



**GARDINER
ROBERTS**

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Soma Ray-Ellis

Chair – Employment & Labour Group

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Expertise

Employment and Labour

Litigation and Dispute Resolution

Anti-Harassment and Discrimination

Training Programs and Policy Work

Mergers & Acquisitions

Education

- Osgoode Hall Law School, LL.B., 1990
- University of Toronto, 1987

Bar Admission

- Ontario, 1992

Executive Summary

Soma represents companies and executives in all areas of employment law including wrongful dismissal, human rights, harassment, rightsizing of workforces, employment contracts, employment policies, human rights issues, occupational health and safety, workers compensation, mergers and acquisitions, and privacy law issues. Soma has also conducted numerous harassment and discrimination investigations for various Municipalities and Corporations and provides in-house training to organizations on workplace compliance. She has been involved in numerous high-profile litigation matters including representing Air India as lead counsel at the Air India Inquiry.

Soma has published extensively. Her works include the Halsbury's Laws of Canada volume on Discrimination and Human Rights, 674 pages (Lexis Nexis; 2018), the Halsbury's Laws of Canada volume on Employment Law, 785 pages (Lexis Nexis; 2023 reissue), and the Employment Equity Manual (Carswell). She co-drafted the original "Rules of Practice" for the Ontario Human Rights Tribunal and also assisted in drafting the Law Society of Ontario's Rules of Professional Conduct relating to lawyers practicing mediation.

She has been involved in several high-profile investigations including the investigation concerning the Toronto Community Housing Corporation. She has represented significant members of society including CEOs, senators and government officials in highly sensitive matters, both nationally and internationally.

Highlights of Media Appearances

- Mallorca, Spain – May 2023 – participated in a panel discussion "Hybrid Employees and Digital Nomads."
- Bucharest, Hungary – May 2023 - chaired a panel "The Role of A.I. in Law and Accounting."
- Halsbury's Laws of Canada – Employment (2023 Reissue). This title covers employment law topics such as human rights legislation, employment standards, obligations and duties of the employee, and more.
- Published article on the topic of "Termination clauses continue to be under judicial scrutiny in Ontario", published by Law Times – (June 1, 2021)
- Interviewed by CBC National News: The National on the topic of Canadian law as it applies to privacy concerns when employers require their employees to install geo-tracking on their personal mobile phone – (April 11, 2021)
- Interviewed by The Toronto Star on the topic of "People are scared of coming to work": CIBC employees say they want to work remotely following COVID-19 outbreak at Yonge Street call centre" – (March 10, 2021)
- Interviewed by CBC News, "Why err on the side of caution as COVID-19 looms in health-care workplaces" – (July 2020)



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- Keynote Speaker, “Managing the Return to Work in the Midst of the COVID-19 Pandemic What Canadian Employers Need to Know” (Mondaq, webinar) – (July 2020)
- Interviewed by Stephen LeDrew on The LeDrew Three Minute Interview, “What Is Your Employer Legally Required to Do During COVID-19” – (July 2020)
- Published article on the topic of “A Covid-19 Lay Off May Not Be Termination”, in Labour Notes published by LexisNexis – (May 15, 2020)
- Panel speaker during Q & A on Cross Country Check Up with CBC Radio on the topic of “COVID-19 and how it has disrupted your job” – (March 29, 2020)
- Participated during Q & A hosted by The Toronto Star on the topic of “Workers’ Rights During the COVID-19 Pandemic” – (March 27, 2020)
- Interviewed on CP24 on the topic of “the Harvey Weinstein Conviction and it’s impact on workplace issues” – (February 24, 2020)
- Interviewed on CP24 Live@Noon and discusses #MeToo, the law and how it played a significant role in the executive departures at McDonald’s – (November, 2019)
- Participated in a Global meeting of Lawyers in Asumain, Paraguay discussing issues of “Effective Marketing Legal Services in the Electronic Age” – (October, 2019)
- Interviewed by Advocate Daily on the topic of “Societal shift a remedy for gender discrimination” – (September 2019)
- Interviewed by Advocate Daily on the topic of “Toxic workplaces a ‘lose-lose’ proposition for employers” – (July 2019)
- Interviewed by Advocate Daily on the topic of “Progressive discipline vital in just-cause terminations” – (June 2019)
- Interviewed by Advocate Daily, on the topic of “Despite #MeToo, workplace sexual harassment persists” – (May 2019)
- Interviewed on CBC Radio’s Ontario Today, “Secret recordings at work” – (April 2019)
- Published in The Toronto Star on the topic of “Can employees record conversations in the workplace?” – (April 2019)
- Interviewed on CBC Radio’s Cross Country Checkup, “Jody Wilson-Raybould’s secret SNC Lavalin recordings” – (March 2019)
- Interviewed on The John Oakley Show, 640 Toronto, “Top 10 Office Party Don’ts” – (December 2018)
- Interviewed on CBC News, “How ready are employers for making rules surrounding legal pot? An employment lawyer tells us guidelines are all over the map” – (October 2018)
- Interviewed on CP24, “Employer responsibilities and Canada’s cannabis legalization” – (October 2018)
- Interviewed on CBC News, “Cannabis legalization – are employers ready?” – (October 2018)
- Interviewed on CP24, “Are employers ready for the coming legalization?” – (October 2018)



