

200 Employees Laid Off After Restructuring At Canada's Largest Credit Union



This year there have unfortunately been several mass layoffs in BC. Most recently, Vancity has announced that it is terminating approximately 200 of its employees across the organization.

To Vancity's credit, their press release noted that these employees would be provided a "comprehensive, fair and equitable package of compensation, health and wellbeing and career supports." Importantly, the press release also announced that they would be continuing the employees' extended health, dental and insurance plans for three months following their termination, a supportive measure many employers don't take during layoffs.

It is, however, also important to consider that a "fair" severance package for one employee might not necessarily be a fair offer for another. In the absence of a binding employment contract limiting the employee's entitlements upon termination (or just cause), an employee will generally be entitled to "reasonable notice" of their termination or "pay in lieu of notice", what people often refer to as "severance".

The amount of reasonable notice that someone is entitled to upon their termination will depend on various factors including the employee's age, position and length of service. Whether or not a severance package will make sense for an employee to accept depends not only on this analysis but also their realistic job prospects; this is because, generally, an employee's entitlement to reasonable notice will be offset by "mitigation income" meaning money that they earn from a replacement job.

Because of all this, it is often worthwhile (especially for those who have been employed somewhere for a long period of time) to have a BC-based employment lawyer review their package with them and obtain legal advice regarding their legal options. It's important to remember that everyone's situation will be slightly different, so just because a former colleague has taken a certain approach doesn't mean that that approach will be the ideal one for others.

If you *do* seek legal advice/representation, some things to keep in mind are that:

1. If you feel uncertain at the end of a consultation, you don't *have* to retain that lawyer to represent you. You should hire a lawyer that you feel comfortable with and trust.

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2. Different lawyers and law firms will charge different rates (and some firms may offer contingency or other forms of retainer that can be more affordable).
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3. There is also ample legal information online, but legal information isn't the same as tailored legal *advice*.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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