

2016-06 Ee Notice

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...is good for the gander

Many doctors across the country complain to us about their frustration when employees quit on relatively short notice. At least two cases decided in the Courts recently indicate that the law is growing in sympathy with the plight of the employer in such situations.

Courts have held that the main purpose of imposing a duty on employees to provide notice of termination is to allow the employer an opportunity to adjust to the departure. In one case, the trial Court awarded the employer \$56,000 in damages for the employee's failure to give adequate notice. Unfortunately for the employer, the Appeal Court reduced that amount to approximately \$5,600, but still an amount that many employees would consider a significant deterrent. In the second case, the Court awarded the employer \$35,164 as damages for the employee's lack of adequate notice. In this case, the employee had quit effective the same day (i.e. providing no notice). The Court held that he should have given the employer two months' notice given his position.

While it's certainly nice to see Courts protecting employers, employers in Canada are well advised to include provisions in their employment agreements that set out precisely how much notice an employee is required to give before quitting. We always recommend that when preparing our Practice Protection Package TM for our doctors. If you would like to learn more, call us: 905-825-

2268 or email: mbc@mbclegal.ca.

Reminder to Ontario employers: the Bill 132 clock is ticking...

As Ontario employers, each of us has until September 8, 2016, to comply with significant new legal obligations. On March 8, 2016, Bill 132, the Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2016, (the "Act") received royal assent. Among other things, the Act requires that, as an Ontario employer, you update your workplace harassment policy to comply with the Act before the September 8 deadline. (Click here to read [Bill 132](#).)

If you are an existing Practice Protection Package TM client of MBC, this is one of the exceedingly rare times (in our thirteen years of business) that you must update your PPP TM. As a professional courtesy to our PPP TM clients, for a limited time, we will update the Workplace Policy Manual of your PPP TM to comply with the new law for a nominal fee of \$320 (plus HST). Please contact us as soon as possible as we have a large roster of clients who need to have their policies updated and the clock is ticking.

Email: mbc@mbclegal.ca or call us: 905-825-2268.



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