Toronto Metropolitan University

Ted Rogers School of Management

CLMR
CENTRE FOR LABOUR MANAGEMENT RELATIONS

The Centre for Labour Management Relations Presents:

SETTLE IT IN BYTES - ARBITRATORS VS. AI

An innovative event where traditional arbitration confronts the cutting edge of artificial intelligence in a dynamic exploration of dispute resolution's future.

Featuring Famed Arbitrators: **Paula Knopf** and **Allen Ponak**

JUNE 10, 2024
6:00 - 8:30 PM

55 DUNDAS ST. WEST, 7TH FLOOR, CARA COMMONS HALL, TORONTO

Virtual registration option is available.

Featuring

Esteemed Recipients of the
"Bora Laskin Award for Distinguished Contributions to Labour Law":

PAULA KNOPF,
ARBITRATION AND MEDIATION

ALLEN PONAK,
ARBITRATOR AND MEDIATOR

Moderated By

DAPHNE TARAS,
PROFESSOR OF LABOUR RELATIONS AND FORMER DEAN AT TMU, AND CURRENT CLMR DIRECTOR.

Settle it in Bytes: Arbitrators vs. AI

June 10, 2024 - 6:00 PM - 8:30 PM

**Ted Rogers School of Management, 55 Dundas St. W.,
7th Floor, Cara Commons Hall**

Event Summary:

Engage with our esteemed arbitrators — both recipients of the national Bora Laskin Award for Distinguished Contributions to Labour Law — in an engaging session, as they explore three diverse scenarios, each posing intricate challenges for resolution. Panel will render their decisions alongside AI-generated judgments, sparking illuminating discussions on the pros and cons of each approach. Will Chat GPT ever replace human judgment?

Event Agenda: Watch Chat GPT vs. Arbitrators in Real Time

6:00 PM - 7:00 PM: Registration, Buffet Dinner, and Networking

- Guests arrive and check in for the event.
- Enjoy a buffet dinner prepared and served by *TRSM's Hospitality and Tourism Management students.*
- Opportunity for networking and mingling with fellow attendees.

7:00 PM - 7:10 PM: Welcoming Remarks, Event Introduction, and Backgrounder

- Overview of the event and its significance by Daphne Taras, Professor of Labour Relations and Former Dean at TMU, and current CLMR Director.

7:10 PM - 8:10 PM: Panellist Discussion

- Engage with our esteemed arbitrators — both recipients of the national Bora Laskin Award for Distinguished Contributions to Labour Law — in an engaging session, as they explore three diverse scenarios, each posing intricate challenges for resolution. Panel will render their decisions alongside AI-generated judgments, sparking illuminating discussions on the pros and cons of each approach. Will Chat GPT ever replace human judgment?

8:10 PM - 8:30 PM: Guided Q&A and Closing Remarks

- Following the panelists' discussion, attendees can seek further insights and clarification on the topics discussed.

8:30 PM: Event Adjourns

Event Description:

Join us for an innovative event where traditional arbitration meets the cutting edge of artificial intelligence. In "Arbitrators vs. AI," we delve into the realm where human expertise intersects with machine intelligence, exploring the capabilities, limitations, and ethical considerations of AI in dispute resolution.

In this engaging session, we present three diverse scenarios, each posing intricate challenges for resolution. Our panel of experienced arbitrators will render their decisions alongside AI-generated judgments, sparking illuminating discussions on the pros and cons of each approach.

Witness firsthand as Chat GBT, an advanced AI model, navigates through complex legal dilemmas, offering unexpected insights and innovative solutions. Explore the implications of AI's role in labour relations, ethical considerations, and its potential impact on the future of dispute resolution.

Throughout the event, participants are invited to actively engage in open dialogue, contemplating the role of AI in decision-making processes, its implications for fairness and bias, and the evolving landscape of legal practice.
Don't miss this thought-provoking exploration into the frontier of arbitration and artificial intelligence. Join us for "Arbitrators vs. AI" and be part of the conversation shaping the future of dispute resolution.

Additional Notes:
- Address the concerns surrounding AI biases by selecting a scenario that challenges AI's potential biases head-on, such as a complex anti-racism scenario.
- Emphasize the collaborative nature of the event, fostering dialogue between AI capabilities and human expertise.
- Encourage critical reflection on the ethical implications and practical applications of integrating AI into the arbitration process.
- Highlight the potential for AI to uncover novel solutions and address issues overlooked by human arbitrators, while acknowledging its limitations and the need for human oversight.
- Create an inclusive space for diverse perspectives, inviting participants to explore the multifaceted dimensions of AI's role in arbitration.

Backgrounder:

In the realm of dispute resolution, both globally and within Canada, there's an increasing interest in leveraging artificial intelligence (AI) technologies to streamline processes, enhance efficiency, and potentially improve outcomes. In Ontario, Canada's most populous province, the legal landscape is continuously evolving, with legislation and case law adapting to technological advancements and societal changes.

Relevant Legislation and Current Events:

1. Ontario Arbitration Act (1991): The Ontario Arbitration Act governs arbitration proceedings in the province, providing a legal framework for resolving disputes outside of traditional court proceedings. As AI technology becomes increasingly integrated into dispute resolution processes, questions arise regarding its compatibility with existing legal frameworks and the enforceability of AI-generated decisions.

