

Daniel Wong

Partner

Toronto

Tel: 416.947.5042

Fax: 416.365.1876

Email: dwong@weirfoulds.com



Practice Areas

Corporate & Commercial

Employment & Labour

Food & Beverage

Litigation & Dispute

Resolution

Daniel Wong is Chair of the Firm's Employment & Labour Practice Group with a practice that is focused on employment and labour relations.

He is frequently sought out by clients for his well-reasoned, practical and strategic advice for complex situations.

Daniel frequently advises employers on all aspects of employment and labour relations including executive compensation, 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.

Daniel also conducts HR and employment audits on behalf of employers to ensure compliance with applicable laws and employer best practices.

Prior to joining WeirFoulds, Daniel practised at a large management-side boutique employment and labour law firm and a large North American full-service business law firm. Daniel also worked in-house as Employment Counsel and Privacy Manager at one of the largest national restaurant chain. As such, he is attuned to the needs of his clients as he was faced with their issues and challenges as part of this role.

Daniel is a frequent presenter at conferences and training seminars, and has also delivered guest lectures at York University in the areas of employment and labour law. Daniel is also a contributor to the LexisNexis *Lexis Practice Advisor Canada* employment law module.

WeirFoulds LLP

4100 – 66 Wellington St. West

PO Box 35, TD Bank Tower

Toronto, ON M5K 1B7

www.weirfoulds.com

Daniel is currently VP (Internal) of the Board of Directors for the Federation of Asian Canadian Lawyers (Ontario) and chair of its Governance Committee, and a former member of the Board of Directors and former Vice-Chair of the Board for the Yee Hong Centre for Geriatric Care. He is also the Co-Chair of the National Asian Pacific American Bar Association's Labor and Employment Committee.

Daniel uses his keen attention to detail and strong drafting skills not only in his legal practice, but also as a proof reader and editor for a number of award-winning authors who have appeared on the best-sellers list of the *New York Times* and *USA Today* as well as the *Amazon Top 20* and the *Audible Top 10* lists.

Called to the Bar

- Ontario (2001)

Languages

- English

Education

- Queen's University, LL.B, 2001
- Queen's University, MIR, 1998
- Queen's University, B.Comm (Hons.) 1997

Significant Transactions

iManage in its acquisition of Closing Folders

Right-Health in its acquisition of Akira Medical

Stryker Corporation in its acquisition of NOVADAQ Technologies Inc.

Toronto-Dominion Bank in the sale of its indirect home improvement financing assets to Financeit and Concentra.

Comark, Inc. in its sale of its retail business and assets to Pacific West Commercial Corporation.

A human capital management software developer, in its initial public offering (at the time, the largest technology company by initial market capitalization to launch an IPO in Canada).

A US paramedical information service provider on employment matters in connection with its acquisition of a Canadian insurance provider and a Canadian underwriting service provider.

A US rehabilitation technology company on employment matters in connection with its acquisition of a Canadian rehabilitation technology distributor.

Advising the CEO Search Committee of the Board of Directors of a leading national non-profit entrepreneurship program on recruitment and executive compensation matters.

A Canadian industrial chemicals company on employment matters in connection with its acquisition of a Canadian chemicals producer.

A leading international cosmetics company on employment matters in connection with its acquisition of

a cosmetics and skincare company.

A Canadian multinational specialty pharmaceutical company on employment matters in connection with the \$425 million acquisition of certain dermatology assets.

A Canadian industrial chemicals and services provider on employment matters in connection with the \$420 million acquisition of another industrial chemicals and services provider.

A US product-design software company on employment matters in connection with the \$293 million acquisition of a Canadian application lifecycle management solutions provider.

A US telecom and data product manufacturer on employment matters in connection with the acquisition of a Canadian communications software solutions provider.

A dental products manufacturer on employment and workers' compensation matters in connection with an internal reorganization.

Reported Cases

Association of Professional Engineers of Ontario in respect of an application for judicial review

Association of Professional Engineers of Ontario in respect of a wrongful dismissal action and plaintiff's motion to amend pleadings.

