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CANADIAN EMPLOYMENT LAW

Stacey Reginald Ball

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Canadian Employment Law is a one-stop reference that provides a thorough survey of the law with analysis of developing trends. Canadian Employment Law has been cited by the Supreme Court of Canada, and in superior courts in every province in Canada. With methodically organized chapters, Canadian Employment Law can be counted on to provide detailed analysis of the facts and law of thousands of relevant cases. The subject-matter is wide-ranging and addresses topics including wrongful dismissal, fiduciary obligations, tort law and vicarious liability, remedies, constitutional issues, occupational health and safety, employment contracts, duty of good faith and human rights.

What's New in this Update:

This release features updates to the case law and commentary in Chapters 6, 9, 11, 21, 22 and 33.

- **Canada Labour Code and Non-Organized Employees - Just Dismissal - Employer's Duty to Investigate** - "An employer that fails to conduct an adequate and fair investigation into an allegation of sexual harassment or other misconduct runs the risk that it may not be able to discharge the burden of establishing cause for dismissal": *Caron Transport Ltd. v. Williams*, [2018] F.C.J. No. 196 at para. 69, citing *van Woerkens v Marriott Hotels of Canada*

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Ltd., 2009 BCSC 73 at para. 150.

- **Cause for Summary Dismissal - Common Law Standard v. Statutory Standard -** Legislated “wilful provisions” create a higher standard to be met than that of just cause at common law: *Panaligan v. Mayfair Tennis Courts Ltd.*, [2017] O.J. No. 932 at para. 15, applying *Oosterbosch v. FAG Aerospace Inc.*, [2011] O.J. No. 1135, 2011.