



Employment

DLA Piper's global employment practice advises clients worldwide on employment legislation, helping them meet their workforce objectives.

We partner with our clients, wherever they do business, to find solutions and manage risk in relation to their employment, incentives and pensions legal challenges and objectives.

With lawyers across the Americas, Asia Pacific, Europe, Africa and the Middle East, our global employment team is one of the largest in the world, with one of the widest geographical footprints of any international law firm.

We can assist with:

- Acquisitions
- Outsourcings
- Expansions or reductions-in-force
- Local or international employee relations
- Data privacy or data protection
- Local, cross-border or collective litigation
- Local or multi-jurisdictional compliance
- Risk management

Our clients range from startups to emerging multinationals and some of the biggest and best-known global brands in the world. We work with our clients locally, internationally and across borders. Our global reach and local knowledge means that we can partner with clients to drive consistency, deliver cost savings and help them identify and manage their priorities and risk across multiple locations.

With market and economic shifts, new technology, globalisation and global mobility, a demand for more flexible workforces and ever-increasing scrutiny of compliance and ethics, the employment and labour challenges for multinationals are greater than ever.

EXPERIENCE

- Advised a global client on drafting and implementing a Global Code of Conduct in over 50 jurisdictions
- Advised on implementing a 900 employee global restructuring, affecting employees in around 30 jurisdictions worldwide
- Advised a full service investment bank on global restricted stock award documentation encompassing restrictive covenants and notice periods applicable to 19 jurisdictions

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RELATED SERVICES

- International Corporate Reorganizations

- Acted for a global IT company providing legal project management and full cover HR advice in an outsourcing project which affected more than 400 employees in 15 countries and included collective consultation in several countries
- Acted for a global healthcare company in a cross border investigation and litigation involving the misuse of highly confidential information and a staff poaching in multiple jurisdictions
- Advised a global music company with the restructuring of its global workforce providing project support across 20-30 jurisdictions

INSIGHTS

Publications

Israel Group News May 2019

9 MAY 2019

ISRAEL GROUP NEWS

In this issue, our global activities, latest publications, coming events and more.

Washington state HB 1450 is signed into law, limiting enforceability of non-compete agreements – key takeaways

9 MAY 2019

The new prohibitions on non-compete agreements in Washington have the potential to greatly impact employers in the state both positively and negatively.

Common law reasonable notice of termination for independent contractors?

7 MAY 2019

CANADA IN FOCUS

In the recent decision in *Cormier v 1772887 Ontario Limited*, an Ontario Superior Court judge stated that in some circumstances it would be reasonable to consider an employee's years of service as an independent contractor in calculating his or her common law reasonable notice period.

Bill amending the *Employment Standards Act, 2000* and *Labour Relations Act, 1995* receives Royal Assent

6 MAY 2019

CANADA IN FOCUS

On April 3, 2019, the *Restoring Ontario's Competitiveness Act, 2019* received Royal Assent.

Important deadlines for new BC Employer Health Tax

3 MAY 2019

CANADA IN FOCUS

Important deadlines are approaching for the new BC employer health tax.

Change is afoot for BC's Employment Standards Act

2 MAY 2019

CANADA IN FOCUS

The BC government has unveiled plans to significantly change the *Employment Standards Act* ("ESA"), which prescribes the minimum labour standards for regulated workplaces in BC.

Dallas passes ordinance requiring paid sick leave for private sector workers – key facts to know

29 APR 2019

With the effective date rapidly approaching, companies with employees in the City of Dallas should become familiar with the ordinance and review their applicable policies.

Be Aware UK: European Parliament approves law on more transparent and predictable employment for gig and other workers

18 APR 2019

On 16 April the European Parliament voted to approve the Transparent and Predictable Working Conditions Directive.

Top franchise developments of 2018

11 APR 2019

DLA Piper IPT attorneys Barry Heller, John Hughes and Karen Marchiano recently conducted a webinar reviewing 2018's top franchise developments. Two stand out from the rest.

Singapore: New guidelines on wrongful dismissal

11 APR 2019

The Employment Act (Cap. 91) of Singapore (the EA) amendments came into effect on 1 April 2019 (the EA amendments).

Employment Law Update - Spring 2019

4 APR 2019

CANADIAN EMPLOYMENT NEWS SERIES

From the biggest hiring mistakes to drafting valid termination clauses to updates on the *Canada Labour Code*, we explore these topics and more in the Spring 2019 edition of the *Canadian Employment News Series*.

Compliant but not enforceable: beware of ambiguous language in termination clauses

3 APR 2019

The recent decision in *Movati Athletic Group Inc. v. Bergeron* ("Movati") highlights how careful drafting is critical to ensuring

employment agreements withstand judicial scrutiny.

Court of Appeal confirms narrow family status discrimination test in British Columbia

3 APR 2019

The British Columbia Court of Appeal recently confirmed that it has no appetite to depart from BC's current legal framework, which applies a stringent test to establish *prima facie* discrimination in the context of family status.

The five biggest hiring mistakes and how to avoid them

3 APR 2019

When it comes to managing employment relationships, an ounce of prevention is worth a pound of cure.

Be Aware March 2019

2 APR 2019

[BE AWARE BELGIUM SERIES](#)

In this publication we discuss if the draft interprofessional agreement is set in stone, a legal framework for the mobility budget since 28 February 2019, and work regulations do not need to mention the family allowances fund anymore.

Be Aware February 2019

7 MAR 2019

[BE AWARE BELGIUM SERIES](#)

Employers that employ at least 50 employees shall draw up an analysis report on the employee remuneration structure every two years in order to identify and evaluate any discrepancies in pay between men and women. This report shall then be discussed within the works council, or in the absence thereof, with the union delegation.

Be Global: February Employment Law 2019 Update

28 FEB 2019

[BE GLOBAL SERIES](#)

The February edition of Be Global provides recent developments across EMEA, Asia Pacific and the Americas.

