News

Unjust Dismissal in the Context of an Employment Contract Notice Provision

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Does an employee who has left the bargaining unit and entered into a binding contract with an employer have access to the unjust dismissal provisions of the *Canada Labour Code* when his employment is terminated? In a recent case, an adjudicator answered no: the terms of the contract were clear regarding termination, the employee was not under any duress in entering into that contract and he was provided with adequate notice. For a more detailed discussion of this case, see our Case in Point blog post, "An Employment Contract, A Without Cause Termination and the Availability of "Unjust Dismissal" Protection ."