

## SERVICE

# Employment and Labour

We provide comprehensive advice in all areas of employment and labour law to organizations of all sizes.



## Related Expertise

- [Emerging and High Growth Companies](#)
- [Executive Compensation](#)
- [Pensions and Benefits](#)
- [Pensions and Benefits Litigation](#)
- [Private Equity and Investment Fund Disputes](#)

Osler's Employment and Labour Department provides comprehensive advice and representation in all areas of employment and labour law, including in relation to workplace disputes and best practices for human resources policies and procedures.

Employment and Labour partners with a broad range of companies, from small- and medium-sized to global entities, and have worked closely with clients in most industries and understand the business and legal issues that are unique to different industry sectors. Our lawyers understand the reputational risks inherent in implementing workplace initiatives, and our team responds promptly, recognizing that employment and labour issues are usually pressing ones and need to be addressed quickly and effectively.

Our lawyers regularly represent clients before labour boards and other tribunals dealing with employment and labour-related issues, at arbitration hearings and before the courts. Comprehensive advice and representation in all areas of employment and labour law is provided, including

- collective agreement administration
- collective bargaining
- directors' liability
- employment contracts and executive compensation
- employment standards
- grievance arbitration
- human rights
- mergers and acquisitions
- occupational health and safety
- pay equity and employment equity
- privacy

- restructuring solutions
- strikes and lockouts
- terminations and layoffs
- union certification and decertification
- workers' compensation
- workplace investigations

Our clients are kept up-to-date on new legislation, recent court and arbitration decisions, and the evolution of labour relations tribunal and government agency policies.

Our team can call upon legal professionals in our Toronto, Calgary, Ottawa, Montréal and New York offices. In addition, Osler is a founding member of a network of Canadian law firms and our team is able to call upon local counsel in all Canadian jurisdictions.

## U.S./cross-border expertise

Our lawyers receive frequent inquiries about Canadian employment and labour law from U.S. counsel and clients. Osler has extensive experience guiding U.S.-based employers through downsizings, executive terminations and union organizing efforts, all of which raise different issues and require different solutions in Canada.

## Employment litigation expertise

Osler's National Litigation and Dispute Resolution team litigates, advises on, and solves business critical issues for organizations in Canada and around the world. Best known for handling multi-jurisdictional class actions and complex corporate/commercial litigation, our lawyers defend groups of major institutional clients on the most challenging and business critical "bet the company" and "bet the industry" precedent-setting cases across various industries and at all levels of courts across Canada.

Employment matters can quickly become a business-critical issue. Osler is at the forefront of successfully resolving complex overtime class actions and other employment and employee benefits class actions across Canada. Our team has extensive experience providing practical advice to provincially and federally regulated employers (from Fortune 500 corporations to smaller, private enterprises) regarding their obligations under employment standards legislation, particularly regarding work and overtime hours.

## Emerging companies

Osler is at the forefront with respect to advising emerging and high growth technology companies in Canada.

Our Employment and Labour team has extensive experience working with clients in this increasingly important sector of the Canadian economy. Our lawyers understand and routinely advise on the unique business and legal issues that these organizations face, including providing critical advice with respect to: "make or break" financings, difficult founder departures, key hires needed to scale the business, workplace policy design and

resolving employee disputes. Osler is keenly aware of the need to effectively manage reputational and brand risk given the competition for top-end talent in the marketplace and our team provides proactive and practical solutions, creative advice and a deep understanding of market practice, all in order to help your company minimize cost and management distraction.

The Employment and Labour team is routinely sought out for our breadth of expertise in this area, and our lawyers regularly speak on the variety of issues that affect emerging and high growth workplaces.

## Executive compensation

As part of our firm's Executive Compensation Group, Osler helps domestic and multinational businesses create appropriate employment arrangements for their employees and senior executives. Our team also advises boards of directors and their human resources committees in discharging their duties related to executive compensation matters.

## Occupational health and safety

There are two main aspects of service Osler provides to clients with regard to occupational health and safety and critical incident response: critical incident response preparedness and real-time advice in responding to critical incidents.

With regard to critical incident response preparedness, our team works with clients to prepare critical incident response plans, communication protocols, and fulsome reviews of health and safety policies and procedures. Osler also works with third-party experts to oversee complete audit reviews of our clients' health and safety programs. To ensure compliance with applicable safety laws, our team also assists clients with review and preparation of prime contractor delegation of responsibility for on-site safety.

In terms of critical incidents, Osler helps clients navigate workplace fatalities and serious workplace injuries, and all aspects of mandatory workplace investigations pursuant to provincial and federal regulators and occupational health and safety requirements. Such post-critical incident responsiveness necessitates our team providing 24/7 on-call advice to clients in the event of a critical incident, and our services include

- working with our clients in implementing the critical incident response plan
- ensuring privilege over investigations conducted outside statutorily required investigations
- assisting clients through the investigation stage and working with applicable provincial, federal and industry-specific regulators to ensure compliance
- providing serious incident reports to the regulator
- coordinating cooperation with regulatory investigators, police services and insurers' investigators, while minimizing regulatory stop work orders
- managing and minimizing client exposure and that of their employees for regulatory and/or criminal offences

Our health and safety and critical incident clients span multiple industries, including mining, oil and gas, electricity, oilfield services and pipeline companies, and range from small organizations to large, national and international companies. Osler is experienced in working with international clients to ensure their health and safety practices are tailored to those in their home jurisdictions, and their health and safety policies are applicable to their international operations.

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## Key Contacts



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## Awards and Recognition

- Recognized in Employment and Labour (Nationwide; Ontario; Alberta)

—**CHAMBERS CANADA: CANADA'S LEADING LAWYERS FOR BUSINESS**

- Recognized in Employment and Labour

—**THE LEGAL 500**