

WeirFoulds Partner Daniel Wong comments on wrongful dismissal case in *Human Resources Director Canada*

July 30, 2024

Partner Daniel Wong, Chair of WeirFoulds' Employment and Labour Practice Group [was quoted in an article](#) in the *Human Resources Director Canada* on July 26th, 2024.

The article focused on a case involving an employee who commenced a wrongful dismissal claim against her former employer for wrongful dismissal damages, mental distress damages, and punitive damages. The court found in her favour, awarding her wrongful dismissal damages and \$10,000 in punitive damages as a result of conduct that the court considered "a marked departure from ordinary standards of decent behaviour and [reprehensible]."

Daniel said that the case should serve as an example to other employers, commenting "it is important for employers to not only be aware of their obligations, but to comply and avoid any conduct that could be seen as high-handed behaviour."

He further addressed the Ontario Court of Appeal's decision in *Waksdale v. Swegon North America Inc.*, 2020, which had a sizable impact on how the law treats termination provisions in employment contracts, stating "Employment contracts that were entered into pre-Waksdale – almost every one [I've dealt with] has a problem that renders a termination provision unenforceable. So employers need to be aware of that."

Daniel frequently advises employers on all aspects of employment and labour relations including employee hiring and terminations, employment standards compliance, unfair practice and human rights complaints, employee privacy issues and the development and execution of initiatives and policies.

He regularly represents employers before the courts on wrongful dismissal and provincial offence matters, before various administrative tribunals on employment standards issues, human rights complaints, occupational health and safety (OHS) investigations and workers' compensation appeals, and before labour arbitrators on unionized employee grievances.

To learn more about Daniel Wong, please visit his profile page.

To learn more about WeirFoulds' Employment & Labour Practice Group, [click here](#).

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