

Employment and Social Development Canada



DO YOU THINK YOU HAVE BEEN UNJUSTLY **DISMISSED FROM YOUR JOB?**

Find out how you can file a complaint for unjust dismissal

YOU ARE ELIGIBLE IF YOU...

worked in a federally regulated industry

were continuously employed with the employer for 12 consecutive months or more

were an employee who was not subject to a collective agreement

are filing your complaint within 90 days of dismissal

were not a manager - for more information see Clarification on **Excluded Employees**

Did you know that Labour Program **Inspectors help settle**

about **75%** of unjust dismissal complaints without referring to an adjudicator?

TO FILE A COMPLAINT FOLLOW THIS CHECKLIST





Gather and prepare copies of all your <u>evidence</u>

documents, such as: termination letter;



Send your complaint form and termination letter to the nearest Labour Program office.



WHAT HAPPENS NEXT?

STEP

To confirm the admissibility of your complaint, the Labour Program will verify that the complaint meets the eligibility criteria.

A Labour Program Inspector will inform the employer of the complaint and will ask for reasons for your dismissal if needed.

An inspector will try to help you and the employer to settle the complaint. The majority of unjust dismissal complaints are resolved at this stage.

STEP

If the complaint is not settled, you can request the appointment of an adjudicator by contacting the inspector assigned to your file.

Once appointed, the adjudicator will hear the complaint to determine whether or not the dismissal is unjust.

The length of time required to resolve a complaint varies depending on the case.

For more information: Canada.ca/federal-labour-standards or contact the Labour Program 1-800-641-4049 Teletypewriter (TTY) 1-800-926-9105

Division XIV - Unjust Dismissal of Part III of the Canada Labour Code