Israel Group News

12 FEB 2019

[ISRAEL GROUP NEWS](#)

In this issue, the rise of the Data Protection Officer, plus news and coming events.

Be Aware January 2019

11 FEB 2019

[BE AWARE BELGIUM SERIES](#)

Part of the reforms concerned the increased employability in the job market of dismissed employees having some seniority, in particular those entitled to a legal notice period (or corresponding legal indemnity in lieu of notice) of at least 30 weeks.

Major changes coming to the *Canada Labour Code*

8 FEB 2019

The Federal Government of Canada recently introduced in First Reading Bill C-86, which aims to amend a number of provisions of the *Canada Labour Code*. Bill C-86 will result in the most significant changes to the *Canada Labour Code* seen in decades and will be sure to have an effect on employers.

Be Global: Global Employment Law 2019 Preview

31 JAN 2019

[BE GLOBAL SERIES](#)

Our Global Employment Law 2019 Preview looks ahead to the key employment developments expected to come into effect in 2019 across Europe, Middle East and Africa, Asia Pacific and the Americas.

Global Employment Law Quiz 2019

11 JAN 2019

The annual quiz about global developments and trends in employment law.

Latest changes to the Thai Labour Protection Act

20 DEC 2018

The National Legislative Assembly of Thailand has just approved the latest amendment of the Thai Labor Protection Act on 13 December 2018.

Be Global: December 2018

17 DEC 2018

[BE GLOBAL SERIES](#)

The December edition of Be Global provides our 2018 Global Highlights - a compilation of the most significant employment developments and trends in Europe, Middle East and Africa, Asia Pacific and the Americas reported on GENIE this year.

Ontario's Bill 57 postpones the *Pay Transparency Act, 2018*

7 DEC 2018

[CANADA IN FOCUS](#)

On December 6, 2018 the Ontario Legislative Assembly passed the *Restoring Trust, Transparency and Accountability Act, 2018* (Bill 57), an omnibus bill that, among other things, postpones the coming into force of the *Pay Transparency Act, 2018*.

Bill 66 proposes hours of work and overtime amendments to the *Ontario Employment Standards Act, 2000*

7 DEC 2018

CANADA IN FOCUS

On December 6, 2018 the Ontario Conservative Government introduced the *Restoring Ontario's Competitiveness Act, 2018*.

An update on the ability of managerial employees to unionize in Quebec

5 DEC 2018

CANADA IN FOCUS

Further to our previous article, in which we alerted our clients to a decision declaring inoperative the provision of Quebec's *Labour Code* which prevents managerial employees from unionizing, a recent decision has since overturned that ruling.

Be Global: November 2018

3 DEC 2018

BE GLOBAL SERIES

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

eSignature and ePayment News and Trends

30 NOV 2018

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

In this issue, a fintech Q&A with the team, plus the latest developments from the legislatures, the regulators and the courts

Bill 47 repeals recent amendments to the *Employment Standards Act* and the *Labour Relations Act* in Ontario

27 NOV 2018

CANADA IN FOCUS

On November 21, 2018 the *Making Ontario Open For Business Act, 2018* received Royal Assent and became law in Ontario. Bill 47 repeals many of the changes to the *Employment Standards Act, 2000* and the *Labour Relations Act, 1995* introduced last year by the *Fair Workplaces, Better Jobs Act, 2017*.

Improving class action notice and settlement procedures – new amendments to Rule 23

16 NOV 2018

As a whole, the amendments both modernize and streamline current procedures.

Employee dismissed based on family status and physical disability, Alberta Human Rights Tribunal rules

14 NOV 2018

CANADA IN FOCUS

A recent decision by the Alberta Human Rights Tribunal found that an employer, while seeking to reduce its workforce, dismissed an employee on the grounds of family status and physical disability, rather than job performance. In *Smylie v Sani-Tech Mechanical Ltd.*, 2018 AHRC 6, the Tribunal awarded the employee damages for lost wages, in addition to \$20,000 for injury to the employee's dignity and self-respect. This decision highlights the need for employers to carefully evaluate employee dismissal when looking to reduce their workforce.

How are employers affected by Alberta's increased protections against sexual and domestic violence?

8 NOV 2018

CANADIAN EMPLOYMENT NEWS SERIES

In an attempt to make the legal system more accessible to victims of sexual and domestic violence, on May 4, 2017 the Alberta legislature passed *Bill 2: An Act to Remove Barriers for Survivors of Sexual and Domestic Violence*. This legislation effectively removes limitation periods for claims related to sexual or domestic misconduct.

When should an employer terminate for cause?

8 NOV 2018

CANADIAN EMPLOYMENT NEWS SERIES

An employment relationship is a relationship built upon mutual trust. Courts and tribunals have long held that when an employee violates that trust, the employer is justified in ending the relationship, for cause, and without notice. The difficulty for employers is that it is not possible to create a list of specific conduct that justifies a for cause termination.

Quebec employers: Are your harassment policies up to snuff?

8 NOV 2018

CANADIAN EMPLOYMENT NEWS SERIES

In a May 2018 *Canada In Focus* blog post we discussed significant changes proposed to Quebec's *Act Respecting Labour Standards* under Bill 176. Bill 176 has since received royal assent with certain amendments in effect since June 12, 2018, and others coming into effect as of January 1, 2019. Included in the January amendments are important modifications regarding harassment in the workplace.

UK parental bereavement leave consultation: Government response

6 NOV 2018

The response covers the definition of "bereaved parent," how and when leave can be taken, and notice and evidence requirements.

Be Global: October 2018

5 NOV 2018

BE GLOBAL SERIES

October 2018 employment law news, including the employee data protection in Germany, proposed changes to the Special Danish Stock Option Act, potential increase in social security contributions in Poland, and introduction to pay equality legislation in Canada.

