



**Michael S. Richards**

**Partner**  
MANAGING PARTNER, TORONTO OFFICE

michael.richards@dlapiper.com

<b>Toronto</b>	<b>Vancouver</b>
T: +1 416 941 5395	T: +1 604 643 2919
F: +1 416 777 7427	

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.

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

English

## LANGUAGES SPOKEN

- English

## EXPERIENCE

---

- Represented Aphria Inc. (TSX: APHA and NASDAQ: APHA) in its reverse takeover of Tilray, Inc. (NASDAQ: TLRY).
- Advised Canadian independent bandwidth infrastructure provider Beanfield Technologies in its acquisition by Digital Colony Capital, Inc.
- Provided employment advice to Tier1 Financial Solutions on its acquisition of Alessa.

## CREDENTIALS

---

### Admissions

- British Columbia, 2000
- Ontario, 2001

### Recognitions

- *Best Lawyers in Canada* (Corporate and Commercial Litigation), 2016-2022
- Winner of the Lexpert Zenith Awards: Mid-Career Excellence in the Legal Profession for Employment Law, 2018
- 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

**Government of Ontario announces “Plan to Safely Reopen Ontario and Manage COVID-19 for the Long-Term”**

5 November 2021

Canadian Employment Law Updates - COVID-19

On October 22, 2021, the Government of Ontario announced its Plan to Safely Reopen Ontario and Manage COVID-19 for the Long-Term. The Long-Term Plan sets out Ontario's intention to lift all remaining public health and workplace safety restrictions related to COVID-19 by March 28, 2022.

---

### **Government of Ontario publishes guidelines for vaccine certificate**

28 September 2021

Canadian Employment Law Updates - COVID-19

Effective September 22, 2021, specified businesses and organizations in Ontario are required to ensure that the patrons who enter their premises provide, at the point of entry, proof of being fully vaccinated against COVID-19 along with proof of identification.

---

### **COVID-19 infectious disease emergency leave extended in Ontario until January 1, 2022**

20 September 2021

Canadian Employment Law Updates - COVID-19

On September 16, 2021, the Ontario Government extended the "COVID-19 Period" and the temporary measures introduced by *O.Reg. 228/20: Infectious Disease Emergency* under *the Employment Standards Act, 2000* until January 1, 2022. The temporary measures introduced by the Regulation were previously set to end on September 25, 2021.

---

### **Ontario to require proof of vaccination for non-essential businesses**

7 September 2021

Canadian Employment Law Updates - COVID-19

On September 1, 2021, the Government of Ontario released the details of its vaccine certification program which will take effect on September 22, 2021.

---

### **Ontario releases Directive for implementation of vaccination policies in certain sectors**

26 August 2021

Canadian Employment Law Updates - COVID-19

On August 17, 2021, the Ontario Chief Medical Officer of Health issued Directive #6 for COVID-19 Vaccination Policy in Health Settings and paused the province's exit from the Roadmap to Reopen, leaving the province in Stage 3. The new Directive, which becomes effective on September 7, 2021, requires certain health care and community services organizations to implement and comply with a vaccination policy for their employees, staff, contractors, volunteers and students.

---

### **Federal Government to require vaccinations for federal public servants and on certain travel**

17 August 2021

Canadian Employment Law Updates - COVID-19

On August 13, 2021, the Federal Government of Canada announced its plan to require all members of the federal public service and employees in the federally regulated air, rail, and marine transportation sectors to be vaccinated. The Federal Government has also stated that it will encourage and work with federally regulated employers in other sectors to implement similar employee requirements.

---

## **Ontario moving to Step Three of Roadmap to Reopen on July 16, 2021**

12 July 2021

Canadian Employment Law Updates - COVID-19

On July 9, 2021, the Government of Ontario announced the province will move into Step Three of the Roadmap to Reopen at 12:01 a.m. on Friday, July 16, 2021. Step Three of the Roadmap focuses on the resumption of additional indoor services with larger numbers of people.

