

Post-Pandemic Resignations

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Presentation Roadmap

1. Why are post-pandemic resignations being predicted?
2. Post-employment Obligations
 - Confidentiality
 - Non-solicits
 - Non-competes
3. Waiving an employee's notice of resignation
4. Providing references
5. Takeaways
6. COVID Updates



Why are Post-Pandemic Resignations Being Predicted?

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What's Behind the Predictions?

- **New Priorities and Passion Projects**
- **Better opportunities post-pandemic**

What's Behind the Predictions? (continued)

- **Employees prefer remote work**

Post-Employment Obligations



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What Are an Employer's Obligations When an Employee Quits?

- **Safeguarding against risks**
- **Solidifying employee's post-employment obligations**

Confidentiality and the Departing Employee

- **Confidential Business Information**
- **Protecting Digital Data**

An Employee's Duty of Confidentiality

- **Contract**
- **Common Law**

Restrictive Covenants

- **Non-solicitation and Non-competition Agreements**
- **What are they?**

Restrictive Covenants (continued)

- **What can employers do?**
 - **Remind departing employee of their obligations**
 - **Contacting the former employee's new employer**

Waiving the Notice of Resignation



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Resignation Notice

- How much notice can you expect?

Too Little Notice

- What if a key employee doesn't give you enough notice?

Waiving Notice

- Wrapping things up ahead of schedule
- Can an employer ask the employee to leave early?

Providing References



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Separating Professionally

- **References**

- **Does a former employer have an obligation to provide a reference?**
- **How honest can a former employer be when providing a reference?**



Takeaways

- Prepare!
- Does remote work have to go?
- Employee's post-employment obligations
- Notice: to waive or not to waive?
- References

COVID Updates

- Deemed IDEL continuing until Sept 25, 2021
- Paid IDEL now in effect 3 days at \$200 each
- Wage Subsidy, proposed extension to Sept 25, 2021 currently last period ended June 3, 2021
- Proposed Canada Recovery Hiring Program retroactive to June 6, 2021

Questions?

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