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EMPLOYMENT LAW MANUAL The Honourable Mr. Justice John R. Sproat Release No. 6, August 2025

In addition to an extensive treatment of wrongful dismissal law in Canada, the *Employment Law Manual: Wrongful Dismissal, Human Rights and Employment Standards* features an examination of discriminatory practices under the *Ontario Human Rights Code* and offences under the *Employment Standards Act, 2000*. A section offering practical advice on hiring and firing is supplemented by a collection of helpful precedents, featuring forms of employment contracts, warning letters, termination letters, and more.

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What's New in this Update

This release includes several new articles added to Appendix RA (Related Articles) and updates to Words and Phrases and permissioned materials from the Ontario Government. New articles added include employee monitoring, aggravated damages, dismissal of an employee while on leave, Ontario's *Digital Platform Workers' Rights Act, 2022* and General Regulation, and the exclusion of first-level managers from the Quebec *Labour Code*. New Words and Phrases entries added to Appendix WPJ include definitions from recent case law of conflict of interest, consecutive, chronic mental disorder claims, and presently performed. Updates were made to Appendix E (OLRB—Rules of Procedure) and include materials from the Ontario Ministry of Labour, Immigration, Training and Skills Development, and the Ontario Labour Relations Board.

Highlights

RELATED ARTICLES — The following Related Articles were added to Appendix RA:

- Employee Monitoring in the Information Age: *Rehn Enterprises Ltd. and United Steelworkers, Local 1-1937*
- Ontario Appeals Court Upholds Aggravated Damages Award
- B.C. Human Rights Tribunal Dismisses Complaint of Employee Dismissed While on Leave
- Ontario's *Digital Platform Workers' Rights Act, 2022* and General Regulation to Come into Force on September 1, 2025
- Supreme Court of Canada Rules that Exclusion of First-Level Managers from Quebec *Labour Code* is Constitutional

WORDS AND PHRASES — The following definitions from recent case law were added to Appendix WPJ:

- Conflict of Interest (particularly with respect to fiduciary employees)
- Consecutive (particularly in the context of continuity of employment)
- Chronic Mental Disorder Claims (particularly with respect to workers' compensation legislation)
- Presently Performed (particularly in the context of the timing of the performance of a contract)

OLRB—RULES OF PROCEDURE — The following materials were updated in Appendix E:

- Employment Standards Claim Form
- Form A-103: Employment Standards Act, 2000—Application for Review
- Form A-103A: Application for Review — Overpayment Recovery
- Form A-104: Application Under Sections 112 or 120 of the ESA or Section 23 or 29(6) of the EPFNA to Void Settlement as a Result of Fraud or Coercion
- Form A-114: Employment Protection for Foreign Nationals Act, 2009—Application for Review
- Form A-115: Application Under Sections 101.1(4) of the ESA to Void Settlement as a Result of Fraud or Coercion
- Ontario Labour Relations Board Information Bulletin No. 24