---

## **Deadline for submitting 2020 AODA compliance report June 30, 2021**

29 June 2021

The deadline for Ontario businesses and non-profits with 20 or more employees to file an accessibility compliance report is tomorrow June 30, 2021.

---

## **Federal Government of Canada moving to Phase One of easing border measures on July 5, 2021**

28 June 2021

Canadian Employment Law Updates - COVID-19

On June 21, 2021, the Federal Government of Canada announced the details of Phase One of its approach to ease border measures for travellers entering Canada.

---

## **Ontario moving to Step Two of reopening plan on June 30**

25 June 2021

On June 24, 2021, the Government of Ontario announced the majority of the province will move into Step Two of the Roadmap to Reopen at 12:01 a.m. on Wednesday, June 30, 2021. The Waterloo region will not be moving into Step Two with the rest of the province due to the Delta variant currently circulating in the community.

---

## **Ontario moving to Step One of reopening plan on June 11**

9 June 2021

Canadian Employment Law Updates - COVID-19

On June 7, 2021, the Government of Ontario announced the province will move into Step One of the Roadmap to Reopen at 12:01 a.m. on Friday, June 11, 2021. Step One of the Roadmap to Reopen permits the resumption of outdoor activities with smaller groups where the risk of transmission is low. Step One will also allow certain indoor settings to be open so long as restrictions to limit transmissions are still followed.

---

## **Government of Ontario releases three-step roadmap to safely reopen the province**

27 May 2021

Canadian Employment Law Updates - COVID-19

On May 20, 2021, the Government of Ontario, in consultation with the Chief Medical Officer of Health, released the Roadmap to Reopen, a three-step plan to safely reopen the province and gradually lift public health measures. The steps are based on the province-wide vaccination rate and improvements in key public health indicators, such as hospitalizations, ICU occupancy and new admissions and case rates.

---

---

## Government of Ontario enacts paid sick leave

30 April 2021

Canadian Employment Law Updates - COVID-19

On Thursday, April 29, 2021, the Government of Ontario introduced and passed the *COVID-19 Putting Workers First Act*, amending the *Employment Standards Act, 2000*, and requiring employers to provide employees with up to \$200 of pay per day for up to three days if the employees are required to miss work for certain reasons related to COVID-19.

---

## Government of Ontario announces additional restrictions and extends stay-at-home order

22 April 2021

Canadian Employment Law Updates - COVID-19

On Friday, April 16, 2021, the government of Ontario, in consultation with the Chief Medical Officer of Health and other health experts, announced stricter measures under the province's Stay-at-Home order. In addition, both the provincial declaration of emergency and the Stay-at-Home order have been extended for an additional two weeks, until at least May 20, 2021, to help stop the spread of COVID-19.

---

## Government of Ontario announces second Stay-at-Home order

7 April 2021

Canadian Employment Law Updates - COVID-19

On April 7, 2021, the government of Ontario, in consultation with the Chief Medical Officer of Health and other health experts, announced it was immediately declaring a third provincial emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act*.

---

## Province-wide emergency brake announced in Ontario in response to COVID-19 third wave

1 April 2021

Canadian Employment Law Updates - COVID-19

The Government of Ontario, in consultation with the Chief Medical Officer of Health and other health experts, announced on Thursday, April 1, 2021, that it plans to impose a province-wide "emergency brake" in response to the surge in COVID-19 cases and hospitalizations across the province.

---

## Ontario announces gradual plan to reopen economy

10 February 2021

Canadian Employment Law Updates - COVID-19

On February 8, 2021, the Government of Ontario announced that the province will gradually transition each public health region in the province from the current shutdown and Stay-At-Home measures to a revised COVID-19 Response Framework: Keeping Ontario Safe and Open.

