it is imposed by the legislation;
  - in other instances, it arises because of what the director has done or failed to do

 **Education**

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**Best Practices**

- Be aware of the co-op's obligations as an employer and ensure that it complies with those obligations
- This requires that you be an active director who reviews the information that is part of your packages, and asks appropriate questions to get additional information you believe you need
- The co-op should obtain legal advice from your professional advisors when needed

 **Education**

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**Best Practices**

- Where you do not agree with the decision being taken by the board, you need to say so, and to ensure that your dissent is formally registered in the minutes or deliver a written dissent
- If you do not, you may be found to have agreed with the decision of the board

 **Education**

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**Best Practices**

- Make sure the co-op has robust policies on dealing with complaints of discrimination or harassment in the workplace – and it is not enough to have a good policy, you also need to follow the policy!
- Ensure that staff (in particular, management) has training on issues like harassment and discrimination in the workplace, accommodation of human rights issues, and workplace health and safety

 **Education**

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**Best Practices**

- Ensure that steps to deal with such matters are thoroughly documented by the co-op and where your position differs from the decision of the board or the actions of the co-op, ensure that you personally document what you have said or done to establish your dissent
- Ensure that the co-op has Director's and Officers insurance coverage, because no matter how careful you are, there is always a risk of a claim – and even if it is not meritorious, there will be costs of responding and stress of a claim hanging over you

 **Education**

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