



Mitchell Rose Law

26 Instances When You (a Non-Unionized Employee) Need an Employment Lawyer

While the following is not intended to be exhaustive, my experience as a lawyer for employers and (non-unionized) employees for over 25 years, and as a mediator for almost 15 years, has taught me that it would be wise to obtain the advice of an experienced lawyer at the following stages:

Pre-Employment

- Before accepting a new job offer and signing a contract or any other type of agreement from an employer
- If an accepted offer of employment has been revoked or changed

During Onboarding

- Before signing a contract or any other type of agreement from an employer
- If your job turns out to be different than the one you believe you accepted

Anytime During Your Employment

- Before signing a contract (whether a new one, or if you have never previously signed one) or any other type of agreement from an employer
- If terms of your employment have suddenly changed—or you receive notice that they will change. This includes, but is not limited to, changes to: compensation, benefits, hours of work, location of work, role/position, and reporting structure
- The employer wishes to place you on a Performance Improvement Plan (PIP)
- You receive a poor performance review—with or without being placed on a PIP—and, as a result, you don't receive a bonus or some other form of compensation or benefit you usually receive
- You experience bullying, harassment, or discrimination
- You believe your workplace or job are unsafe
- You are accused of bullying, harassment, or discrimination
- You are about to return to work after a leave of absence
- You are injured in the workplace
- You are a witness in a workplace investigation



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- Before you start your own business (or carry on with one your employer is unaware of)—or assist with someone else’s business—or before you start a part-time job (or carry on with one your employer is unaware of)
- Before commencing any type of legal proceeding, including a court action, a complaint to the Ministry of Labour, or an application to the Human Rights Tribunal of Ontario
- You wish to resign or retire—or you are asked to resign or retire, or your employer suggests or offers for you to resign or retire
- You are temporarily laid off
- Your employment is terminated/you are dismissed—regardless of the reason or lack of reasons

After Your Employment Is Terminated

- Before accepting a severance/separation package offer and/or signing a release
- Before assuming that your former employer does not owe you money or more money
- You believe you were bullied, harassed, discriminated against, or otherwise treated poorly in the termination process—or leading up to it
- Before assuming that you can keep or use your former employer’s property and data, or that you can contact its customers and employees or work for a competitor
- Before accepting a new job
- Before commencing any type of legal proceeding, including a court action, a complaint to the Ministry of Labour, or an application to the Human Rights Tribunal of Ontario
- Before trying to negotiate a better severance/separation package than the one you were offered

Please note: This document is not intended as legal advice. It is for educational purposes and to assist employers in determining which policies it may require for its unique workplace. Employers should then seek legal advice for assistance in preparing the actual policies and how to effectively communicate them to employees. Use of this document does not create a lawyer-client relationship with Mitchell Rose Professional Corporation. The policy topics referred to above are non-exhaustive and subject to change. Some policies may not be applicable to all workplaces, while others are mandatory.