Bill 50: B.C. Government tables amendments to the Human Rights Code

5 NOV 2018

CANADA IN FOCUS

On November 1, 2018, the B.C. Government introduced the *Human Rights Code Amendment Act 2018*, Bill 50. The Bill largely adopts the recommendations of the December 2017 report of Ravi Kahlon, Parliamentary Secretary of Sport and Multiculturalism.

Because it's 2018: Canada introduces pay equity legislation

30 OCT 2018

CANADA IN FOCUS

On October 29, 2018 Canada's Federal government introduced legislation designed to equalize the earning potential of men and woman, *Act to Establish a Proactive Pay Equity Regime within the Federal Public and Private Sectors (Pay Equity Act)*.

A higher education in matters of sexual violence: Post-secondary institutions in Quebec required to adopt a formal policy by the end of the year

29 OCT 2018

CANADA IN FOCUS

While schools are generally the ones handing out the homework, the Quebec government has issued an important assignment for higher education institutions in the province, requiring them to adopt, by January 1, 2019, a policy to prevent sexual violence on campus.

Recommendations for labour relations changes: B.C. Government releases the report of the Labour Relations Code Review Panel

26 OCT 2018

CANADA IN FOCUS

On October 25, 2018, B.C.'s Minister of Labour released the report of the Labour Relations Code Review Panel. The report contains sweeping recommendations with respect to amending the B.C. *Labour Relations Code*.

Israel Group News

24 OCT 2018

ISRAEL GROUP NEWS

In this issue, legal developments worldwide that affect this dynamic ecosystem.

British Columbia employer health tax legislation introduced

17 OCT 2018

CANADA IN FOCUS

On Tuesday, October 16, 2018 the British Columbia government introduced legislation – Bill 44, *Budget Measures Implementation (Employer Health Tax) Act, 2018* – with respect to the anticipated Employer Health Tax announced in the British Columbia Budget 2018.

Hong Kong government announced labour developments in 2018 policy address

15 OCT 2018

On 10 October 2018, the Chief Executive of Hong Kong, Carrie Lam, announced her 2018 Policy Address. The Policy Address notably addressed some key developments in the labour and discrimination law regimes in Hong Kong.

Be Global: September 2018

3 OCT 2018

BE GLOBAL SERIES

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

Proposed changes to maternity leave entitlements under the Thai Labour Protection Act

2 OCT 2018

The Thai Department of Labour Protection and Welfare (Thai Labour Department) is in the process of amending the maternity entitlements under the Labour Protection Act to be in line with International Labour Organization (or ILO) - Convention No. 183 that concerns maternity protection rights.

Canadian Employment News Series November 2018

8 NOV 2018

CANADIAN EMPLOYMENT NEWS SERIES

The Alberta legislature passes *Bill 2: An Act to Remove Barriers for Survivors of Sexual and Domestic Violence* in an attempt to make the legal system more accessible to victims of sexual and domestic violence. Recent decisions illustrate the difficulties for employers on knowing when to terminate for cause. Amendments to Quebec's *Act Respecting Labour Standards* concerning workplace harassment come into effect in January. In the November 2018 edition of the *Canadian Employment News Series* we explore these topics.

Locals or Expats? Impact of Latest Reforms on Hong Kong, Macao and Taiwan Residents Working in Mainland China

27 SEP 2018

On 3 August 2018, the State Council made an announcement (Announcement) to cancel several administrative permits, including the work permits for Hong Kong, Macao and Taiwan residents (HMT Residents). This was closely followed by a series of developments that changes how HMT Residents obtain employment, education and medical benefits in mainland China (China). However, various questions remain unresolved and employers should be alert about the heightened risks associated with having these individuals work in China in the meantime.

New law adopted to facilitate division of Delaware LLCs

24 SEP 2018

Recent changes to the law governing Delaware LLCs will facilitate the division of Delaware LLCs and potentially provides a valuable new tool in corporate reorganizations involving this type of entity.

BC Human Rights Tribunal determines that rap music played in boutique did not constitute discrimination under human rights legislation

6 SEP 2018

CANADA IN FOCUS

Have you ever been in a shop playing edgy modern music and been offended by the lyrics? One woman recently took her complaint to the British Columbia Human Rights Tribunal only to be told she had no case. In *Redmond v. Hollywood Boutique*, 2018 BCHRT 121, the Tribunal dismissed the complaint, finding that it did not meet the test for discrimination under provincial human rights legislation.

Minimum wage creep

5 SEP 2018

CANADA IN FOCUS

Statutory minimum wage increases are set to occur on October 1, 2018 in Alberta, Saskatchewan and Manitoba, with Ontario to follow suit on January 1, 2019. These increases are in accordance with a general pattern of increases across Canada over the last few years.

With common sense approach Ontario Court of Appeal upholds enforceability of termination pay clause in employment contract

15 AUG 2018

CANADA IN FOCUS

The Ontario Court of Appeal has upheld the termination pay clause of an employment contract in *Amberber v. IBM Canada Ltd.* 2018 ONCA 571 by using a refreshing and common sense approach in overturning the trial judge's findings.

Be Global: July 2018

3 AUG 2018

BE GLOBAL SERIES

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

Bill C-46 provides guidance for the assessment of marijuana impairment in the workplace

31 JUL 2018

[CANADA IN FOCUS](#)

Effective October 13, 2018, the possession and use of recreational marijuana will be legal across Canada. To prepare for the legalization of recreational marijuana, Canadian employers should introduce or update workplace policies that address the potential implications of recreational marijuana in the workplace, including possession, use, impairment and accommodation for dependency.

Israel Group News

26 JUL 2018

[ISRAEL GROUP NEWS](#)

Helping to create opportunities for Israeli companies by leveraging our global relationships.

International HR and employee discipline issues in FCPA matters

10 JUL 2018

Local laws, practices and cultural differences mean that the differences between investigations from one country to another, and the consequences of failing to understand them, can be significant. Here are some of the key considerations for multinational employers when they are conducting cross-border investigations.

