Lancaster’s First Resort™ Full Access is your one stop research hub for labour, employment, and human rights law; it is also a current awareness service.

1. Over 17,000 eAlerts, which summarize and comment upon important decisions and legislative developments since 1997.
   • The entire collection of eAlerts is searchable through both Quick Searches and Advanced Searches.
   • eAlerts also keep you up-to-date on the latest legal developments. You can choose to receive a brief e-mail summary when an eAlert covering a topic of interest to you is added to First Resort™.
   • eAlerts are organized into 20 (soon to be 21!) categories or ‘Databases’ such as Discharge and Discipline or Education Employment Law. You decide which categories or eAlerts you want to subscribe to through e-mail. Even if you subscribe to e-mail updates for one category (or none at all), you still have access to all eAlerts when you search First Resort™.
   • eAlerts link to the full text of decisions they summarize and analyze, so you can read further when you identify cases of interest.

2. Leading texts on workplace law: Leading Cases on Labour Arbitration, Contract Clauses Online (soon to be re-named Collective Agreement Law in Canada), and the Wrongful Dismissal and Employment Law eText.
   • All three texts are updated regularly to provide you a complete up-to-date overview of workplace law.
   • You can read or browse texts page by page as you would a paper book or use First Resort’s search features to pinpoint the section you’re looking for.
   • Texts link to the full text of decisions and legislation cited as well as to relevant eAlerts.

3. The Canadian Labour & Employment Law Journal, a peer-reviewed journal of articles written by leading academics and practitioners.
   • Browse or search all articles published in this journal since its inception in 1993.
   • Print PDFs that reproduce articles exactly as they appear in the hard copy of the journal.
# Table of Contents

This user guide describes the contents of **First Resort™** in detail and explains how to use **First Resort™** for research and current awareness in the following order:

## 1. What's in **First Resort™**?

- Getting to Know eAlert Articles .......................................................... 3-4
- Receiving eAlerts by E-mail ................................................................. 5-6
- **Leading Cases on Labour Arbitration** ............................................... 7-8
- **Contract Clauses Online** ................................................................. 9-10
- **Wrongful Dismissal & Employment Law eText** .......................... 11
- **Canadian Labour & Employment Law Journal** ......................... 12-13
- Other Resources .............................................................................. 14-15
  - HEADLINES .................................................................................... 14
  - Supreme Court Decisions .............................................................. 14
  - Directory of Arbitrators ................................................................. 15

## 2. How do I find things in **First Resort™**?

- The **First Resort™** Homepage ....................................................... 16-17
- Quick Searches .................................................................................. 18-21
- Advanced Searches .......................................................................... 22-25
- Saving Searches ................................................................................ 26
- Creating Customized Search Alerts ............................................... 27

## 3. How do I save print or save documents?

- Printing, Downloading and E-mailing Documents .......................... 28
- **Using the Info Cart** ....................................................................... 29
Getting to Know eAlert Articles

Lancaster's eAlert articles provide concise summaries of important decisions and legislative developments in workplace law. The cases and developments reported on are selected by experienced labour law experts and eAlerts are written by lawyers.

eAlerts are divided into standard sections to help you quickly find information that is relevant to you.

1. The title. The title summarizes the ultimate conclusion of the decision-maker in a single line.

2. The summary paragraph. Following the title, a short paragraph describes the key legal determinations and findings of fact made by the decision-maker.

3. The Facts. This section reviews the facts as reported in the decision.

4. The Arguments. This section provides a brief summary of the arguments advanced by the parties in the case.

5. The Decision. This section summarizes the decision-maker's reasoning, factual findings, and legal determinations.

6. Comment. This section explains the importance of the decision, identifying whether it represents a development in the law, a departure from an accepted line of decisions, or a confirmation of previously established law. It will reference, and provide links to, similar cases.

