

Publisher's Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. <i>Distribution List</i>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

REMEDIES IN LABOUR EMPLOYMENT AND HUMAN RIGHTS LAW

**Field LLP, James T. Casey
Release No. 6, December 2021**

Publisher's Special Release Note 2021

The pages in this work were reissued in August 2021 and updated to reflect that date in the release line. Please note that we did not review the content on every page of this work in the August 2021 release. We will continue to review and update the content according to the work's publication schedule. This will ensure that subscribers are reading commentary that incorporates developments in the law as soon as possible after they have happened or as the author deems them significant.

Changes to chapter and heading numbering may have occurred. Please refer to the Correlation Table in the front matter if you wish to confirm references.

THOMSON REUTERS CANADA®

Customer Support

1-416-609-3800 (Toronto & International)

1-800-387-5164 (Toll Free Canada & U.S.)

Fax 1-416-298-5082 (Toronto)

Fax 1-877-750-9041 (Toll Free Canada Only)

E-mail CustomerSupport.LegalTaxCanada@TR.com

This publisher's note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

Remedies in Labour, Employment and Human Rights Law is a unique resource which provides a comprehensive analysis of the remedial jurisdiction of adjudicators, tribunals and courts to enforce human rights and employment rights. The authors examine remedies arising from labour arbitration, from wrongful dismissal litigation, and from unjust dismissal cases under the *Canada Labour Code*, following labour relations board hearings and in the human rights context. In each instance the authors discuss the purpose and scope of the available remedial orders as well as the source of the remedial authority, then each type of remedial order is detailed and explored.

This release updates Chapter 6 (Human Rights Remedies).

- **Human Rights Remedies — Mental Anguish and Injury to Dignity and Self-Respect** — The Alberta Human Rights Tribunal has cautioned against the use of arbitrary caps or ceilings in awarding damages for injury to dignity. Citing concern about the possibility of a new arbitrary cap of \$25,000, the Tribunal noted that labour arbitration decisions hearing discrimination claims and human rights tribunals in jurisdictions where there is no statutory cap have far exceeded the notional upper limit used in Alberta: *Kvaska v. Gateway Motors (Edmonton) Ltd.*, 2020 AHRC 94 (Alta. H.R.T.).
- **Human Rights Remedies — Apologies** — The Newfoundland Board of Inquiry noted that an apology is the minimum form of redress that one can expect from having your rights violated. However, the Board recognized that there is a significant body of case law suggesting that disingenuous and forced apologies, compelled from unwilling respondents, are worthless and do not serve the cause of promoting human rights: *Bill v. Allandale Place Condominium Corporation*, 2020 CarswellNfld 381 (N.L. Bd. of Inquiry).

ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
- Footnote text only appears in ProView-generated PDFs of entire sections and pages