

Employees' Responsibilities after Termination (February 2014)

[phone ringing]

Receptionist:

Cohen Highley.

Announcer:

And now the Cohen Highley Legal Moment. I'm here with Christian Jannetta, a Partner at Cohen Highley Lawyers. So Christian, what sorts of obligations does an employee have upon termination?

Christian:

There can be several. However, an important one is that a terminated employee must make an effort to mitigate any losses caused by their termination.

Announcer:

And what does that mean?

Christian:

A terminated employee might have an action for damages for wrongful dismissal, but in such an action, the employee will have to show proof that he or she actively sought out replacement employment following the termination.

Announcer:

And if they get job offers?

Christian:

They will have to accept any reasonable offer of a comparable replacement job, or show a good reason not to have accepted it.

Announcer:

And if they haven't?

Christian:

Any damages they could be entitled to could be drastically reduced.

Announcer:

Thanks Christian. This has been the Cohen Highley Legal Moment.

Singing:

Cohen Highley, we're listening.

Announcer:

cohenhighley.com.