7. Reference to other publications. After the commentary section, eAlert articles that report on labour arbitration cases provide a link to the relevant section(s) of Leading Cases on Labour Arbitration. Articles that report on wrongful dismissal cases will provide a link to the relevant section(s) of Lancaster's Wrongful Dismissal & Employment Law eText.

8. Identifying information and full text link. The bottom left of the eAlert article lists the “style of cause,” the jurisdiction, the tribunal or court that heard the case, the name of the decision-maker(s), the date of the decision, the citation, and a link to the full text of the case in question. Most cases from 2011 onward will usually link to the full text on CanLII.
eAlerts Landing Page

1. **Browse eAlert databases.**
   - Click the name of an eAlert database from the list on the left side of the page.
   - A list of all eAlerts published in that database since 1997 will be generated.

2. **See the last five eAlerts published in First Resort™.**

3. **Search all eAlerts on First Resort™.**

4. **Start an advanced search of all eAlerts on First Resort™** by clicking the white Advanced Search link in the Quick Search box.
Receiving eAlerts by E-mail

As a First Resort™ Full Access subscriber, you will, by default, receive all eAlerts published in all 20 databases delivered to your e-mail. This volume of eAlerts may be too much for some users, so you have the option to specify which eAlert databases you wish to receive e-mail updates from. Even if you subscribe to e-mail updates for one category (or none at all), you still have access to all eAlerts when you search First Resort™.

To manage your eAlert e-mail preferences:

1. Click the link at the end of the introductory paragraph on the eAlert landing page. You will be taken to a list of all eAlert databases.

2. Remove the checkmark beside the eAlert database name if you do NOT wish to receive e-mail updates when eAlerts are added to that database.

3. Click the Save button when you are done making your selections. You may change your preferences at any time.
Receiving eAlerts by E-mail – Part 2

When new eAlerts are added to a database of interest to you, you will receive an e-mail that looks like this:

Usually an eAlert e-mail will report on two cases. For each case you will see:

1. The eAlert article title, which summarizes the ultimate conclusion of the decision-maker in a single line.

   AND

2. A summary paragraph, which describes the key legal determinations and findings of fact made by the decision-maker.

   AND

3. A link to the full eAlert article. The link will take you to the First Resort™ system. You will be prompted to log on with your username and password if you are not already logged on.
Leading Cases on Labour Arbitration Online

Designed to help you quickly access and navigate the maze of arbitration awards and court decisions, *Leading Cases on Labour Arbitration*, written by arbitrators Mort Mitchnick and Brian Etherington and labour lawyer Boris Bohuslawsky, provides authoritative commentary on some 2,300 arbitration awards, court judgments, and tribunal decisions. This text is updated twice a year with ground-breaking cases, the most recent cases, and cases identifying patterns and trends in each topic area.

From the landing page for *Leading Cases* you can:

1. **See the latest updates at a glance.**

2. **Navigate easily through chapters with the Table of Contents on the left-hand side.**
   - Click on a chapter to expand the Table of Contents to list the sub-topics in that chapter.
   - The full text of the book will be displayed on the right-hand side.

3. **Use the comprehensive Index created by Lancaster's legal editors to easily find sections of the text that discuss one of the 600 labour arbitration topics organized alphabetically in the index.**

4. **Search all the contents of Leading Cases on Labour Arbitration.**

5. **Start an advanced search of *Leading Cases on Labour Arbitration* by clicking the white **Advanced Search** link in the Quick Search box.**
Case summaries and links to full text of cases

Leading Cases on Labour Arbitration Online provides summaries of key cases discussed in the text as well as links to the full text of every case cited.

Key cases for which summaries are available are highlighted in the text in grey.

1. Access case summaries and full text of decisions. In the text, click on any case name highlighted in grey to see links to the case summary and full text of the decision.

2. Learn more with the case summary. Click on the Case Summary link to open a pop-up window with a concise summary of the case, including the full citation, type of grievance, case facts, relevant issues, and a brief review of the decision.