Be Global: June 2018

7 JUL 2018

[BE GLOBAL SERIES](#)

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

Ontario provincial election: are employees entitled to paid time off to vote?

4 JUN 2018

[CANADA IN FOCUS](#)

The Ontario provincial election will take place on Thursday, June 7, 2018. Aside from the election results themselves, the most pressing question triggered by this event for many employers is: are my employees entitled to paid time off to vote?

Be Global: May 2018

1 JUN 2018

[BE GLOBAL SERIES](#)

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

What do upcoming changes to Alberta's occupational health and safety laws mean for employers?

29 MAY 2018

CANADA IN FOCUS

Bill 30, which passed Third Reading on December 12, 2017, brings significant changes to Alberta's *Occupational Health and Safety Act*. Many of the amendments to the OHSA under Bill 30 are effective June 1, 2018. Key among these changes are new obligations on employers surrounding Health and Safety Representatives, Committees and Programs.

Supreme Court of Canada affirms that sections of Quebec *Pay Equity Act* are unconstitutional

25 MAY 2018

CANADA IN FOCUS

The Supreme Court of Canada has confirmed judgments of the Superior Court of Quebec and the Court of Appeal of Quebec declaring sections of the Quebec *Pay Equity Act* to be unconstitutional. In a split ruling, the majority agreed with the Superior Court of Quebec and the Court of Appeal of Quebec in that certain sections of the *Pay Equity Act* breached the right to equality and protection against discrimination at Section 15(1) of the *Canadian Charter of Rights and Freedoms*.

An Expansion of Statutory Leaves: Recent Changes to the British Columbia *Employment Standards Act*

24 MAY 2018

CANADA IN FOCUS

On May 17, 2018, the *Employment Standards Amendment Act, 2018* (Bill 6) came into force increasing maternity, paternity, and compassionate care leave and establishing two new job-protected leaves: crime-related child disappearance leave and child death leave.

Am I my brother's keeper? Supreme Court of Canada confirms employers are responsible for the safety of their contractors' employees as well as their own employees

24 MAY 2018

In a recent decision by the Supreme Court of Canada, *West Fraser Mills Ltd. v. British Columbia*, 2018 SCC 22, the SCC held that the British Columbia Workers Compensation Act provides WorkSafeBC authority to penalize an employer who fails to ensure the health and safety of the employees of its independent contractors.

Ontario passes legislation to increase pay transparency

14 MAY 2018

CANADA IN FOCUS

On April 26, 2018, Ontario passed the *Pay Transparency Act, 2018* (the "Act"). The legislation is part of a larger provincial initiative designed to remove barriers to equality in the workplace, particularly in the context of compensation and hiring practices.

Quebec proposes important changes to its Labour Standards Act

10 MAY 2018

CANADA IN FOCUS

On March 20, 2018, Quebec's National Assembly introduced Bill 176, proposing modifications to Quebec's *Act Respecting Labour Standards*. The Quebec legislature has stated that Bill 176 is principally aimed at improving work/life balance, and reflects a change of thinking within Quebec society which has called for the need to modernize the rules applicable in the workplace.

Ontario Government says, "Whoops!" Amendment to manner of calculating public holiday pay reversed

10 MAY 2018

CANADA IN FOCUS

Effective January 1, 2018, Bill 148 enacted a new manner of calculating public holiday pay under section 24(1)(a) of the Ontario *Employment Standards Act, 2000*.

Canadian Employment News Series May 2018

8 MAY 2018

CANADIAN EMPLOYMENT NEWS SERIES

In this newsletter we discuss upcoming changes to Alberta's *Workers' Compensation Act*, an unusual test for workplace discrimination in B.C. and Canada's long-awaited federal private-sector data breach reporting regulations.

Once more unto the breach: Canada's PIPEDA breach notification and reporting regulations in force November 1, 2018

8 MAY 2018

CANADIAN EMPLOYMENT NEWS SERIES

Canada's long-awaited federal private-sector data breach reporting regulations have now been published by the Canadian government and will take effect November 1, 2018. This gives organizations approximately seven months to get ready for compliance.

Rey v. Milestones – B.C. Human Rights Tribunal permits curious case of discrimination to be heard

8 MAY 2018

CANADIAN EMPLOYMENT NEWS SERIES

The recent case of *Rey v. Milestones Grill + Bar*, 2018 BCHRT 57 has garnered considerable media attention due to the unusual circumstances leading up to the dismissal of Guillame Rey, a server at a Milestones restaurant in Vancouver, who claims discrimination towards his French culture was behind his firing. The B.C. Human Rights Tribunal has denied the restaurant's application for dismissal and is sending the case to a full hearing.

Changes to Alberta's workers' compensation laws will result in stricter return to work obligations for employers

8 MAY 2018

CANADIAN EMPLOYMENT NEWS SERIES

As part of the sweeping changes to Alberta's workers' compensation legislation announced by the Alberta Government on November 27, 2017, when it tabled Bill 30: *An Act to Protect the Health and Well-being of Working Albertans*, employers will be

facing strict return to work requirements effective September 1, 2018.

Report on workplace safety points to increased activity by government agencies in enforcing health and safety rules

8 MAY 2018

CANADA IN FOCUS

On April 27, 2018, the Parkland Institute of the University of Alberta and the Alberta Workers' Health Centre released a joint report on workplace safety in Alberta entitled "Safer by Design: How Alberta Can Improve Workplace Safety." The report comes on the heels of new health and safety legislation passed in late 2017 designed to improve worker safety in Alberta.

Be Global: April 2018

1 MAY 2018

BE GLOBAL SERIES

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

Changes ahead for the British Columbia Employment Standards Act

18 APR 2018

CANADA IN FOCUS

On April 9, 2018, the B.C. government introduced Bill 6, *the Employment Standards Amendment Act, 2018*, in the B.C. legislature. Bill 6 will amend the B.C. *Employment Standards Act* (the "ESA") with respect to maternity leave, parental leave, and compassionate care leave, as well as establish two new job-protected leaves.

