



President's Message

CLEA's Mission Statement

“Unknown Rights Are Not Rights At All”

CLEA is a not-for-profit organization that provides public legal information to Manitobans. We believe that legal knowledge is a prerequisite to full and equal participation in our society. The purpose of CLEA is to educate the general public with respect to the legal system, with the betterment of Manitobans as its ultimate goal, and to increase the ability of individuals (primarily those perceived to have the greatest need) to deal competently with legal issues.

CLEA Staff

Mary Troszko, Executive Director
Jennifer Dunik, Law Phone-In Lawyer
Sean Young, Law Phone-In Lawyer

Board of Directors

Kyle Giesbrecht, President
Dean Szikinger, Vice President
Jodi Ryzowski, Treasurer
Megan Bowman, Secretary
Frank Reeves
Randeon Kopytko
Lia Baksina
Stacey Soldier
Julia Ryckman
Darren Grunau

CLEA co-hosted a successful comedy fundraising event with The John Howard Society. It was a great collaboration and many people really enjoyed the entertainment and the catering. With limited funding, and many grants not increasing to meet inflation from year to year, events like this are essential in meeting the financial challenges of improving access to justice.

CLEA's board of directors is looking at updating and aligning focus based on identified strategic goals. With a relatively new board, a clear direction will ensure that decisions and efforts are moving CLEA in the right direction. One of the new and exciting initiatives will be starting an advisory committee to help with networking, promoting the great work that CLEA does and opening the doors to potential funders.

Thanks to the staff and board for their dedication. It is such a pleasure to work with such amazing people.

All the best over this holiday season, and a happy New Year.

Kyle Giesbrecht

FamiliesChange.ca is a new national website to help kids, teens and parents deal with separation and divorce. The website was produced by the Justice Education Society of BC working with provincial agencies across the country, including Community Legal Education Association. Check out the Manitoba section.



CLEA's 4th Annual Public Legal Education Awards will be presented in the spring to individuals or organizations that have demonstrated outstanding achievement in providing public legal education to Manitobans.

Nominations close February 28, 2017. See our website for Award Criteria.

Past recipients: Roland Penner, Q.C., Darren Klapak, Reeh Taylor, Q.C. Gerald McDowell, Debbie Wake, David Matas and Diane Dwarka

Common Misconceptions about Employment Law

1. You can't be fired without just cause.

A common misconception is that non-unionized employees can't be fired from their jobs unless there is just cause. An employee can be fired without just cause. Employers must provide appropriate notice or pay instead of notice if they are firing an employee without establishing just cause. An employer must also comply with the requirements under *The Human Rights Code*, which may affect an employer's ability to fire an employee.

2. The Employment Standards Code sets out appropriate notice.

This is partially true, in certain circumstances. However, the provisions in *The Employment Standards Code* are the minimum periods of notice that an employee or employer must give. More notice may be appropriate depending on the length of employment, the age of the employee, re-employability, position or contractual agreements between the employer and employee.

3. You can't get employment insurance if you are fired.

You may still be able to collect employment insurance even if the employer indicates that you were fired on your Record of Employment, particularly if you were fired without just cause. If you were fired for misconduct, however, you may not be able to collect regular employment insurance benefits. Employment Insurance will give both you and your employer a chance to provide information about the circumstances of the dismissal. Some examples of misconduct include criminal offences, breach of rules, dereliction of duty (not doing your job), and insubordination.

4. The Employment Standards Branch can look into your employment complaint at any time.

The Employment Standards Branch may only be able to investigate certain claims and collect within specific time periods. For example, a complaint for unpaid wages must be filed within six months from the last day worked, or six months from when the wages were to be paid. Unpaid wages before that period of time are not covered. The employee may have to file a Statement of Claim or Small Claim in court to obtain a judgment on his or her own.

CLEA UPDATES

Since April 1st of this year:

We arranged 35 presentations, including 17 for Law in the Library. Over 500 people attended these presentations.

- We displayed at Law Day and the SAGE Conference
- We distributed over 5,000 publications
- 12 participants completed the Community Legal Intermediary Course #38.
- We have had 116,555 visitors to our website.