3. Read the key passage. Click on the Key Passage link at the bottom of the Case Summary window to read the key passages from the summarized decision. The key passage will display within the same pop-up window.
Contract Clauses Online

Designed to provide an overview of law applicable to unionized workplaces as well as to help you to interpret collective agreement language and negotiate collective agreement language that accurately reflects your intent and meets statutory obligations, Contract Clauses Online by Jeffrey Sack and Peter Neumann is an indispensable text for anyone involved in collective bargaining.

Key features of Contract Clauses Online include:

1. Extensive expert commentary on some 65 bargaining topics.

2. Hyperlinks to the full text of all caselaw and legislation cited in footnotes (over 3,700 references in all).

3. Over 1,700 real clauses drawn from collective agreements across Canada illustrating the range of provisions unions and employers have negotiated to address workplace issues.

4. Summaries of legislative provisions relevant to each bargaining topic discussed.

5. A listing of over 600 labour and employment statutes organized by subject and jurisdiction (with links to full text of the legislation).

6. Checklists and tips for drafting your own clauses.
From the landing page for *Contract Clauses* you can:

1. Navigate easily through chapters with the Table of Contents on the left-hand side.
   - Click on a chapter to expand the Table of Contents to list the sub-topics in that chapter.
   - The full text of the book will be displayed on the right-hand side.

2. Use the comprehensive Index created by Lancaster's legal editors to easily find sections of the text that discuss specific bargaining topics.

3. Search all the contents of *Contract Clauses Online*.

4. Start an advanced search of *Contract Clauses* by clicking the white *Advanced Search* link in the Quick Search box.
Wrongful Dismissal & Employment Law eText

Structured in textbook format and organized by subject matter and issue, this publication features:

1. Up-to-date commentary analysis of the law applying to non-unionized workplaces.

2. Links to Lancaster’s extensive collection of wrongful dismissal, employment law, and employment standards law eAlerts.

From its landing page, this text is navigated in substantially the same way as Leading Cases and Contract Clauses.

3. Navigate easily through chapters with the Table of Contents on the left-hand side.
   - Click on a chapter to expand the Table of Contents to list the sub-topics in that chapter.
   - The full text of the book will be displayed on the right-hand side.

4. Use the comprehensive Index created by Lancaster’s legal editors to easily find sections of the text that discuss specific bargaining topics.

5. Search all the contents of First Resort™.

6. Start an advanced search of the Wrongful Dismissal & Employment Law eText by clicking the white Advanced Search link in the Quick Search box.
Canadian Labour & Employment Law Journal

Canada’s foremost journal in the field of labour and employment law, the Canadian Labour & Employment Law Journal, edited by Professor Kevin Banks of Queen’s University’s Faculty of Law with the assistance of Brian Burkett and Jeffrey Sack, Q.C., provides in-depth analysis of key issues in labour and employment law.

A vital part of the Canadian labour law landscape since 1993, the Journal has been relied upon by the Supreme Court of Canada in its most significant contemporary labour law decisions, including:

- Saskatchewan Federation of Labour (in which the Court held that the right to strike was protected by the Charter of Rights and Freedoms’ guarantee of Freedom of Association).
- B.C. Health Services (in which the Court ruled collective bargaining was protected by the Charter of Rights and Freedoms’ guarantee of Freedom of Association).
- Meiorin (the Court’s seminal decision dealing with the duty to accommodate under human rights legislation).

In Saskatchewan Federation of Labour alone the Supreme Court of Canada cited 10 articles from the Journal.

Each time a new softcover issue of the Journal is published (twice per year), First Resort™ is updated with the full contents of that issue; there is no lag between print publication and the First Resort™ update.

1. See the latest articles published in the Journal.
2. Browse the contents of a volume through chapters in the Quick Links section on the left side.
   - Click on a volume to display a list of all the articles published in the volume.
3. Start an advanced search of the Journal by clicking the white Advanced Search link in the Quick Search box.
Full Text Articles

When you click an article title, the PDF of the full text of the article appears on the left side of the screen while the abstract displays on the right side.

