



Tania Da Silva

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Tania da Silva is an associate at the firm's Montreal office where she practises in the area of employment law and commercial litigation.

Tania joined the firm in 2009 after the completion of her articles.

Tania's employment law practice involves, amongst other things, assisting employers on matters such as wrongful dismissal claims, advising on Labour Standards, Human Rights and Privacy issues, enforcing restrictive covenants, drafting and reviewing employment contracts, employment policy manuals, and codes of conduct, assisting with the hiring, progressive discipline and termination of employees.

Tania's litigation practice consists of representing numerous clients in a wide range of civil suits, including employment-related litigation, manufacturer's liability, enforcing of securities and all manner of contractual disputes. She has also been involved in several class action proceedings as defence counsel, specifically in competition law private actions brought under the *Civil Code of Quebec* and the *Competition Act*.

RELATED SERVICES

- Employment
- Litigation, Arbitration and Investigations

LANGUAGES SPOKEN

English French
Portuguese

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- English
- French
- Portuguese

CREDENTIALS

Admissions

- Québec, 2009

Education

- LL.L, University of Ottawa, 2008

- LL.B., University of Ottawa, 2007
- B.Sc.Soc., Concentration in criminology, University of Ottawa, 2004

Memberships

- Member of the Young Bar Association of Montréal

INSIGHTS

Publications

A decision by the Québec Access to Information Commissioner highlights the importance of compliance with both federal and provincial privacy legislation

7 October 2020

The *Commission d'accès à l'information du Québec* (Québec Access to Information Commissioner) has issued an interesting decision. An interprovincial trucking company received an access request from a former employee for various employment-related records, including her personnel file. The company took the position that its activities fall under federal jurisdiction and, thus, it is subject to the federal *Personal Information Protection and Electronic Documents Act* ("PIPEDA") (not to the Québec private sector privacy legislation, namely the *Act respecting the protection of personal information in the private sector*).

Five steps to reopening the workplace after COVID-19

21 MAY 2020

As the federal, provincial and territorial governments in Canada slowly ease COVID-19 related measures, more workplaces are being permitted to reopen. Likewise, workplaces that have been permitted to remain open with limitations throughout the COVID-19 pandemic are being permitted to revert to business as usual.

Cross-Canada suspensions in limitations

24 APR 2020

Canadian Employment Law Updates - COVID-19

Four jurisdictions across Canada have taken dramatic measures in an effort to address the consequences of COVID-19 on litigation and other administrative processes. To date, governments in British Columbia, Alberta, Ontario and Quebec have enacted measures to extend or suspend certain limitation periods and time periods for other required procedural steps in legal proceedings.

Data breach class actions – The proof of damages dichotomy

20 NOV 2019

The Quebec Superior Court has denied an Application for Authorization to Institute a Class Action, resulting from the September 7, 2017 global data breach at Equifax. The decision can be distinguished from other applications resulting from data breach scenarios, in that the Court concluded that the Plaintiff had not demonstrated the existence of damages.

To terminate or not to terminate? Must Quebec employers reassign poor performing employees?

24 SEP 2019

On May 31, 2019, the Court of Appeal of Quebec rendered its much anticipated decision in the matter of *Commission Scolaire*

Kativik c. Association des employés du Nord Québécois. Before the Court of Appeal's decision, there was much uncertainty and debate regarding the applicable criteria for proceeding with an administrative termination of employment due to poor performance.

What directors and officers of Canadian organizations need to know about potential individual liability for cyber-claims

16 APR 2019

This information bulletin addresses the potential individual culpability and/or liability of directors and officers of Canadian organizations for breach of privacy or anti-spam legislation, and highlights corporate regulatory offences under such laws.

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.

- "Quebec Investigating Employers for Pay Equity Obligations", republished in *Employment and Labour Law Reporter*, June, 2015.

Events

Previous

Returning to the workplace after the COVID-19 pandemic

15 May 2020 | 12:00 - 1:00 ET

Webinar

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