Be Global: March 2018

29 MAR 2018

BE GLOBAL SERIES

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

Bondage, Enslavement, Servitude: New South Wales follows suit and proposes Modern Slavery Law

22 MAR 2018

New South Wales has followed the Commonwealth's lead and introduced a Modern Slavery Bill 2018 into the New South Wales Legislative Council on 8 March 2018. The objects of the Bill include to combat modern slavery, to provide for an Anti-slavery Commissioner, and to mandate the reporting of risks of modern slavery occurring in the supply chains of certain corporate organisations.

Pay Transparency Act, 2018: Ontario introduces legislation directed at the gender wage gap

9 MAR 2018

CANADA IN FOCUS

On March 6, 2018, the Hon. Kevin Flynn, Ontario Minister of Labour, introduced legislation entitled *Bill 203, Pay Transparency Act, 2018*. Bill 203 is part of a government initiative in Ontario to close the wage gap between women and men in the province.

Northwest Territories set to increase minimum wage

1 MAR 2018

CANADA IN FOCUS

Similar to trends in other areas of Canada, the minimum wage in the Northwest Territories will increase from \$12.50 per hour to \$13.46 per hour effective April 1, 2018. Minimum wage in Nunavut is currently \$13.00 per hour.

Be Global: February 2018

28 FEB 2018

BE GLOBAL SERIES

This month's Be Global looks at recent developments across the Americas, APAC and EMEA.

Bill 174 provides clarity for Ontario employers on the federal legalization of marijuana

26 FEB 2018

CANADA IN FOCUS

The rapid and significant changes to the legal status of marijuana in Canada raise new questions and challenges for employers across the country. In Ontario, some of these questions were answered when Bill 174, *Cannabis, Smoke-Free Ontario and Road Safety Statute Law Amendment Act, 2017* received Royal Assent on December 12, 2017.

Preparing for mandatory data breach reporting and record-keeping

26 FEB 2018

CANADIAN EMPLOYMENT NEWS SERIES

There was no shortage of high-profile data incidents in 2017, with massive increases in the number of data breaches over 2016 in both the United States and Canada. The increase in breaches, combined with significant recent developments in Canadian privacy legislation, have privacy issues as a top priority for many organizations this year.

Canadian Employment News Series February 2018

26 FEB 2018

CANADIAN EMPLOYMENT NEWS SERIES

How has a recent Supreme Court of Canada decision broadened the scope of human rights protection in employment? What developments are coming for data breach reporting and why is it important to employers? What happens when managerial employees wish to unionize in Quebec? What are the top employment and labour decisions of 2017? We explore these topics in the February 2018 edition of the *Canadian Employment News Series*.

Supreme Court of Canada decision broadens scope of human rights protection in employment

26 FEB 2018

[CANADIAN EMPLOYMENT NEWS SERIES](#)

In a landmark decision released on December 15, 2017, the Supreme Court of Canada determined that the British Columbia *Human Rights Code* protects individuals from discriminatory conduct perpetrated by employers with whom they have no employment relationship, so long as the discriminatory conduct has a “sufficient nexus to the employment context”. The decision is particularly important to multi-employer workplaces, such as construction sites and workplaces that have a mix of contractors and employees.

Top Developments in Canadian Employment Law in 2017

26 FEB 2018

[CANADIAN EMPLOYMENT NEWS SERIES](#)

With 2017 in our rear-view mirror and with 2018 now upon us, it is time to reflect on the top developments in Canadian employment law in 2017.

Gambling on the unionization of managerial employees

26 FEB 2018

[CANADIAN EMPLOYMENT NEWS SERIES](#)

To date, Quebec's Labour Code expressly prohibits managerial employees from unionizing. A recent series of decisions arising from a dispute between casino employees and their employer, however, suggests the blanket ban on managerial unionization could be lifted (or at least limited) in the coming months, thereby creating the potential for a momentous shift in labour relations in the province of Quebec.

Israel Group News

20 FEB 2018

[ISRAEL GROUP NEWS](#)

Helping to create opportunities for Israeli companies by leveraging our global relationships.

TechLaw Podcast: The disruptive impact of AI and automation technologies

9 FEB 2018

[TECHLAW PODCAST SERIES](#)

What impact are AI and automation having on business operations - and workers themselves? And what impact will they have in the future? With DLA Piper partner and Technology Sector co-chair Kit Burden and Ashish Gupta, Corporate Vice President - ITO and Infrastructure Service Sales EMEA at HCL Technologies.

#MeToo: new tax law impacts the deduction of legal settlement amounts

1 FEB 2018

Congress has disallowed a corporate tax deduction for any payout related to sexual harassment or sexual abuse if the payment is subject to a nondisclosure agreement.

Be Global: On the Horizon in 2018

31 JAN 2018

BE GLOBAL SERIES

In this January 2018 edition, we are pleased to provide you with a look ahead at the key changes expected to come into effect during the course of 2018.

How considerate of you to offer! No obligation to offer employment on the same terms after an asset purchase

25 JAN 2018

CANADA IN FOCUS

In *Krishnamoorthy v. Olympus Canada Inc.*, 2017 ONCA 873, the Ontario Court of Appeal overturned the motion for summary judgment and confirmed that the purchaser of a business' assets can choose to offer employment to the vendor's employees on new terms with no additional consideration other than the offer of employment itself.

The Expanded Scope of Human Rights Protection: The Supreme Court of Canada's decision in *British Columbia Human Rights Tribunal v. Schrenk*

16 JAN 2018

CANADA IN FOCUS

The Supreme Court of Canada has recently released its decision in *British Columbia Human Rights Tribunal v. Schrenk*, 2017 SCC 62, on appeal from the British Columbia Court of Appeal. This decision expands the scope of protection under Human Rights legislation into non-traditional workplace relationships.

Be Global: 2017 in review

20 DEC 2017

BE GLOBAL SERIES

In this month's edition of Be Global, we bring together a summary of the most significant international employment law developments from the past 12 months.