You can scroll through the PDF, or you can:

1. **Open the PDF in a new window by clicking on the image of the article’s first page at the bottom of the abstract.**

*First Resort™* also provides access to other resources to assist busy labour relations professionals, notably:

- **Headlines**
- **Supreme Court Decisions**
- **Directory of Arbitrators**
Headlines

Headlines are a type of eAlert. The difference between Headlines and other eAlerts is that Headlines report only on the most significant and interesting cases and developments in workplace law. Headlines, unlike eAlerts, are delivered via e-mail free to anyone who signs up for notifications.

First Resort™ gives you access to an archive of all Headlines issued since 2003.

Supreme Court Decisions

Supreme Court Decisions is a resource that provides updates on labour and employment cases decided by, or pending before, the Supreme Court of Canada.

The landing page for Supreme Court Decisions displays:

1. The latest workplace law decisions from the Supreme Court of Canada

AND

2. Workplace law decisions pending before the Court.
Directory of Arbitrators

Lancaster’s Directory of Arbitrators is a free, comprehensive listing of over 350 qualified arbitrators in Canada. The Directory includes useful information about each arbitrator, such as: qualifications, background, case experience, contact information and availability. View a complete listing of all arbitrators, or search by last name or jurisdiction.

From the landing page for Directory of Arbitrators:

1. **Browse an alphabetical list of all arbitrators** (on the right side of the page).

2. **See an alphabetical list of arbitrators practising in that geographical area or jurisdiction by clicking on the appropriate link in the Browse by Location list on the left side of the page.**

3. **Search arbitrator profiles by entering keywords in the Quick Search box.**

4. **Start an advanced search of the Directory of Arbitrators clicking the white Advanced Search link in the Quick Search box.**

5. **You can also check the availability of many arbitrators by clicking the View Available Dates link where it appears.** A new window will appear to show the arbitrator’s available dates. Lancaster House does not own or operate the services that track arbitrator availability.

Click on an arbitrator’s name to open the full profile for the arbitrator, which includes:

- The arbitrator’s background, including education and lists and panels she has been named to.
- A link to check the arbitrator’s availability.
- A link to Lancaster House eAlerts summarizing and commenting upon notable awards from the arbitrator.
- A link to the arbitrator’s awards on CanLII.
The First Resort™ Homepage

1. The centre of the homepage displays the titles and summaries of the three eAlerts most recently added to First Resort™ and the last three Headlines published by Lancaster House.

2. Click on a publication link under the Explore First Resort heading at the top left of the screen to visit the landing page for the publication, where you can begin browsing the publication.

3. Place your cursor over Browse in the First Resort™ header to display a list of resources/publications.

4. Click on any of the resources/publications to go to the landing page for that resource and begin browsing.

5. Start browsing Contract Clauses or Leading Cases by clicking on the appropriate icon in the First Resort™ header.

The Homepage that appears when you log on to First Resort™ is your starting point no matter what resource you want to consult.
Quick Searches

Search all First Resort™ content by entering search terms in the Quick Search box. You may include Boolean operators in Quick Search box if you want to run a complex or targeted search. Otherwise, just type in some keywords. By default the search will return results that contain all your keywords.

1. Click on the white help button in the Quick Search box for a list of basic search syntax you can use. A new window will pop up and display a screen titled Basic Search Syntax.

2. For information on constructing more complex searches, click the link Advanced Searching that appears in the upper right-hand corner of the Basic Search Syntax screen.
Search rules and tips

- Capitalization is generally ignored in searches. However, operators (AND, OR, NOT, NEAR) must be uppercase.
- Common words such as a, an, the, for, to and in are ignored in searches.