Since January 1st to the end of November:

- 6,202 people have called Law Phone-In
- Of those 1,164 were referred to a lawyer
- 1,206 were e-mail requests
- 55% were female;
- 73% were from Winnipeg
- 209 were from other parts of Canada, 22 were from the U.S, 13 were from all around the world: China, Germany, India, Italy, Latvia, Morocco, The Netherlands, Saudi Arabia, South Korea, Spain, Turks & Caicos, Qatar, Uganda, The United Kingdom

2,306 people have viewed our videos. The top 3: *How to Conduct Yourself in Court, Separation & Divorce* and *An Overview of Civil Court Cases*.

CLEA and Access to Justice

The term access to justice has been used more often in the past few years in light of the various reports put out by the National Action Committee on Access to Justice. What has struck us at CLEA is that everyone has a slightly different definition of access to justice. To some, access to justice means access to legal representation - if everyone had a lawyer, they would have access to justice. To others, access to justice means access to the court system. If everyone knew the court rules and court procedure, they'd have access to justice. Still others view access to justice as an opportunity to train law students by providing them with clinical experience, thus ensuring the continuation of a well-trained legal profession.

We at CLEA have always favoured a continuum of services. To us, access to justice means access to legal representation (we do operate a lawyer referral service) as well as access to information about the court rules and procedure (we have produced many guides and other resources and Law Phone-In has seen an increase in these kinds of questions). For over a decade we have had students from Pro Bono Students Canada assisting at Law Phone-In, where we have tried to teach them about alternatives and proportionality.

However, we believe that access to justice is more than just access to representation and the courts. Access to justice includes access to legal information in an understandable form, so that when members of the general public have a legal problem, they have somewhere to turn. Many people will never go to court, but they will have a consumer problem; they will want to prepare a will, a power of attorney and a healthcare directive; they will buy a home or rent and they will have jobs. They may encounter a problem that requires some sort of dispute resolution, but generally the subject matter or the quantum makes the court system impractical. We believe that legal information and education in our schools is very important. We also appreciate the fact that Manitoba is a vast province and try our hardest to reach all Manitobans.

CLEA's motto is: "Unknown Rights are not Rights at all!" For over three decades we have been a reliable source of legal information for the residents of Manitoba, both for those involved in the court process and for those who are not, as well as for teachers, students and service providers.

There is a popular misconception that there are many agencies in Manitoba that provide access to justice services. In reality, most of these agencies field inquiries and refer people to the very few existing agencies that provide access to justice services, of which CLEA is one. In reality, these agencies are better able to field the inquiries they receive because of CLEA's publications, website and Law Phone-In & Lawyer Referral Program.

If you would like to support our work, you have several options:

- **Cheque or money order payable to Community Legal Education Association**
- **You can donate online through CanadaHelps at www.communitylegal.mb.ca**
- **If you are a current or past government of Manitoba employee you can donate through the All Charities Campaign (catalogue #C226)**

CLEA is a registered charity: Charity Registration # 118870732RR0001

89% of our revenue is used for programming.

Tax Receipts will be issued for all donations.

Annual Law Conference

Community Legal Education Association
Presents:

Issues in Family Law

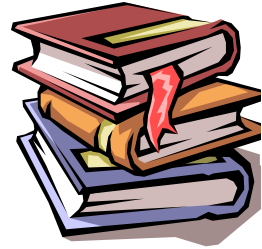
Friday, February 24, 2017
Union Centre
206 – 275 Broadway

Registration 9:00 am
Conference 9:30 a.m. to 3:30 p.m.

Early Bird Rate (until January 31st) \$75
After January 31st \$100
Students \$50
Includes hot lunch and refreshment breaks

Registration Form available on our website:
<http://www.communitylegal.mb.ca>

Publications



Family Law Fact Sheets (Set of 7)
Enforcing Family Court Orders
Legal Services Directory - \$20 (limited quantities)

A Special Thank You to the Following:

Core Funders:

- Department of Justice Canada
- The Manitoba Law Foundation
- The Law Society of Manitoba

Project Funders:

- Justice Canada – Supporting Families Fund
- The Winnipeg Foundation



We are currently working on the following projects:

- Everyday Law Videos – 20 videos dealing with common misconceptions, funded by the Winnipeg Foundation.
- Family Law Teacher Resources – 6 lesson plans on the following topics: Separation, Divorce, Custody & Access, Child Support, Spousal Support, and Enforcement. This project is funded by the Department of Justice Canada – Supporting Families Fund.

CLEA's Board of Directors and staff would like to congratulate CLEA's President, Kyle Giesbrecht and his spouse, Kyra, on the birth of their daughter Melody.

We wish them all the best.

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