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Publisher's Note

2026 — Release 2

Previous release was 2026-1

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BEST PRACTICES: TERMINATION

Dear Subscriber:

Enclosed is your release 2026-2 of *Best Practices: Termination*.

This update features the following new material:

Chapter 3 — Legal Considerations:

- A substantial new section was added on Termination of Employment in a Unionized Environment. This includes an overview of the law as well as procedural aspects of employee terminations in a unionized environment and preparing for and handling a grievance or arbitration hearing.

Chapter 7 — Downsizing/Outsourcing:

- This entire chapter was reviewed and updated with respect to legal compliance requirements, modern business practices, terminology, technology considerations, learning and development opportunities, unforeseen events such as pandemics and supply chain disruptions, confidentiality surrounding issues such as mergers, acquisitions and divestitures, organizational knowledge and knowledge management, updates to the Work-Sharing program administered by Service Canada, additional information on downsizing considerations in a unionized environment, termination clauses, bad faith damages, older workers and the end of mandatory retirement, part-time, contract and “gig” workers, seniority (particularly in a unionized environment), public relations considerations, media relations and mass terminations under the applicable employment standards legislation.

- A new section was added on Legal Issues Surrounding Downsizing. This includes considerations such as wrongful dismissal, legislative requirements under employment standards legislation and frustration of the employment contract.

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