This table provides some examples of how to search using some of the most useful search features/syntax:

<table>
<thead>
<tr>
<th>Search feature/syntax</th>
<th>Example search</th>
<th>Finds documents containing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Variant searching</td>
<td>accommodate</td>
<td>The word accommodate and variants like accommodation and accommodating and accommodates</td>
</tr>
<tr>
<td>Quotation marks for a phrase “”</td>
<td>“drug testing policy”</td>
<td>The entire phrase “drug testing policy”</td>
</tr>
<tr>
<td>Quotation marks for a single word “”</td>
<td>“drugged”</td>
<td>Only the word “drugged”, not variants of the word such as drug or drugging</td>
</tr>
<tr>
<td>AND</td>
<td>Accommodate AND depression</td>
<td>Both the words accommodate and depression in any order, as well as variations of the words such as accommodating and depressed</td>
</tr>
<tr>
<td>OR</td>
<td>Drugs OR alcohol</td>
<td>Either the word drugs or alcohol (or variants of the words)</td>
</tr>
<tr>
<td>(NOT x)</td>
<td>Harassment (NOT sexual)</td>
<td>The words harassment but not the word sexual</td>
</tr>
<tr>
<td>Proximity searching</td>
<td>[policy NEAR harassment]</td>
<td>The words policy and harassment; the closer the words are to each other, the higher the relevance of the document when search results are ordered by relevance</td>
</tr>
<tr>
<td></td>
<td>(depression OR bipolar) AND accommodate</td>
<td>Either the word depression or the word bipolar and also the word accommodate</td>
</tr>
</tbody>
</table>
Filtering Search Results

Once you have run a Quick Search from the First Resort™ main page, a list of search results will appear.

1. The search results will be divided according to type of document. That is, the first 5 eAlerts meeting your search criteria will be displayed, followed by the first 5 Headlines meeting your search criteria, followed by the top 5 results from each of Contract Clauses, Leading Cases, Wrongful Dismissal & Employment Law eText, Supreme Court Decisions, the Canadian Labour & Employment Law Journal, and the Labour Arbitration Yearbook.

2. You can choose to see the results for only one type of publication by clicking on the white bar containing the words “Limit results to ...” at the top of the page.

3. The list of search results for a given publication type will display in order of descending relevance by default.
Filtering eAlert Search Results

When you display the list of all eAlerts meeting your search criteria, you can re-order the search results or narrow your search by eAlert database, eAlert date or jurisdiction.

1. **Want to find the latest cases meeting your search criteria?** Re-order the search results by clicking on the grey box preceded by the words “sort by” then scrolling down and clicking eAlert Date (Newest to Oldest).

2. **Want to find only eAlert articles that appear in the Education Employment Law eAlert database?** Click the box beside Education Employment Law.

3. **Want to find only eAlert articles reporting on cases from Ontario?** Click the box beside Ontario.
Advanced Searches

You can also make use of First Resort’s Advanced Search pages to create even more precise searches.

1. Place your cursor over Advanced Search in the First Resort™ Header to display a list of content types. Click on the content type you wish to search. You will be taken to an advanced search screen.
Advanced Search for eAlerts

Construct your advanced search by filling in one or more of the search fields then clicking the search button.

1. **Search for key words or phrases that appear in the summary of a case or the commentary on a case by typing in the Body field.**

2. **Don’t remember the exact name of the eAlert database you want to search?** Select the database from a list.

3. **Search for an eAlert article by case citation.** If you know the neutral citation (a citation assigned by a court or tribunal itself) or the CanLII citation for a decision, you can enter it in the citation field to see if there is an eAlert article summarizing and commenting upon that decision.