Reporting deadlines for the *Accessibility for Ontarians with Disabilities Act, 2005*

13 DEC 2017

CANADA IN FOCUS

The new year is fast approaching, bringing with it colder weather, holiday party invites and... a filing obligation under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

Israel Group News

7 DEC 2017

ISRAEL GROUP NEWS

Helping to create opportunities for Israeli companies by leveraging our global relationships.

Be Global November 2017

7 DEC 2017

BE GLOBAL SERIES

This month's Be Global looks at recent employment law developments across the Americas, APAC and EMEA.

Sweeping changes coming for Alberta's occupational health and safety laws

30 NOV 2017

More than 40 years after its last in-depth review of Alberta's occupational health and safety legislation the Alberta Government tabled Bill 30: *An Act to Protect the Health and Well-being of Working Albertans*, which passed first reading on November 27, 2017. Bill 30 proposes changes to the Province's *Workers' Compensation Act* and *Occupational Health and Safety Act*.

Alberta Court of Appeal decision supports random workplace drug testing in safety-sensitive workplaces

16 NOV 2017

CANADA IN FOCUS

There has been significant discussion in recent weeks concerning the recent Alberta Court of Appeal decision on random workplace drug testing. *Suncor Energy Inc. v Unifor Local 707A*, 2017 ABCA 313 saw the appellate court reject Unifor's complaint that random testing on Suncor's Fort McMurray area oil sands sites was too intrusive. Random drug testing is, as a rule, only permissible when there is a demonstrable substance abuse problem in the workplace.

How to gather snowflakes: big data, AI and predictive analysis of customers

15 NOV 2017

In this article, which accompanies an infographic covering 'How AI And Automation Are Transforming Retail', DLA Piper's lawyers consider big data and 'customer ownership' issues in the retail space, exploring the impact of big data, AI and predictive analysis of customers. This article, and the related infographic, also accompanies another article looking at the transformative impact of technology on retail and the supply chain, the likely reduction in the need for workers, inevitable HR issues that will arise and the dangers of getting 'locked in' to long term contracts in a fast-changing market.

Federal government announces implementation of new EI maternity and parental benefits

9 NOV 2017

CANADA IN FOCUS

As of December 3, 2017, eligible pregnant workers will be able to receive employment insurance maternity benefits up to 12 weeks before their due date, and parents can choose to receive parental benefits over a period of 12 months at the current

benefit rate or up to 18 months at a lower benefit rate.

Be Global October 2017

1 NOV 2017

BE GLOBAL SERIES

This month's Be Global looks at recent employment law developments across the Americas, APAC and EMEA.

A promising solution for employers hiring foreign talent: An analysis of the Global Skills Strategy

31 OCT 2017

It has been widely recognized that Canadian employers, particularly high-growth companies, need a faster and more predictable process for attracting top global talent in order to increase economic growth, create more jobs and facilitate the transfer of skills and knowledge to Canadians. With this in mind and in order to support its Innovation and Skills Plan, the Government of Canada launched the Global Skills Strategy on June 12, 2017.

Unexpected Human in the Bagging Area: the impact of automation on retail workforces

27 OCT 2017

I suspect most of us have had the experience from time to time - you're looking to buy something a little bit out of the ordinary, and don't really know where to start. Two stories I heard recently neatly illustrate how that can result in both good and bad experiences. One story involves a teetotal friend looking to buy wine for a dinner party. His trip to a specialist vintner was frustrated by a condescending member of staff and resulted in my friend leaving the shop having not made a purchase. In contrast, another friend decided to take up running after being on maternity leave. She visited a running shop, was put at ease but a member of the sales team and left with trainers, clothes and gadgets.

The fine line between fixed term and indeterminate employment contracts in Quebec

23 OCT 2017

CANADA IN FOCUS

At a time when employees are regularly presented with contracts containing end dates upon their hiring, distinguishing between fixed term and indeterminate contracts is of particular relevance and importance for employers in Quebec. Many employers are surprised to learn that employment contracts stipulating fixed end dates are not necessarily contracts of determinate duration, but rather qualify as indeterminate contracts.

Canadian Employment News Series October 2017

3 OCT 2017

CANADIAN EMPLOYMENT NEWS SERIES

In this issue, we explore the thorny issue of managing employee drug and alcohol addictions, the tripartite employment relationship in unionized workplaces, and the importance for employers to carefully consider accommodation options, beginning with the hiring process.

Alberta Human Rights Tribunal reminds employers to consider accommodation of job applicants

3 OCT 2017

[CANADIAN EMPLOYMENT NEWS SERIES](#)

The Alberta Human Rights Tribunal decision in *Nolting v 847012 Alberta Ltd. o/a Prime West Contracting* serves as an important reminder to employers to carefully consider accommodation options, and where accommodation is expected or alleged to cause undue financial hardship, to ensure that this is supported by evidence.

The case for capacity: Supreme Court of Canada upholds employee's termination based on breach of "no free accident rule" in workplace drug and alcohol policy

3 OCT 2017

[CANADIAN EMPLOYMENT NEWS SERIES](#)

Managing employee drug and alcohol addictions has long been a thorny issue for employers. Because addiction is accepted as a mental disability, it is a delicate balancing act to ensure employee privacy and human rights are respected while fulfilling an employer's obligations pursuant to occupational health and safety laws. However, the Supreme Court of Canada's decision in *Stewart v. Elk Valley Coal Corporation* may have smoothed the way for employers to discipline employees who break workplace drug and alcohol policies, addiction notwithstanding.

Recent Alberta Labour Relations Board decisions highlight tripartite employment relationship in unionized workplaces

3 OCT 2017

[CANADIAN EMPLOYMENT NEWS SERIES](#)

It is tempting to think of employment in binary relationships – between employer and employee; between management and the union, and between the union and its membership. In truth, a unionized workplace has a tripartite structure where each party has obligations and rights with respect to the other two. The three-way nature of this relationship was highlighted in a series of decisions of the Alberta Labour Relations Board released in early August.

