



Michael S. Richards

Partner
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Michael S. Richards is a partner specializing in employment and labour law in Toronto. Michael was called to the bar in both Ontario and British Columbia and has represented clients before various levels of courts in both provinces, before administrative tribunals, at arbitrations, in mediation and at other negotiations, including collective bargaining.

After graduating from the University of Toronto, Michael returned to British Columbia where he was the law clerk to Madam Justice Jo-Ann Prowse of the British Columbia Court of Appeal. Michael articulated in the Vancouver office and was called to the British Columbia Bar before transferring to the Toronto office where he has practised since early 2001.

Michael's practice in employment and labour law includes providing advice to both national and international organizations on a daily basis and representing clients with respect to various labour and employment issues including:

- The recruitment, hiring and termination of employees.
- Providing advice with respect to group terminations and business closures.
- The successful and cost effective defence of wrongful dismissal claims, grievance and human right complaints.
- The preparation of employment, consulting and independent contractor agreements including the provision of advice with respect to the enforceability of non-solicitation, non-competition and confidentiality agreements.
- The negotiation and interpretation of collective agreements.
- The interpretation and application of employment standards legislation, workplace safety and insurance legislation, occupational health and safety, and human rights legislation.

Finally, Michael's practice also includes privacy law and advising businesses in Ontario with respect to their obligations under privacy legislation, including performing privacy audits and assisting clients in the development of privacy policies compliant with applicable legislation.

RELATED SERVICES

- Employment
- Human Rights
- Litigation, Arbitration and Investigations
- Intellectual Property and Technology
- Data Protection, Privacy and Security
- Media, Sport, Gaming and Entertainment

RELATED SECTORS

- Media, Sport and Entertainment

LANGUAGES SPOKEN

English

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- English

CREDENTIALS

Admissions

- British Columbia, 2000
- Ontario, 2001

Recognitions

- Winner of the Lexpert Zenith Awards: Mid-Career Excellence in the Legal Profession for Employment Law, 2018
- *Best Lawyers in Canada* (Corporate and Commercial Litigation), 2016-2019
- Lexpert's Litigation Lawyers to Watch, 2014
- Lexpert Rising Stars: Leading Lawyers Under 40 in Canada, 2013
- Lexpert's Litigation Lawyers to Watch, 2011

Education

- LL.B., University of Toronto, 1999
- B.Comm., (Honours), The University of British Columbia, 1996

Memberships

- Member, Law Society of British Columbia
- Member, Law Society of Ontario
- Member, Canadian Bar Association
- Member, Ontario Bar Association
- Member, British Columbia Bar Association
- Member, Advocates Society

INSIGHTS

Publications

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.

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.

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*.

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?

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.

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*.

***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.

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).

Events

- Speaker, 2017 DLA Piper (Canada) LLP Canadian Employment and Labour Law Conference
- Speaker, 2016 DLA Piper (Canada) LLP Canadian Employment and Labour Law Conference
- Speaker, 2015 DLA Piper (Canada) LLP Canadian Employment and Labour Law Conference

NEWS

DLA Piper (Canada) LLP acts for CaixaBank in opening first Representative Office in Canada

18 JAN 2019

We represented CaixaBank, one of the largest banks in Spain, in connection with the establishment of its first representative office in Canada.

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.

Sumitomo Metal Mining joint venture with IAMGOLD receives prestigious PDAC Award

30 NOV 2017

DLA Piper Canada acted for Sumitomo in the transaction which involved Sumitomo and IAMGOLD establishing a strategic joint venture concurrent with the acquisition by Sumitomo of a 30% participating interest in IAMGOLD's ownership of the Côté Gold Project in Ontario for USD \$195 million in June 2017.

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.

Maxwell Technologies completes its acquisition of Nesscap energy business

13 JUL 2017

On April 28, 2017, Maxwell Technologies, Inc. completed its acquisition of substantially all of the assets and business, including the operating entities, of Nesscap Energy Inc. (TSXV: NCE) pursuant to a court approved arrangement under the *Business Corporations Act* (Ontario).

DLA Piper (Canada) LLP advised Assured Automotive in \$193.6 million sale of business

5 JUL 2017

DLA Piper (Canada) LLP represented Assured Automotive Inc. in its sale of assets and business to Boyd Group Income Fund for \$194 million. Ontario-based Assured is the largest operator of non-franchised collision repair centres in Canada, while the Boyd Group is one of North America's largest operators of auto repair facilities. The purchase price was funded with cash consideration and Boyd Group Income Fund units, which trade on the Toronto Stock Exchange (TSX). With the acquisition, the Boyd Group expanded its network to 474 locations across North America, including 110 in Canada. Assured will continue to operate under its original brand name.

The DLA Piper transaction team was led by Robert Black and included Russel Drew, Lana Finney, Sarah Bode, Michael Richards, Bruce Darlington, Stephen Morris, Derek Sigel, Kevin Fritz, Nicholas Sharratt, Ryan Campbell and Diana Weir.

DLA Piper (Canada) LLP represents Japan's Sumitomo Metal Mining in acquisition of gold project, joint venture and establishment of strategic partnership with IAMGOLD Corporation

20 JUN 2017

DLA Piper (Canada) LLP was selected to act for Sumitomo over several major firms in North America with industry-leading expertise in mining law.
