

# Termination of Employment and Long Term Disabled Employees



**Presenters:** Ryan J. Conlin and Allison L. Taylor.

One of the most confusing issues for HR Professionals and employers is determining when it is appropriate to terminate the employment of a long-term disabled employee. This complex issue is fraught with legal risk and costly litigation consequences if it is not managed correctly. However, the unfortunate approach of many employers has been to simply ignore the issue which results in a number of employees remaining on the books who have not actively worked in years.

## **The Webinar Covers:**

- What steps are required to legally prove that a disabled employee is not likely to return to work?
- What medical information is an employer entitled to?
- Is an employer required to pay full common law notice to a disabled employee who is terminated?
- Can a unionized employer rely on automatic termination clauses in collective agreements?
- Will the WSIB impose the new non-cooperation penalties against employers after the re-employment has closed?
- Does the referral of a worker to Work Reintegration (formerly Labour Market Re-Entry) allow the employer to terminate

## **About the Presenters**

Ryan J. Conlin – Partner, Stringer LLP

Ryan co-chairs, with Landon Young, the firm's Occupational Health and Safety Practice Group. His experience includes:

- advising and acting for employers and individuals charged with contraventions of the Occupational Health and Safety Act
- assisting employers with a range of workers' compensation issues

- litigation before the WSIB and WSIAT, claims management, independent operator issues and revenue matters
- assisting employers in obtaining the work permits required for cross-border hiring of employees in a wide range of occupational groups (e.g. executive, professional, managerial, sales/service) on both a permanent and temporary basis.
- assisting with inter-company transfers of employees from corporate branches located outside Canada

Ryan is a frequent speaker and writer and has given speeches to a number of employers, safe workplace associations, and human resource groups on a wide range of Occupational Health and Safety and Workers' Compensation issues. He is a member of the Board of Advisors for the Safety Compliance Insider. He is an Adjunct Professor at University of Western Ontario teaching Workplace Health, Safety and Compensation Law.

Allison L. Taylor – Counsel, Stringer LLP

Allison practices primarily in the area of employment law. Her experience includes:

- drafting of employment and consulting contracts and severance packages
- advising clients regarding employment standards, pay equity, human rights and general employment issues
- representing employers in Human Rights proceedings
- acting as counsel in wrongful dismissal litigation and benefits litigation
- acting on behalf of employers in labour and other injunction applications

Allison is a frequent participant in seminars dealing with all aspects of employment law, including termination, sexual harassment, discrimination, workplace privacy, pay equity and employment-related contracts.