Toronto East General Hospital in respect of applications for judicial review.

GO Transit in a suspension grievance of a driver involving the operation of a vehicle in an unsafe manner.

Toronto Transit Commission (TTC) before the Ontario Labour Relations Board in respect of a union certification application.

Awards

Repeatedly recognized by *Best Lawyers in Canada* as a leading practitioner in Labour and Employment Law

Professional Activities

- Co-Chair, Labour and Employment Committee, National Asian Pacific American Bar Association (NAPABA)
- Vice-President Internal, Board of Directors, Federation of Asian Canadian Lawyers (FACL) (2022-2024)
- Past Member, Board of Directors, Yee Hong Centre for Geriatric Care (2011-2020)
- Past Vice Chair, Board of Directors, Yee Hong Centre for Geriatric Care

Speaking Engagements

- Speaker, "Troubled Waters Ahead? Key Tips for Employers to Navigate Internal Risk", WeirFoulds LLP, Online, June 4, 2024
- Speaker, "Medical Information and the Duty to Accommodate", Annual Update on Human Rights, Ontario Bar Association, Toronto, ON, May 29, 2024
- Co-Chair, "Labour Arbitration and Policy Conference", Lancaster House, Toronto, ON, December 5, 2023
- Speaker, "Employment Law Year-End Review 2023", WeirFoulds LLP, November 22, 2023
- Speaker (with Seth Holland), "Key Employment Law Developments in 2023", Employment Law Mid-Year Update, WeirFoulds LLP, Online, June 20, 2023
- Speaker (with Megan Mah), "Vicarious Liability under the *Human Rights Code*", 2023 Annual Update on Human Rights, Ontario Bar Association, Hybrid, May 24, 2023
- Moderator, "Driving Equity, Diversity and Inclusion - Views from In-House Counsel", Federation of Asian Canadian Lawyers 2023 Annual Conference, March 4, 2023
- Speaker, "Annual FACL-Osler Speed Mentor-A-Thon 2023", FACL (Federation of Asian Canadian Lawyers), Wednesday, January 25, 2023
- Moderator, "The Power of Mentorship: Why is mentorship so important?", FACL (Federation of Asian Canadian Lawyers), Online, Thursday, January 12, 2023
- Quoted, "Ontario Court of Appeal dashes employer hopes on enforcement of faulty termination provisions," *The Lawyer's Daily*, June 16, 2022
- Quoted, "How can employee 'sophistication' alter an employment agreement?," *Canadian HR Reporter*, June 13, 2022
- Panelist, "Focus on Human Rights Remedies: Making sense of mixed signals", 2022 Toronto Human Rights and Accommodation Conference, Lancaster House, Toronto, April 20, 2022
- Speaker, "WeirFoulds LLP Employment Law Update: What Employers Should Know to Help Navigate 2022", WeirFoulds LLP, Toronto, ON, January 27, 2022
- Guest Speaker, "Return to Office Considerations", PMAC Operation Heads' Network – HR Focus Group Meeting, Portfolio Management Association of Canada, Online, November 30, 2021
- Speaker, "WeirFoulds LLP Employment Law Update: Getting Back to Business", WeirFoulds LLP, Toronto, ON, October 19, 2021
- Speaker, "22nd Employment Law Summit", Law Society of Ontario, Online, October 7, 2021
- Speaker, "Workplace 2.0 – Changes, Challenges and Considerations for Employers", HRPAA 2021 Summer Conference, Online, July 29, 2021
- Speaker, "Preparing Your Workplace for Success Post COVID-19", WeirFoulds LLP, Online, June 9, 2021
- Speaker, "From Farm to Table: An In-Depth Conversation about the Food Sector", WeirFoulds, Online, June 2, 2021
- Speaker, "Recruitment Strategies and "Special Programs" under the Human Rights Code", OBA Annual Update on Human Rights, Ontario Bar Association, Online, May 26, 2021
- Moderator, "Top 10 workplace and employment law considerations for employers in 2021", *Canadian Lawyer*, Online, December 9, 2020
- Speaker, "Direct/Indirect Discrimination", 2020 HR Law Conference, Human Resource Professionals Association, Online, October 29, 2020
- Speaker, "Servicing Clients' Employment Law Needs in a COVID-19 Landscape", Steering Employers Through Crisis Times, *Canadian Lawyer*, Online, March 31, 2020