---

## Ontario declares second provincial emergency, issues Stay-at-Home Order

12 January 2021

Canadian Employment Law Updates - COVID-19

On January 12, 2021, the government of Ontario, in consultation with the Chief Medical Officer of Health and other health experts,

announced it would be declaring a second provincial emergency under s 7.0.1 (1) of the *Emergency Management and Civil Protection Act* (EMCPA).

---

### **Deadline extended for submitting 2020 AODA compliance report**

23 December 2020  
Canadian Employment News Series

The government of Ontario has extended the deadline for businesses and non-profits with 20 or more employees to file an accessibility compliance report from December 31, 2020 to June 30, 2021.

---

### **Ontario announces Province wide shutdown starting Saturday, December 26, 2020**

23 December 2020  
Canadian Employment Law Updates - COVID-19

On Monday, December 21, 2020, the Government of Ontario announced it is imposing a Province wide Shutdown (the "Shutdown"). The Shutdown will go into effect as of Saturday, December 26, 2020, at 12:01 a.m. The impact of the measures imposed will be evaluated for a period of 14 days in Northern Ontario and 28 days in Southern Ontario to determine whether to lift or extend the restrictions.

---

### **Toronto and Peel heading into lockdown as COVID-19 cases continue to surge**

20 November 2020  
Canadian Employment Law Updates - COVID-19

On November 20, 2020, the government of Ontario announced Toronto and Peel will be placed into the Lockdown classification of the Keeping Ontario Safe and Open Framework as of Monday, November 23, 2020 at 12:01 a.m. This move is in response to the rapidly rising number of COVID-19 infections and hospitalizations in the regions.

---

### **Ontario announces new framework to categorize public health units**

4 November 2020  
Canadian Employment Law Updates - COVID-19

On November 3, 2020, the province of Ontario announced the Keeping Ontario Safe and Open Framework. The new framework categorizes public health unit regions into five levels.

---

### **Ottawa, Toronto and Peel region moving to modified Stage 2 restrictions**

9 October 2020  
Canadian Employment Law Updates - COVID-19

On October 9, 2020, the Ontario government announced that Ottawa, Toronto and Peel region are moving into a modified Stage 2 of the Ontario Government's "Phase 2" reopening plan following a surge in recorded COVID-19 cases. These modified stage 2 restrictions will be in place for a minimum of 28 days and will be reviewed on an ongoing basis.

---

---

## Ontario implementing additional public health and testing measures

7 October 2020

Canadian Employment Law Updates - COVID-19

On October 2, 2020, the government of Ontario announced it is tightening public health measures again as COVID-19 cases continue to soar in the province.

---

## Employees in Ontario entering a workplace must undergo health screening

1 October 2020

Canadian Employment Law Updates - COVID-19

In response to the rapidly rising cases of COVID-19, the Government of Ontario amended *O. Reg 364/20: Rules for Areas in Stage 3 under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*. This amendment is significant because, as of September 26, 2020, workplaces in Stage 3 in Ontario are now required to screen employees on a daily basis for COVID-19-related symptoms and risk factors prior to permitting entry into the work environment.

---

## More businesses may reopen as Ontario prepares to enter stage one of "A Framework for Reopening our Province"

15 MAY 2020

Canadian Employment Law Updates - COVID-19

On Thursday, May 14, 2020, the Government of Ontario announced the next wave of businesses and services that will be permitted to expand their services and reopen in the coming days, as the Province of Ontario proceeds to slowly reopen the economy.

---

## Federal Government announces Canada Emergency Wage Subsidy program extended beyond June

8 MAY 2020

Canadian Employment Law Updates - COVID-19

On May 8, 2020, the federal government announced that the Canada Emergency Wage Subsidy program has been extended beyond June. The CEWS program was originally set to end on June 6, 2020.

---

## Just in time for Mother's Day: More businesses are allowed to reopen in Ontario

7 MAY 2020

Canadian Employment Law Updates - COVID-19

Spring has arrived, nice weather is coming and, while you still can't take your Mom out to dinner this weekend, you can buy her flowers. On May 6, 2020, the Government of Ontario announced more businesses will be permitted to reopen or offer expanded services in the coming days.

