Missed Filing Deadline Is the Death Knell for Employee's Retaliation Case



They say that a person who acts as his own lawyer has a fool for a client. One who probably now agrees with that old saying is the university employee who claimed he was defamed and retaliated against for complaining of workplace harassment. After striking out in the Alberta OHS tribunal and Human Rights Commission, the employee sued the union for doing a lousy job of representing him in the case, this time acting as his own lawyer. Sure enough, though, he got bad advice from his social worker—also not a lawyer—and missed the filing deadline as a result. After still another tribunal denied him an extension after the fact, the employee appealed all the way to the Alberta Court of Appeal. But the high court refused to cut him any slack [*Lam v University of Calgary,* 2021 ABCA 145 (CanLII), April 22, 2021].