- Moderator, WeirFoulds Employment Law Fall Seminar, November 2019
- Speaker, WeirFoulds' Annual Spring Employment Law Seminar, May 2019
- Speaker, WeirFoulds Employment Law Fall Seminar, November 2018
- Panelist, "Major Case Law Update: The Latest on Prosecutions, Sentencing and Due Diligence, and More", 2018 Health and Safety Conference, Toronto, October 25, 2018
- Speaker, "Ontario Based Business Gets Ready for the Bill 148 Major Employment and Labour Law Changes - Update", Toronto, ON, February 1, 2018
- Speaker, "Ontario Based Business Gets Ready for the Bill 148 Major Employment and Labour Law Changes", Toronto, ON January 24, 2018
- Speaker, "Ontario's New Employment and Labour Laws Will Impact Your Business", Toronto, ON, June 20, 2017
- Presenter, "Workplace Update", Canadian Association of Counsel to Employers, Winnipeg, MB, September 23, 2016
- Presenter, "Minimize Employment Law Risks with HR Audits", HRP, Toronto, ON, August 15, 2016
- Speaker, "Mid-Year Employment Law Update: Are you covering all your bases?", Toronto, ON, June 1 and June 9, 2016
- Speaker, "Privacy and the Workplace: The Scope and Limitations of Employee Privacy", Ontario Bar Association, Toronto, ON February 2016
- Speaker, "Tackling Employment Hot Topics: Managing your Roster, Avoiding Penalties and Scoring a Touchdown", Toronto, ON, October 14, 2015
- Speaker, "Post-Employment Obligations: How to Minimize Exposure When an Employee Departs", Canadian Corporate Counsel Association, Toronto, ON April 8, 2015
- Presenter, "Quarterly Employment Law Update", HRP, Toronto ON, 2014-201

Publications

- Employers: Are Your Employment Agreements Enforceable? The Court of Appeal Upholds Dufault, January 28, 2025
- The Law Helps Those Who Help Themselves: Lessons for Employers from *Wilds v. 1959612 Ontario Inc.*, July 24, 2024
- *De Castro v. Arista Homes Limited*: Judicial Guidance on Summary Judgment under Simplified Procedure, the Continued Importance of *Waksdale* and the Employer's Evidentiary Burden to Prove a Failure to Mitigate, July 03, 2024
- Ontario Employers: More Upcoming Changes – *Working for Workers Five Act, 2024*, May 14, 2024
- Another Reason for Employers to Review the Termination Provisions in Employment Agreements: *Dufault v. The Corporation Of The Township Of Ignace*, April 23, 2024
- New Requirements for Employers in Ontario: *Working for Workers Four Act, 2023*, April 02, 2024
- When "All The Smoke" Leads to Fire: What Canadian Employers Can Take Away about Employee Off-Duty Conduct from Matt Barnes' Recent Departure from NBC, March 12, 2024
- Going Viral for Being Fired: Implications for Employers When Employees Record their Termination, February 06, 2024
- New Year's Resolutions for Employers in 2024, January 08, 2024
- Cause for Concern – CRA Employees Terminated For Cause for Improper Collection of CERB Benefits, September 26, 2023
- Workplace Investigation Gone Wrong: Court Awards Bad Faith Damages Due to Improper

Investigation, August 15, 2023

- (Tap-Tap-Tap... Is This Thing On?) Attention Employers – Be Aware: Court Awards Moral Damages Based on Recording of Termination Meeting, July 04, 2023
- Employers Beware of the Risks of Fixed-Term Agreements, June 23, 2023
- Employer Update: Naloxone Kits Now Required in At-Risk Workplaces under Ontario Occupational Health and Safety Act, June 08, 2023
- Employers – Proceed with Caution: Ontario Court of Appeal Holds Material Changes to Employment Duties can Void Employment Agreement, April 10, 2023