

SHARP Workplaces Legal Advice and Legal Coaching Small Group Exercise

Instructions:

Part 1 Roleplay: In small groups you will review the case study assigned and practice interviewing skills.

One participant will play the role of the client, another participant will interview the client as the lawyer with the remaining participants observing to provide feedback. Focus on opening the interview, including asking about goals or desired outcomes. After the roleplay discuss as a group.

Part 2 Legal Analysis: In your groups, identify the different options that the client may have and discuss which option(s) you would advise the client to consider, identifying the advantages and challenges of each for the client.

Case Study 1 – Ren

Ren is 27 years old and works as a dental hygienist in a small town in northern BC. Ren is one of two assistants who work for Dr. Parker and has been working for him for 2 years. Ren moved away from family and friends for the job. Initially Dr. Parker and the other co-workers were all helpful and friendly. When they had patients booked back to back, Dr. Parker would order lunch for them both, and started inviting Ren out to lunch. Dr. Parker started to give Ren compliments – on their glasses, shoes, scent, and sometimes touched Ren on their shoulder, arm, and occasionally brushed against Ren when passing by in the hall, sit down behind the patient or when reaching over Ren to get something off the shelf. The other staff started behaving differently to Ren, making fun of Ren's hair style, clothes and saying they didn't understand what Ren was saying because of Ren's accent.

When they attended a dental conference in Vancouver, Dr. Parker and Ren went out for dinner and drank quite a bit of alcohol. Dr. Parker invited Ren to his hotel room for a nightcap, said he found Ren exotic and tried kiss Ren. Ren ran out of the room and avoided Dr. Parker for the rest of the trip.

After returning home, Dr. Parker started criticizing Ren's job performance. He also cut down Ren's hours, saying he didn't need two dental assistants all the time. Ren would increasingly find that the other staff wouldn't assist with preparing for the next patient which made extra work. Dr. Parker asked Ren to do more cleaning tasks than before. Dr. Parker and the other staff didn't include Ren in conversations, and if they did, it seemed like they were making fun of Ren.

Dr. Parker is one of two dentists in the area, so Ren is concerned if they complain that they may lose their job and not be able to find another position. Ren is feeling lonely and depressed.

Case Study 2 - Sheila

Sheila is a health and safety officer for a small company owned by Pete. She has worked for Pete for 14 years. Pete's company is working on installing green roofing on a large commercial construction site with different construction work on-going.

There is a lot of joking and banter, including sexual comments, at the site between the different workers. Sheila jokes around and has a reputation that she can “give as good as she gets.” Ray, a driver for Steely Dan Construction, often makes jokes with all employees as he makes deliveries of construction materials. He calls all the women, including Sheila “sweet heart” and has joked that she should “be careful not to get dirty” and he “likes it when she tells him where to go.”

One day as his truck was being unloaded; Ray snuck up behind Sheila and tried to tickle her. Sheila jumped turned and found him and a couple other workers who were watching laughing. She said “It’s not funny” and then started to cry. Ray and the others were surprised and said they were only joking she should “lighten up.”

Sheila walked off the site and called in sick the next day, and the day after. She has been off work for two weeks. Sheila has been feeling angry, crying on and off, has trouble sleeping and jumpy when there are noises.

Pete has been calling and Sheila hasn’t been taking his calls. His last message is that they would send her ROE.

Sheila is a single mom and is concerned about her finances as things are tight.

Four years ago, Sheila was sexually assaulted by another worker at a different work site. She didn’t tell anyone at the time. She has had trouble sleeping and feeling angry and jumpy since then.