2. Canadian Charter of Rights and Freedoms: Enshrined within Canada's Constitution Act, 1982, the Canadian Charter of Rights and Freedoms guarantees fundamental rights and freedoms, including equality rights and the right to a fair trial. As AI systems may exhibit biases or inaccuracies, considerations around ensuring fair and equitable treatment for all parties involved in arbitration proceedings are paramount.

3. Ontario's Legal Tech Landscape: Ontario's legal tech ecosystem is vibrant, with numerous startups and initiatives focused on innovating within the legal industry. From AI-powered legal research tools to platforms facilitating online dispute resolution, there's a growing interest in leveraging technology to address challenges and improve access to justice.

4. Recent Case Law and Precedents: Examining recent case law and precedents, both within Ontario and across Canada, provides valuable insights into how courts are grappling with issues related to AI, algorithms, and automated decision-making. Understanding the legal principles and precedents shaping the intersection of AI and arbitration is crucial for practitioners and stakeholders navigating this evolving landscape.

5. Ethical and Regulatory Considerations: Alongside legal frameworks, ethical and regulatory considerations play a significant role in shaping the adoption and implementation of AI in arbitration. Debates around transparency, accountability, and the potential impacts of AI on due process highlight the complex ethical dimensions inherent in integrating technology into legal practice.

By staying informed about relevant legislation, current events, and emerging trends, attendees of "Arbitrators vs. AI" will gain valuable insights into the evolving landscape of dispute resolution in Ontario and Canada, as well as the broader implications of AI technology on the legal profession.

Speaker Bios:

Paula Knopf

As an arbitrator and mediator, Paula Knopf has been active in labour relations and dispute resolution in the private and public sectors since 1980.

She is a Past President of the Ontario Labour Management Arbitrators Association. She has been active in the National Academy of Arbitrators, serving as Vice President and being on the Board of Governors, as well as being a past Chair of the Committee on Professional Responsibility and Grievances and a member of the Research and Education Foundation.

In 1996 she was appointed by the Federal Minister of Labour to act as one of the three members of the Task Force recommending changes to Part One of the Canada Labour Code.

She has been the Director of the Ontario Ministry of Labour's Arbitrator Development Program. She served as Chair of the Education and Colleges Relations Commissions from 1991 - 1997.

She has served as a part-time Vice-Chair of the Ontario Labour Relations Board and the Grievance Settlement Board of Ontario.

She is named as a roster arbitrator in several collective agreements. She has been an adjunct professor at Osgoode Hall Law School, who has taught Labour Arbitration and supervised several Masters theses.

In 2023, she received the Bora Laskin Award for her outstanding contribution to Canadian labour law.

Allen Ponak:

Arbitrator and Mediator

Allen Ponak has been arbitrating and mediating labour and employment disputes across Canada since 1985. He was admitted to the National Academy of Arbitrators 1992 and served as NAA president in 2015/16. For 30 years he was a professor of industrial relations at UBC, McGill and Calgary and the author of numerous articles, book chapters, and textbooks on union-management relations. In 2006, his film "Beyond Collision: High Integrity Labour Relations", won the Silver Screen Award at the Los Angeles International Film and Video Festival. He was the recipient of 2015 Bora Laskin Award for contributions to Canadian labour law. Allen has a B.A. from McGill University, a Master's from Michigan State University, and a Ph.D. in industrial relations from the University of Wisconsin (Madison).

Daphne Taras:

Professor of Labour Relations and Former Dean at TMU; current CLMR Director

Dr. Daphne Taras is the former dean of the Ted Rogers School of Management (2018-2023). She previously served as dean of the Edwards School of Business at the University of Saskatchewan from 2010 to 2016. She led the Edwards School to Association for the

Advancement of Collegiate Schools of Business (AACSB) accreditation, considered to be the most comprehensive and prestigious of accreditation systems.Prior to her move to Saskatoon in 2010, Professor Taras was a professor at the University of Calgary's Haskayne School of Business and its associate dean of research and director of the PhD program.

Professor Taras has been active at the intersection of labour relations, public policy and law, with a particular interest in bringing multiple disciplines together on important labour market and workplace issues. She was expert advisor to the federal commission on employment standards, a member of the Saskatchewan Minister of Labour's advisory council and chaired the Educational Relations Board of Saskatchewan.

Professor Taras has published more than 80 journal articles, book chapters, books and journal symposia. She is also the recipient of numerous awards, including the PhD Students' Association awards in 2004 and 2010 at the University of Calgary, and the top educator award of the US-based Labor and Employment Relations Association in 2007. In addition, she was named one of Canada's Top 100 Women and a Top 10 Woman of Influence in Saskatchewan in 2012, and YWCA Saskatoon's Woman of Distinction in Education in 2016. She was Toronto's YWCA Woman of Distinction in Education, awarded in 2023.

Professor Taras received her undergraduate degree from York University, and earned a master's from Duke University, both in political science. She also holds an MBA in new ventures and entrepreneurship, a PhD in labour relations from the University of Calgary, and has an LL.M in Labour and Employment Law from Osgoode Hall Law School.