

CHARTERED 
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CANADA LAW ON EMPLOYMENT TERMINATION, DISMISSAL AND LAYOFF

**Fully Accredited
By:**

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PROGRAM OVERVIEW



Canada's employment termination, dismissal, and layoff laws are complex as they **vary significantly between provinces and territories, and federal jurisdiction**, complicating compliance for businesses operating in multiple regions. Termination provisions vary by province; for example, a five-year employee in **Ontario receives approximately 9.6 weeks of severance, while in Alberta, only five weeks**. Navigating these laws meticulously is crucial to avoid costly litigation and ensure compliance.

This certified program is designed to provide you with comprehensive insights into the complex and evolving landscape of Canada's laws on employment termination, dismissal, and layoff. You will gain in-depth knowledge of the legal framework governing these areas, including **statutory considerations, common law principles, and contractual obligations**. You will delve into various critical topics including **different types of dismissal, with a focus on the pros and cons of each option, dismissal without cause, and contract implications to dispel common myths and misconceptions**. You will gain an in-depth understanding of assessing notice and severance entitlements, highlighting the intersection of legislation, common law, and contractual obligations.

Furthermore, you will learn **how to quantify post-termination entitlements, with an emphasis on understanding and controlling severance costs** in light of recent court trends. The program will cover dismissal for cause, providing insights on how to position your organization legally compliant and strengthen the company's stance. **You will explore constructive dismissal to clarify what constitutes it and how to avoid related claims**. Human rights considerations will be discussed to understand the limits on dismissing employees without cause and the duty to accommodate in performance-related dismissals. **You will be equipped with robust strategies to reduce labour and severance costs by leverage the law and the use of contracts and policies to protect your organization effectively**. By the end, you will gain a comprehensive understanding of Canada's employment termination laws, equipped with the knowledge to ensure compliance, manage risks, and foster fair employment practices within your organization.

Upon successful completion of the program, you will earn a **Certification in Canada HR Employment Law**. This certification holds lifelong validity and not only enhances your professional credentials but also demonstrates your expertise in navigating the intricacies of Canada's employment termination law ensuring compliance.

ACCREDITATIONS



4.8



4.6



KEY SKILLS YOU WILL GAIN

From This Program



**CANADA EMPLOYMENT LAW
CANADA LABOUR CODE
WRONGFUL DISMISSAL MANAGEMENT
TERMINATION MANAGEMENT**

**LAYOFF LEGISLATIONS
PROVINCIAL EMPLOYMENT LEGISLATION
CONSTRUCTIVE DISMISSAL
DISMISSAL GROUNDS IDENTIFICATION**

**NON-DISCRIMINATION DISMISSAL
TERMINATION NOTICE REQUIREMENTS
EMPLOYMENT CONTRACTS
CONTRACT NEGOTIATION**

**LEGAL RISK MITIGATION
EMPLOYMENT DISPUTE RESOLUTION
TERMINATION POLICY DEVELOPMENT
SEVERANCE PAY EMPLOYMENT LITIGATION
HUMAN RIGHTS ADVOCACY**

**COMMON LAW AND STATUTORY RIGHTS
NON-SOLICITATION CLAUSES**

YOUR FACULTY DIRECTOR



Sasha Segal

Assistant General Counsel, Labour and Employment

Sasha Segal is a distinguished labour and employment law expert, adeptly guiding employers through the complexities of provincial and federal jurisdictions. As the **Assistant General Counsel, Labour and Employment at Bruce Power**, she leverages her extensive experience in unionized and non-unionized workplaces to provide strategic counsel. Previously at Miller Thomson LLP, Sasha advised HR leaders on a **comprehensive range of matters, including discipline, dismissals, collective bargaining, human rights, workplace safety, employment standards, privacy, and labour grievances**.

