

Termination of Employment – Factors to Consider

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CH Legal Moment on FM96

(Phone ringing)

Receptionist – Cohen Highley

(Announcer) - And now the Cohen Highley Legal Moment on FM96

(Announcer) – I’m with Christian Jannetta from Cohen Highley Lawyers. Any advice for when it comes to termination of employment?

(Christian Jannetta) – Whether you’re an employer looking to restructure or an employee who’s just been let go, always get legal advice before acting.

(Announcer) – So termination is not that simple.

(Christian Jannetta) – No. For a start, the parties must be aware of the requirements set out by the applicable employment standards legislation. That’s the *Employment Standards Act, 2000* for provincially-regulated employees and the *Canada Labour Code* for federal. Both have different requirements.

(Announcer) – Is that it?

(Christian Jannetta) – No. Common law also applies and considers a number of factors which govern an employer’s obligations on terminating an employee. This includes the employee’s age, length of service, and the nature of the position, among others.

(Announcer) – Is the employer required to give a reason for the termination?

(Christian Jannetta) – That depends on the nature of the termination and the applicable legislation. Again, it’s best to have legal advice before acting.

(Announcer) - Thanks Christian. This has been the Cohen Highley Legal Moment.

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