Employee dismissed while on medical leave did not face discrimination, BC Human Rights Tribunal rules

25 SEP 2017

[CANADA IN FOCUS](#)

The British Columbia Human Rights Tribunal's decision in *Whitmore v. Dr. J. T. Kelsall Inc. and another*, 2017 BCHRT 114 reaffirms the importance for employers to track employee performance.

Termination of staff housing arrangements

22 SEP 2017

[CANADA IN FOCUS](#)

Staff housing arrangements can prove problematic for both employers and employees upon the termination of employment or

where the employer wishes to recover possession of the premises for other reasons.

In the latest issue of *Israel Group News*

11 SEP 2017

Helping to create opportunities for Israeli companies by leveraging our global relationships.

Guide to Going Global: Employment

As business grows more global, the challenge for in-house counsel and HR professionals responsible for workforce issues and employment law compliance is intensifying. This guide is designed to meet that challenge head on and has been produced in response to feedback from clients in both established and emerging international businesses.

What will the European General Data Protection Regulation mean for Canadian employers?

21 AUGUST 2017

CANADA IN FOCUS

If you are an employer in Canada, you need to be aware of the European General Data Protection Regulation (“GDPR”) which will come into force in the spring of 2018. Organizations with employees in Europe will need to be compliant with the GDPR in accessing and using the personal data of any European employees.

BC reintroduces Human Rights Commission after 15-year absence

16 AUG 2017

CANADA IN FOCUS

Disbanded in 2002 in favour of a direct-access model, the new Human Rights Commission will reflect a period of consultation with the public, stakeholders, and experts.

No summary judgment for reasonable notice determinations

25 JUL 2017

CANADA IN FOCUS

In deciding that wrongful dismissal damages were not an appropriate matter for summary judgment, the court’s finding in *Coffey v. Nine Energy Inc.* could have significant impact for employment litigation in Alberta.

Why employers should not take resignations at face value

11 JUL 2017

CANADA IN FOCUS

The Court of Queen’s Bench of Alberta recently decided whether requesting a severance package amounted to a resignation.

Alberta expands job-protected leave in broad reform of *Employment Standards Code*

20 JUN 2017

CANADA IN FOCUS

Alberta employers will soon have to adapt to longer employee absences.

Canadian Employment News Series June 2017

12 JUN 2017

CANADIAN EMPLOYMENT NEWS SERIES

What happens when federal insolvency laws and provincial labour laws collide? What steps have been taken by the Alberta government to modernize its labour laws? Does providing a negative employee reference constitute defamation? How has social media affected the employment relationship? We explore these topics in the June 2017 edition of the *Canadian Employment News Series*.

Alberta updates labour laws with amendments to the *Labour Relations Code*

12 JUN 2017

CANADA IN FOCUS

Alberta's *Labour Relations Code* was last updated in 1988, and with a new provincial government formed in 2015, it should have come as no surprise that a review of Alberta's labour laws would occur.

When federal insolvency laws and provincial labour laws collide

12 JUN 2017

CANADIAN EMPLOYMENT NEWS SERIES

The intersection between insolvency law and labour law has long created a struggle between balancing the rights of employees and maintaining a mechanism for restructuring or liquidating distressed companies. The general principle of paramourty lies in the background of this balancing act – federal insolvency law will usually prevail where provincial labour law is in conflict with it.

Be Global May 2017

2 JUN 2017

BE GLOBAL SERIES

This month's Be Global looks at recent employment law developments across the Americas, APAC and EMEA.

Ontario government responds to Changing Workplaces Review with *The Fair Workplaces, Better Jobs Act, 2017*

1 JUN 2017

A look at some of the proposed changes to amend Ontario's *Employment Standards Act, 2000* and *Labour Relations Act, 1995*.

Negative employee reference given honestly and in good faith does not constitute defamation, Ontario court finds

31 MAY 2017

CANADA IN FOCUS

While many employers now opt to simply confirm when a past employee worked for them, the court's decision in *Papp v. Stokes* provides important takeaways for employers who provide more substantive job references.

Changing Workplaces Review: final recommendations released

26 MAY 2017

Employers should expect possible changes to employment standards legislation and labour relations legislation.

Welcome to our inaugural issue: *Israel Group News*

23 MAY 2017

ISRAEL GROUP NEWS

Helping to create opportunities for Israeli companies by leveraging our global relationships.

Employee misconduct and social media

23 MAY 2017

CANADA IN FOCUS

Not only can social media activity provide evidence of employee misconduct outside the workplace, it can also constitute grounds for termination in and of itself.

Guide to Going Global: Employment

As business grows more global, the challenge for in-house counsel and HR professionals responsible for workforce issues and employment law compliance is intensifying. This guide is designed to meet that challenge head on and has been produced in response to feedback from clients in both established and emerging international businesses.

[Download](#)

Understanding the new Temporary Foreign Worker Program

24 Sep 2014

Due to recent major changes in corporate/business immigration law, employers must now reassess their global immigration and mobility strategies in response to said shortages and to ensure full compliance with Canadian laws and regulations.

Guide to redundancies and reductions in force in Asia Pacific

9 JUL 2013

The recent tough economic climate has seen high-profile companies around the world forced to take action and reduce their workforce in an effort to remain competitive.

Growing whistleblower activity calls for close employer attention to retaliation issues

7 MAY 2013

Careful consideration must precede adverse action against purported whistleblowers

Supply chain planning in the post-BEPS era: five questions for MNEs

22 JUL 2015

After BEPS actions are incorporated into OECD documents and local legislation, tax planning opportunities will still exist, but realizing the benefits of tax planning will require a greater emphasis on economic substance. One often-overlooked area of opportunity is tax-efficient supply chain planning.