Known for her practical, timely, and solution-driven approach, Sasha tailors her advice to clients' specific needs, empowering them to navigate the intricate legal landscape confidently. She has assisted numerous startups and organizations new to the Canadian market in understanding and adhering to labour and employment law obligations. Sasha **has represented employers before adjudicative bodies like the Ontario Labour Relations Board, Human Rights Tribunal, labour arbitrators, and Superior Court, demonstrating her litigation proficiency and deep grasp of legal principles**.

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PROGRAM AGENDA

MODULE 1 - INTRODUCTION TO CANADIAN EMPLOYMENT AND LABOUR LAW

- Division of Power
- Federal vs. Provincial Jurisdictions
- Employment vs. Labour
- Common Law

MODULE 2 - KEY LEGISLATION

- Federal Canada Labour Code
- Provincial Employment / Labour Standards Legislation

MODULE 3 - GROUNDS FOR TERMINATION

- Without Cause Terminations - i.e. Bad Fit, Restructuring, Lack of Work
- For Cause Terminations- i.e. Poor Performance, Theft, Insubordination, Workplace Harassment
- Frustration of Employment Relationship

MODULE 4 - IMPROPER GROUNDS OF TERMINATION

- Human Rights Considerations
- Workplace Safety / Injury Considerations
- Retaliation Considerations

MODULE 5 - OBLIGATIONS UPON TERMINATION OF THE EMPLOYMENT RELATIONSHIP

- Notice of Termination
- Severance Pay
- Benefits
- Letter of Reference / Letter of Employment
- Record of Employment
- Mass Terminations
- Employee Obligations: Restrictive Covenants, Fiduciary Duties

MODULE 6 - STRUCTURING THE TERMINATION PACKAGE

- Consideration of Any Employment Agreements/Contracts
- Determining Whether to Assert Just Cause for Termination
- Determining the Amount of Notice to Provide an Employee Upon Termination Without Cause
- Consideration of Whether to Provide Written Notice of Termination, Pay in Lieu, or A Combination, When Deciding to Terminate Without Cause
- Pros and Cons of Offering Salary Continuation



PROGRAM AGENDA

- What to Include in Notice of Termination, i.e., Consideration of Bonus, Benefits, Pension, and other Employee Benefits
- Special Clauses to Consider: Retention Bonus, Confidentiality, Non-disparagement Clause
- Full and Final Release

MODULE 7 - EFFECTING THE TERMINATION

- Manner of Dismissal - Good Faith Obligations
- Terminating an Employee While on Leave
- Role of Union in Termination of Employment/Possible Repercussions for Failing to Involve the Union
- Communicating the Termination of Employment in the Workplace
- Bad Faith Damages

MODULE 8 - LAYOFFS

- Layoffs in the Employment (i.e. Non-unionized) Context - Ability to Layoff and Statutory Obligations
- Layoffs in the Unionized Context

MODULE 9 - SPECIAL TOPIC: CONSTRUCTIVE DISMISSAL

- Employer Actions Leading to a Possible Constructive Dismissal Claim
- Entitlements of an Employee Who Has Been Constructively Dismissed

MODULE 10 - LITIGATING EMPLOYMENT TERMINATIONS

- Litigation in the Non-Unionized Context, i.e. Civil Court, Human Rights Tribunal, Employment Standards
- Litigation in the Unionized Context (i.e. Arbitrations)
- Possible Damages That Can Be Awarded
- Possibility for Reinstatement

YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certification's programs are unique as they provide you with professional charter designation and mark that can be used across your lifetime once you have completed our programs.

Upon successful completion of this program, you will be awarded the prestigious **Certification in Canada HR Employment Law** which can be used in your resume, CV, and other professional credentials. With lifelong validity and global recognition, this designation will set you apart from your peers, demonstrating your expertise in managing employee dismissal & termination and appropriate layoff process. This program is developed by **Chartered Institute of Professional Certifications** and the content of this program has been certified by **CPD Certification Service** as conforming to continuing professional principles.

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CONTACT US TODAY

We Thank You for Your Ongoing Support
of Our Programs

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