---

## Framework to reopen Ontario

27 APR 2020

Canadian Employment Law Updates - COVID-19

Today, the Government of Ontario released its framework for reopening Ontario. The framework does not contain specific dates or timelines but does outline the criteria Ontario's Chief Medical Officer of Health and health experts will use to advise the Government on loosening the emergency measures. It also sets out the principles that will guide the safe, gradual reopening of businesses, services

---

and public spaces.

---

### **Canada Emergency Wage Subsidy receives Royal Assent**

13 APR 2020

Canadian Employment Law Updates - COVID-19

On April 11, 2020, the Canada Emergency Wage Subsidy (“CEWS”) was approved by the Canadian Parliament and Senate, making a 75% wage subsidy available for eligible employers for up to 12 weeks, retroactive to March 15, 2020.

---

### **Federal Government announces important changes to the Emergency Wage Subsidy (Canada)**

9 APR 2020

Canadian Employment Law Updates - COVID-19

On April 8, 2020, the Federal Government of Canada announced important changes to the 75% Canada Emergency Wage Subsidy.

---

### **Ontario government narrows list of essential workplaces (Canada)**

6 APR 2020

Canadian Employment Law Updates - COVID-19

On April 3, 2020, the Government of Ontario revised the list of businesses classified as essential and ordered more workplaces to close. All businesses no longer deemed essential must close by Saturday, April 4, 2020 at 11:59 p.m. The closures will be in effect for 14 days, with the possibility of an extension as the situation evolves.

---

### **The rubber hits the road: the Ontario Labour Relations Board holds that Foodora couriers are dependent contractors**

11 MAR 2020

Canada in Focus

In the Ontario Labour Relation Board's first decision concerning workers in the “gig economy”, the OLRB held that Foodora Inc. couriers are “dependent contractors” under the *Labour Relations Act, 1995*. As dependent contractors, Foodora’s couriers are entitled to organize and be represented by a trade union.

---

## **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 recognized in the 2022 *Best Lawyers in Canada* guide**

26 August 2021

DLA Piper (Canada) LLP is thrilled to see 84 of our lawyers across 35 practice areas recognized in the 2022 Best Lawyers in Canada

guide.

---

### **DLA Piper represented Aphria in its US\$8.2 billion business combination with Tilray**

11 May 2021

DLA Piper represented Aphria Inc. in its recently completed reverse takeover of Tilray, Inc. The combination of Aphria and Tilray brings together two highly complementary businesses to create the leading cannabis-focused CPG company with the largest global geographic footprint in the industry.

---

### **DLA Piper Canada advised Tier1 Financial Solutions on its acquisition of Alessa**

19 January 2021

On January 14, 2021, Tier1 Financial Solutions, a leading provider of client relationship management (“CRM”) solutions, announced that it had acquired Alessa, a compliance and financial crime prevention solution software company. DLA Piper (Canada) LLP acted as legal advisor to Tier1 on this transaction.

---

### **DLA Piper (Canada) LLP joins Canadian Prime Minister Justin Trudeau and Ontario Premier Doug Ford in congratulating Sumitomo Metal Mining on official ground-breaking for Côté Gold Project**

15 September 2020

DLA Piper (Canada) LLP congratulates our valued client, Sumitomo Metal Mining Co., Ltd., together with its joint venture partner, IAMGOLD Corporation, on the occasion of the official ground-breaking ceremony at the Côté Gold Project.

---

### **DLA Piper Canada increases rankings in 2021 edition of *Best Lawyers in Canada***

28 AUG 2020

DLA Piper (Canada) LLP is pleased to see 79 of our lawyers across 35 practice areas recognized in the 2021 *Best Lawyers in Canada* guide, resulting in our best showing with the guide since its inception.

---