



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

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harassment and discrimination

overview

Claims of harassment or discrimination in the workplace can be highly sensitive and very public issues. The impact on a company's reputation—even if claims are proven to be without grounds or defended successfully—can lead to tangible financial loss. Whether related to age, disability, sexual orientation, pregnancy, race, colour, religion, gender or any other protected ground, it is a growing area of liability for employers and one that requires experienced counsel.

McMillan's Employment and Labour Relations Group advises clients on how to establish effective workplace policies and procedures that are appropriate for their businesses and compliant with applicable laws. We also regularly help clients design approaches to harassment and discrimination investigations and determining how best to resolve these allegations.

As short and long-term disability claims increase, managing employee absences and the accommodation process has become an important component of every human resources professional's job. Claims of harassment and discrimination are common in this area, making it time-consuming and fraught risk.

If a claim of harassment or discrimination is lodged with an organization, or filed at a human rights tribunal or in court, our experienced litigators assist employers in responding to those claims and advocating on their behalf.

McMillan professionals help clients lead by:

- Advising on appropriate organizational policies and procedures to address workplace harassment and discrimination allegations
- Defending them before provincial and federal human rights commissions and tribunals
- Defending harassment and discrimination claims made in connection with wrongful dismissal actions
- Drafting comprehensive disability leave policies, and establishing return-to-work plans and accommodation steps
- Investigating alleged malingering and abuse of sick leave benefits