



Press Release

**For Immediate Release
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OBA Seeks Input on Wrongful Dismissals

Lawyers developing recommendations to ensure access to justice in wrongful dismissal litigation

TORONTO – The Ontario Bar Association (OBA) Task Force on Wrongful Dismissal (Taskforce), struck in response to concerns raised by Ontario’s Chief Justice, is reaching out to employers and employees for recommendations on ensuring access to justice.

In his address at the February Labour & Employment Law Section program, “Termination and Wrongful Dismissal in the 21st Century”, Chief Justice Winkler stated:

“Mediation is working well in this field – perhaps better than in other fields. But there are no fair settlements when one party can’t afford to litigate. People in Ontario are entitled to trials. The question is whether or not they can afford them... It is time to conduct the debate on this question, and to examine what it is about our process for determining wrongful dismissal claims that can be changed or fixed, in order to make justice more accessible”.

The Taskforce will be reaching out to both the legal experts and the broader community of stakeholders including employees and employers to develop a comprehensive report scheduled to be delivered in Fall 2008.

“Wrongful dismissal suits can be disproportionately lengthy and expensive for employees and for employers,” said Task Force Chair Elaine Newman. “All parties to these disputes want answers - and they want them fast. The OBA is committed to developing recommendations that will render the process of resolving these disputes more efficient. Where trials are necessary, we are looking for system improvements that will make the courtrooms of Ontario more accessible to workplace litigants. To accomplish this goal, we need to speak with the lawyers who specialize in the field, and we need to hear from the public who have had been involved in, or who have not had access to, wrongful dismissal actions. Our scope is broad, and all ideas are welcome”.

The OBA is inviting individuals and parties to make written submissions outlining their experience and advice on how the resolution process can be improved. Submission should be sent to Jonathan Clancy by email at jclancy@oba.org or by mail to 20 Toronto Street, Suite 300, Toronto, Ontario, M5C 2B8.

The OBA is the voice of the legal profession in Ontario. As a branch of the Canadian Bar Association, the OBA represents more than 17,000 lawyers, judges, law professors and law students across the province.

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