Misrepresentation of academic qualifications is just cause

April 30, 2026

The Alberta Court of King's Bench recently released its decision in *Tudor v Accurate Screen Ltd*., 2026 ABKB 237 (*Tudor v Accurate*). In the decision, Justice Yamauchi dismissed Mr. Tudor's claim against his former employer Accurate Screen for wrongful dismissal and held that Accurate Screen had just cause to terminate the employment relationship after it had discovered an intentional misrepresentation of academic qualifications Mr. Tudor's resume. Justice Yamauchi held that "Embellishing one's academic qualifications is not a mere error in judgment. It goes to the very heart of one's moral compass and ultimately their abilities."

The facts

In March of 2023, Accurate Screen issued a job posting for the role of Vice President of Business Development. The job posting stated that an undergraduate degree in Business Administration, or a related field, was required and ideally, an applicant would also possess an MBA. After seeing the job posting, Mr. Tudor submitted a resume. On that resume, Mr. Tudor stated that he was currently in the process of completing an MBA at McGill University.

At the time Mr. Tudor submitted the resume to Accurate Screen, he did not have an undergraduate degree in business administration. Further, despite representing that he would be completing an MBA program in November 2023, at the time, Mr. Tudor was not enrolled in any MBA courses, he was not in the process of completing any MBA courses, and he had not taken any MBA courses. Mr. Tudor had only made an online account with McGill University by registering as a customer.

During his employment Mr. Tudor was asked to work on a forecasting project, which required the use of statistical and quantitative analysis. During Mr. Tudor's work on the forecasting project, Accurate Screen began to have concerns regarding Mr. Tudor's abilities related to statistical and quantitative analysis.

As a result, Accurate Screen's President began to investigate Mr. Tudor's education. This involved several meetings, during one of which, Mr. Tudor told Accurate screen's president Mr. Hilsenteger that he had taken "a couple of courses, a couple of years ago". This was also untrue.

As a result, Accurate Screen terminated Mr. Tudor with cause.

The decision

In assessing the nature and extent of the misconduct, Justice Yamauchi determined Mr. Tudor knowingly falsified his employment application with the express intention of deceiving his soon to be employer, Accurate Screen. Justice Yamauchi stated that "At the time he penned the resume, Mr. Tudor was not enrolled in any MBA courses, he was not in the process of completing any MBA courses, he had not taken any MBA courses, and he had not even applied for entry into an MBA programme. The representation in the Resume was not an innocent misrepresentation."

In considering the surrounding circumstances, Justice Yamauchi determined that an executive level employee must be patently honest with their employer. Mr. Tudor was not. As a secondary consideration, Justice Yamauchi determined that if Mr. Tudor had the educational qualifications he held himself out to have, he would have possessed the skills to complete the forecasting project that had been assigned to him.

When assessing whether termination was a proportionate response, Justice Yamauchi rejected Mr. Tudor's argument that Accurate Screen should have conducted a deep dive into Mr. Tudor's qualifications. He also ruled that further training would not be the answer to a lack of the educational qualifications and skills through same Mr. Tudor was supposed to have based on his resume.

Having been satisfied that termination was a proportionate response, Justice Yamauchi dismissed Mr. Tudor's action for wrongful dismissal. Just cause is a high bar, and Justice Yamauchi's decision to dismiss Mr. Tudor's claim speaks to the unique circumstances of the case. The decision offers an employer peace of mind that and they would be entitled to rely upon the representations made to them by a job applicant. Justice Yamauchi's decision is important because had Mr. Tudor been successful employers would have been left with minimal recourse after having discovered any misrepresentations to them in the hiring process.

Takeaways

Honesty is the foundation upon which every employment relationship is built. When an employee is dishonest, it erodes the trust that makes a productive employment relationship possible. That is the reason that the courts have recognized that dishonesty may justify termination for cause.

While proving just cause is difficult, this case confirms that the misrepresentation of academic qualifications may lead to a breakdown of the employment relationship. However, even in cases where academic qualifications have been misrepresented, a consideration of all of the surrounding circumstances is necessary to determine whether an employer has just cause.

BLG was counsel to Accurate Screen in its successful defence to Mr. Tudor's claim.

By

Andrew Pozzobon, Richard Kelba

Expertise

Labour & Employment, Disputes, Employment Disputes

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary

Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa

World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver

1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.