



KELLY GREENWAY BRUCE
BARRISTERS & SOLICITORS
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LEGAL MATTERS



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Greg practices in the area of Real Estate (including purchases, sales and mortgages), Estate Planning and Administration (including the preparation of Wills and Powers of Attorney for both property and personal care and Probate of an Estate), and Employment Law, (including wrongful dismissal and workplace harassment.)

Greg also practices as a Corporate and Commercial lawyer, including Incorporations, Commercial Litigation, Shareholder Agreements, Partnership Agreements, Asset and Share purchases and sales.

Q *My performance reviews have always been positive but my employer has let me go. Is this legal?*

A Even if you've received glowing performance reviews, your employer can dismiss you without reason or cause under the Employment Standards Act (though circumstances may differ for unionized employees).

An employer must provide working notice of termination or pay in lieu of notice and sometimes statutory severance pay (depending on an employee's length of service) when dismissing an employee "without cause" – often the result of downsizing.

Reasonable notice is determined by such factors as an employee's length of service, level of education, level of expertise in their field and prospects of finding alternate employment.

If you've been terminated, contact a lawyer immediately and do not sign a severance package without legal advice, even if you're pressured to do so, because you could be giving up entitlements and waiving your right to sue over unknown claims.

It's also worth considering legal advice if you receive a negative performance review or a performance improvement plan because it could be used by the employer to justify termination "with cause," in which case you're not entitled to any payment.

The team at Kelly Greenway Bruce is experienced in employment law and will ensure you understand your rights and obligations during this uncertain and perhaps contentious transition.



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