   - Example of a neutral citation: 2015 BCSC 1570
   - Example of a CanLII citation: 2015 CanLII 66010

**Note:** CanLII will use neutral citation where they are available. Thus, for most recent court and tribunal decisions, the neutral citation and CanLII citations will be the same. Arbitrators do not assign neutral citations to their decisions, so CanLII will generate unique CanLII citations for arbitration awards.
Advanced Search for Texts

*(Contract Clauses, Leading Cases on Labour Arbitration and Wrongful Dismissal & Employment Law eText)*

The most notable features of the Advanced Search form for *Contract Clauses Online* are:

1. **The ability to search by index term.**

2. **The ability to search footnotes only.**

**Tip:** You may wish to search footnotes if you are looking for commentary on a certain case (for example, Saskatchewan Federation of Labour or a specific statute, for example, "Education Act")

The Advanced Search forms for *Leading Cases on Labour Arbitration* and *Wrongful Dismissal & Employment Law eText* are substantially similar to the Advanced Search form for *Contract Clauses* online EXCEPT there are no footnotes to search in these texts.
Advanced Search for the *Canadian Labour & Employment Law Journal*

The Advanced Search form for the *Canadian Labour & Employment Law Journal* allows you to search by:

- Article title
- Keyword
- Author
- Volume number
- Issue number
- Year

To search by keyword(s), enter search terms in the Summary box. Please note that *First Resort™* searches the abstracts (also known as summaries) of articles, not the full text of articles.
Saving Searches

If you anticipate frequently running the same search or you want to be able to remember an exact search you have run, you can save your search.

1. On the search results screen, place your cursor over the Actions button.

2. Click on Save Current Search in the drop-down menu that appears.

3. A new window will pop up prompting you to name your search.

4. After filling in the mandatory fields Saved Search Name and Display Name, click Save to save your search.

To run your saved search:

5. Place your cursor over My Account.

6. Click on Managed Saved Searches.

7. A new screen will display showing all your saved searches.

8. Run a saved search by clicking on a Run Saved Search link.
Creating Customized Search Alerts

If you wish to receive an e-mail when new content that meets your search criteria is added to First Resort™, you can create a search alert.

1. On the search results screen, place your cursor over the Actions button.

2. Click on Save as an Alert in the drop-down menu that appears.

3. A new window will pop up prompting you to:
   - Name the alert
   - Designate an e-mail address to which the alert will be sent
   - Choose the frequency for the search to be run/alert e-mail to be sent.

4. After filling in the fields, click Save to create the alert.

To manage your alerts:

5. Place your cursor over My Account.

6. Click on Manage my Alerts.

7. A new screen will display showing all the alerts you have created.

8. You can choose to:
   - Deactivate an alert (which will mean you will no longer receive e-mails when new content meeting your search criteria is added to First Resort™).
   - Activate an alert (Note: By default, your alerts will be active as soon as you create them. You need only activate an alert that you have previously deactivated.)
   - Delete alerts.
   - Subscribe to an RSS feed that will notify you when new content meeting your search criteria is added to First Resort™. (Note: The RSS feed will only update when you sign in to First Resort™. It will not automatically update while you are signed off.)
Printing, Downloading, and E-mailing Documents

To print, e-mail, or download any individual document you are reading:

1. **Click on the Print/View link to print the document.**

   OR

2. **Click on the E-mail link to e-mail the document.**

   OR

3. **Place your cursor over the Download link and select your desired document format to the document.**
   (PDF is the recommended format for downloading.)
Using the Info Cart

To save documents to your Info Cart:

1. Click the boxes next to the documents you wish to save to the cart.
2. Place your cursor over the Add To link.
3. Click on the Cart link in the drop-down box that appears.

To access documents in your Info Cart:

4. Select the Cart link at the very top of the page.
5. A new window will appear and display all the documents saved in your cart.

You can choose print, e-mail or download any one or more documents in your Info Cart:

6. Check the box(es) next to the document(s) you wish to print, e-mail or download.
7. Click on the Print/View link to print all selected documents.
8. Click on the E-mail link to print all selected documents.
9. Place your cursor over the download link and select your desired document format to download selected documents. (PDF is the recommended format for downloading.)
Questions?

For questions about how to use First Resort™ and its features, please contact Roshien Asanta at rasanta@lancasterhouse.com, or call (416) 977-6618 ext. 216.