

Jennifer M. Fantini

Partner

T 604.640.4247
F 604.687.1415
Vancouver
JFantini@blg.com
LinkedIn

Labour & Employment
Banking & Financial Services
Health Law
Employment Disputes
Human Resources & Labour Relations
Human Rights

Jennifer practises in the areas of labour relations and employment law. Within her practice, she advises employers (both provincially regulated in Ontario and B.C., and federally regulated) with respect to all aspects of the employment relationship including:

- Hiring, offer letters/employment contracts, pay transparency, employee and independent contractor considerations, and human rights matters.
- Managing the ongoing employment relationship including discipline/performance management, employee relations matters, employment policies, employment standards and leave of absences.
- The termination of employment relationships, wrongful dismissals and negotiating severance packages.
- All matters related to statutory claims under employment standards, human rights, WorkSafeBC (prohibited action complaints).

She has a special interest and expertise in constructive dismissal law.

Jennifer also represents employers in wrongful dismissal and related civil litigation and appears on behalf of clients before various administrative tribunals, including human rights tribunals and labour relations boards.

Jennifer also conducts client training on a variety of labour and employment issues. A significant part of her practice involves and representing unionized employers in collective agreement negotiations and arbitration and educating non-unionized employers regarding the risks and warning signs of unionization (including positive employee relations training).

Prior to joining the Vancouver office, Jennifer practised at BLG's Toronto office for 15 years.

Experience

- Advises a variety of private and public sector employers, notably in the financial services sector and the health care sector, providing advice related to all aspects of the employment relationship, in both unionized and non-unionized workplaces.
- Represents public and private sector employers and employees in civil wrongful dismissal and constructive dismissal actions.
- Represented a national sports association as an Intervener in a hearing before the Human Rights Tribunal of Ontario challenging the Association's dressing room policy as discriminatory. The policy was upheld as non-discriminatory by the Tribunal.
- Represented various hospitals in human rights complaints before the Tribunal, involving former employees and patients (including sensitive matters involving the rights of transgendered patients and other vulnerable segments of the population).
- Represented several clients in defending complaints alleging a violation of reinstatement provisions and reprisal under the *Employment Standards Act*, 2000.
- Co-Chair, New Lawyer Program: Employment Law Practice Essentials, September 2012, 2014 and 2016 (webinar).
- Speaker, Osgoode Certificate in HR Law for HR Professionals, 2012 - 2016.
- Speaker, "Hiring and Firing," Vancouver Board of Trade, 2016.

Insights & Events

- Author, "B.C. announces five paid sick days per year", BLG Article, November 2021
- Panelist, Lancaster House's 2020 Vancouver Human Rights and Accommodation Conference, September 16, 2020
- Speaker, HRD Masterclass Conference, Updates to the Canada Labour Code, February 19, 2020
- Author, "Attention Federal Employers: Significant Changes to Canada Labour Code as of September 1, 2019", BLG Article, September 2019
- Presenter, Forum for Women Entrepreneurs (FWE), E-series, April 2019
- Panelist and Speaker, L&E Annual Symposium, on the Aging Workforce, October 24, 2018
- Author, "Supreme Court of Canada Confirms Fine Against Company in Forest Worker's Death", BLG Article, June 2018
- Speaker, Women in Leadership Conference on the topic of Workplace Sexual Harassment, May 30, 2018
- Chair, HRD Masterclass Conference, on various employment topics, March 5, 2018
- Speaker, BLGU on the topic of Workplace Sexual Harassment (#MeToo), February 22, 2018
- Author, "Bill C-63 Drives Modernization of the Canada Labour Code", BLG Article, February 2018
- Author, "A Cautionary Tale for Employers Drafting Discretionary Bonus Plans", BLG Article, December 2017
- Author, "High Price of Entry: A Cautionary Tale for Landlords Faced with a Tenant's Repudiation of a Lease", BLG Article, December 2017
- Speaker, HRPA Annual Employment Law Conference, "Advanced Termination Strategies," October 2017
- Author, "The Utility Of Probationary Periods Called Into Question By Recent BCSC Decision", BLG Article, April 2017

- Speaker, "Medical Marijuana in the Workplace," March 2017
- Author, Practical Law's Private Acquisitions Multi-Jurisdictional Guide – Country Commentary – Canada, Thomson Reuters 2017 (and since 2014)
- Speaker, BCSLA Education Days, "Harassment and Bullying in the Workplace", 2017
- Author, "False Allegations of Cause Prove Costly for Employer", BLG Article, May 2016
- Speaker, "Employee terminations: Not just the cost of doing business anymore," BLG Breakfast sessions, March and April 2016
- Speaker, "Hiring and Firing," Vancouver Board of Trade, 2016
- Co-Chair, New Lawyer Program: Employment Law Practice Essentials, September 2012, 2014 and 2016 (webinar)
- Speaker, Osgoode Certificate in HR Law for HR Professionals, 2012-2016
- Co-Author, Quitting for Good Reason: The Law of Constructive Dismissal in Canada, Canada Law Book, 2001
- Employment Law: Practical Solutions for the Canadian Workplace, BLG and Specialty Technical Publishers

Awards & Recognition

- Recognized in the 2027 edition (and since 2014) of *The Best Lawyers in Canada* (Labour and Employment Law).
- Recognized in the 2027, 2026, 2025, 2024, 2017 and 2016 editions of *Chambers Canada* (Employment & Labour (British Columbia)) (Band 4).
- Recognized in the 2026 (and since 2021) editions of *Benchmark Canada* as a Litigation Star
- Recognized in the 2015 edition (and since 2011) of *Chambers Global – The World's Leading Lawyers for Business* (Employment & Labour).
- Recognized as one of L*expert®'s Rising Stars – Leading Lawyers Under 40* (2012).
- Recognized in the 2017 edition of *The Canadian Legal Lexpert® Directory* (Employment Law).

Bar Admission & Education

- Ontario, 2001
- British Columbia, 2016

- MBA/LLB, York University/, Osgoode Hall Law School, 1999
- BA in Labour-Management Relations, University of Toronto, 1995

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