



## Jeffrey Mitchell

Partner

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[Labour Relations Board Advocacy Work](#)  
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Jeff has a broad labour and employment practice, serving as “go-to” external counsel to a wide variety of organizations. He advises on issues such as:

- discipline and dismissals
- human rights issues (such as discrimination and harassment) and workplace investigations
- the human resources implications of workplace restructuring
- sales and acquisitions of businesses
- employment standards and occupational health and safety
- employment policies

He also provides training for clients on all aspects of labour and employment law.

In non-unionized work environments, Jeff acts for employers in high-stakes employment-related litigation, such as wrongful dismissal claims, restrictive covenant injunction proceedings and human rights applications. Jeff drafts and advises on employment contracts, including non-competition, non-solicitation and confidentiality agreements. He also provides strategic guidance for proactive union prevention and real-time assistance during union organizing drives.

For employers in unionized workplaces, Jeff litigates significant cases, including grievance arbitrations, picketing injunctions and proceedings before the Ontario Labour Relations Board. He advises on collective agreement

interpretation issues, such as contracting out and terminations/layoffs. He also offers expertise on collective bargaining, advising on strategic approaches, drafting proposals, and acting as a spokesperson for clients during negotiations.

## Experience

- BNY Mellon Wealth Management, Advisory Services, Inc. in its sale to Guardian Capital Group (TSX: GCG).
- Retail industry: Commencing picketing injunction applications before the Superior Court, resulting in limitations on the right of unionized employees to engage in such activities during a lawful strike/lockout. Defending constructive/wrongful dismissal claims, including just cause cases, allegations of discrimination, and claims for post-employment bonuses.
- Manufacturing industry: Acting as counsel at arbitrations related to drug and alcohol policy issues and advising on labour and employment issues arising from the sale of a business.
- Information technology industries: Defending against claims of wrongful dismissal, including ones involving disabled employees and for disability benefits, allegations of harassment/discrimination and just cause cases.
- Professional services/Financial services industries: Defending against claims of wrongful dismissal, including claims involving negligent misrepresentation, claims for post-employment bonuses, discrimination, denial of overtime pay and loss of pension benefits. Acting on injunctions involving the restraint of former employees from competition and solicitation. Defending against claims by trade unions involving the sale of business/related employer.
- Public sector/Broader public sector: Conducting collective bargaining, acting as counsel at arbitrations and providing strategic advice regarding unionization. Defending overtime claims and wrongful dismissal claims.

## Insights & Events

- New obligations for Ontario employers announced by government
- Ontario workers can now access paid COVID-19 sick days
- Employers get it Right: Court Upholds Contractual Termination Provisions
- Holiday Parties in the Cannabis Age
- What's Old Is New: Government Passes Bill 47 And May Delay The Pay Transparency Act
- Canada's Labour Market: The True North, Strong and Free
- Arbitrator Finds Employer Sick Leave Plan a "Greater Benefit" Than New Paid Personal Emergency Leave
- Speaker, "The State of Collective Bargaining," Ontario Public Transit Association Northern Regional Conference, October 2016.
- Speaker, "Update on Non-Competition and Non-Solicitation Covenants," Human Resources Professionals Association (HRPA) webinar, June 2016.
- Author, "Canadian Outlook for 2013," (white paper for the Bureau of National Affairs), 2013.
- Author, "Wrongful Dismissal Claims and Summary Judgement," Employment Law Manual.

## Beyond Our Walls

### Professional Involvement

- Member, Ontario Bar Association
- Teacher, “Blueprints to Buildings: Occupational Health and Safety and Labour Organization in the Construction Industry,” University of Toronto Law School, October 2017
- Teacher, “Health and Safety, Labour and Unionization in the Construction Industry,” Osgoode Hall Law School LLM Program, June 2016
- Teacher, “Blueprints to Buildings: Occupational Health and Safety in the Construction Industry,” University of Toronto Law School, February 2016

### Community Involvement

- Board member, Turning Point Youth Services, 2013-present

## Awards & Recognitions

- Recognized in the 2022 edition of *The Canadian Legal Lexpert Directory* (Employment Law)
- Recognized in the 2022 and 2021 editions of *Chambers Canada – Canada's Leading Lawyers for Business* (Employment & Labour - Ontario)
- Selected by peers for inclusion in the 2022 edition (and since 2012) of *The Best Lawyers in Canada* (Labour and Employment Law).

## Bar Admission & Education

- Ontario, 1998
- LLB, Osgoode Hall Law School, 1996

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