Events

Previous

2019 Ukraine changes to exchange control rules that impact employee stock options

5 FEB 2019

Webinar

DLA Piper Global Employment Webinar: 2018 In Review and 2019 in Preview

29 JAN 2019

Webinar

The Impact of the Trade Secrets Directive on the Media, Sport & Entertainment industry

18 OCT 2018

Webinar

CLE webinar: Navigating the road to a global workforce

9 MAY 2018

Webinar

NEWS

DLA Piper (Canada) LLP ranked in 2019 *Canadian Legal Lexpert Directory*

3 MAY 2019

DLA Piper (Canada) LLP is pleased to announce that thirty-eight of the firm's lawyers have been recognized as leading practitioners in the 2019 edition of the *Canadian Legal Lexpert Directory*.

DLA Piper announces partnership promotions for 2019

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

DLA Piper (Canada) LLP welcomes new associate Alyssa Barbuzzi

1 APR 2019

DLA Piper (Canada) LLP welcomes Alyssa Barbuzzi to the firm's Toronto office as an associate in the Employment Group.

DLA Piper (Canada) LLP welcomes four new partners

2 JAN 2019

DLA Piper (Canada) LLP welcomes four new additions to the partnership, effective January 1, 2019.

DLA Piper (Canada) LLP recognized in 2019 *Legal 500 Canada guide*

7 DEC 2018

DLA Piper (Canada) LLP is pleased to announce that 42 firm lawyers across 17 practice areas have been recommended in the latest edition of the *Legal 500 Canada*.

DLA Piper (Canada) LLP welcomes new associate Laura Sullivan

9 OCT 2018

DLA Piper (Canada) LLP is pleased to welcome Laura Sullivan to the firm's Toronto office as an associate in the Employment group.

DLA Piper Canada recognized by *Chambers Canada 2019*

27 SEP 2018

DLA Piper (Canada) LLP is pleased to be recognized as an industry leader in the 2019 edition of *Chambers Canada*. With 34

lawyers recognized across 20 practices areas, this is DLA Piper Canada's strongest showing to date.

Best Lawyers in Canada 2019 recognizes 72 DLA Piper (Canada) LLP Lawyers

22 AUG 2018

DLA Piper (Canada) LLP is pleased to have once more increased its rankings in the 2019 edition of *Best Lawyers*, with close to one-third of the firm's lawyers recommended as leading practitioners in Canada across key practice areas.

Michael S. Richards wins 2018 Lexpert Zenith Award

20 JUN 2018

DLA Piper (Canada) LLP congratulates Michael Richards on being named a winner of the 2018 Lexpert Zenith Awards: Mid-Career Excellence in the Legal Profession for Employment Law.

DLA Piper (Canada) LLP welcomes new litigation associate Michelle Thomarat

28 MAY 2018

DLA Piper (Canada) LLP is pleased to welcome Michelle Thomarat to the firm's Toronto office as an associate in the Litigation, Arbitration and Investigations Group.

DLA Piper named International Law Firm of the Year in Ukraine for fifth year running at The Legal Awards 2018

24 MAY 2018

DLA Piper has been named International Law Firm of the Year in Ukraine at the 2018 Legal Awards, held by Yuridicheskaya Practika Publishing House. This is the fifth time the office has won the award.

DLA Piper announces new US Employment practice leadership

11 MAY 2018

DLA Piper is pleased to announce that New York-based partner Brian Kaplan has been named US chair and global co-chair of the firm's Employment practice.

DLA Piper (Canada) LLP welcomes new associate Gargi Chopra

7 MAY 2018

DLA Piper (Canada) LLP is pleased to welcome Gargi Chopra to the firm's Toronto office as an associate in the Corporate group.

DLA Piper Canada welcomes new associate Titus Totan

23 APR 2018

DLA Piper (Canada) LLP is pleased to welcome Titus Totan to the firm's Toronto office as an associate in the Employment Group.

DLA Piper announces partnership promotions for 2018

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

Chambers Global 2018 recommends DLA Piper Canada

20 FEB 2018

DLA Piper (Canada) LLP professionals are once again featured in the latest edition of the *Chambers Global* guide.

Businesses still not fully aware of Data Protection issues

31 JAN 2018

DLA Piper has released its second Data Privacy Snapshot report, finding that once again, company global privacy programs have gaps in meeting increasingly demanding global privacy principles. Significantly, it appears that many companies are falling short of data protection obligations under the General Data Protection Regulation (GDPR), which will start to apply from 25 May 2018.

DLA Piper (Canada) LLP welcomes six new partners

8 JAN 2018

DLA Piper (Canada) LLP is delighted to welcome six new additions to the partnership, effective January 1, 2018.

DLA Piper (Canada) LLP expands rankings in *Legal 500 Canada*

1 DEC 2017

DLA Piper (Canada) LLP is pleased to have achieved its best showing to date in *Legal 500 Canada*, with 11 lawyers gaining new rankings in the newly released 2018 edition.

DLA Piper (Canada) LLP welcomes Duncan Burns-Shillington to its Employment Group

30 OCT 2017

Duncan has experience in a wide range of workplace issues, including wrongful dismissal, health and safety, employment standards, human rights, construction labour relations, collective bargaining and responding to union organizing.

DLA Piper (Canada) LLP increases rankings in *Chambers Canada 2018*

29 SEP 2017

DLA Piper (Canada) LLP is pleased to be recognized for its expanding market leadership in the 2018 edition of *Chambers Canada*, garnering its highest number of rankings to date.

DLA Piper launches new platform for *Guide to Going Global* series

20 SEP 2017

DLA Piper has launched a new platform featuring its *Guide to Going Global* series, an online resource designed to help companies operating and growing their international businesses.

DLA Piper (Canada) LLP achieves strongest showing to date in *Best Lawyers*

22 AUG 2017

DLA Piper (Canada) LLP has once again garnered top rankings in *Best Lawyers in Canada*, with close to one-third of the firm's lawyers ranked across 34 practice areas.