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- Interviewed on CBC News, “I feel betrayed by my company’: TTC subway operator barred while using medicinal cannabis” – (September 2018)
- Interviewed on CBC News, “Canada’s legalization and its impact on employer/employee rights” – (September 2018)
- Interviewed on CP24, “Legalization of cannabis and employer/employee rights” – (September 2018)
- Interviewed on CTV News, “New Metrolinx policy ensures employees are ‘Fit For Duty’” – (September 2018)
- Published in The Globe and Mail on the topic of “How marijuana legalization will affect the workplace” – (August 2018)
- Interviewed on Global News, “Two GO Transit officers previously fired and rehired have been dismissed” – (April 2018)
- Interviewed on CP24 Live@Noon, “Starbucks customer in Brampton who alleges to have had scalding hot water poured on them” – (January 2018)
- Interviewed on CP24 Live@Noon, “Employees’ benefit clawbacks by Tim Horton’s franchises in Ontario to offset Ontario’s ESA wage hikes” – (January 2018)
- Interviewed on Global News, “Tim Horton’s franchise clawbacks in Ontario” – (January 2018)
- Interviewed on Global News, “How Organizations Are Dealing With Sexual Misconduct Allegations” – (November 2017)
- Interviewed on CP24, “Sexual misconduct outings ‘a revolution’” – (November 2017)
- Interviewed on CP24 Live@Noon with Stephen LeDrew, “Sexual assault and harassment and settlements. Is it hush money?” – (October 2017)
- Interviewed on CP24 Live@Noon with Stephen LeDrew, “Sears’ CCAA application” – (July 2017)
- Interviewed on CBC Newsworld, “The rights of employees in the event of a CCAA application” – (Summer 2017)
- Interviewed on Global TV, “The Effect of Legalization of Marijuana in the Workplace” – (April 2017)
- Interviewed on CP24 Live@Noon with Stephen LeDrew, together with client, James Barker, the former General Manager of the Toronto Argonauts, “James Barker’s departure from the Argos” – (February 2017)
- Interviewed on CP24 Live@Noon with Stephen LeDrew, “Professional firefighters ‘double hatting’ as volunteers in smaller communities” – (January 2017)
- Interviewed on CP24 Live@Noon with Stephen LeDrew, about client “Mathieu Chantelois, the immediate last Executive Director of Pride Toronto’s resignation and subsequent controversy including issues involving Black Lives Matter” – (August 2016)
- Interviewed on CTV National News with Katie Simpson, “Hydro One employee terminated upon making sexist comments on television” – (May 2015)
- Interviewed on CP24 Live@Noon with Stephen LeDrew, “Can what you do in your personal life cost you your job?” – (May 2015)

Highlights of Publications and Presentations

- CLUC – Education Day – Speaking Session (September 2022)
- Chaired Global Panel Discussion in Dublin, Ireland, on “Employment Trends in Canada during Covid-19” (September 2022)
- Panelist at International Conference on the topic of “Biggest Mistakes Senior Counsel Has Made” (June 2022)
- Panelist at International Conference on the topic of “Covid protocols in Canada” (March 2022)
- Chaired Global Panel on “Employment Trends in Canada during Covid-19” (February 2022)
- Published volume for *Halsbury's Laws of Canada* (674 pages), on Discrimination and Human Rights, *LexisNexis*, 2022
- Presented on a North American Panel discussion at MSI Global Alliance on the topic of “Canadian Federal and Provincial Relief Programs” – (May 8, 2020)
- Presented at York University Corporate and Financial Crimes and Compliance (Osgoode Hall) on the topic of “Corporate Compliance in the #MeToo Era: The Law of Sexual Harassment and Sexual Assault” – (May 4, 2020)
- Unpacking the Sector’s Pandemic-Induced HR Crisis: Legal Questions Related to COVID-19 Lay Offs, *The Philanthropist* – (April 22, 2020)
- Federal government announces significant change to Emergency Wage Subsidy – (April 8, 2020)
- Presented on a Panel discussion at a Global Conference of Lawyers (Consulegis) on the topic of “Employment and Labour Issues During COVID-19: The Canadian Perspective” – (April 7, 2020)
- Top 10 Work Refusal Questions for Employers and Employees during the COVID-19 Pandemic – (April 6, 2020)
- Coronavirus Q & A: Toronto employment lawyer answered your questions on workers’ rights during COVID-19 pandemic, *Toronto Star Q&A* – (March 25, 2020)
- Ontario Employer Preparedness Checklist For COVID-19 – (March 24, 2020)
- New Ontario Legislation To Protect Workers: COVID-19 – (March 20, 2020)
- Presented at University of Toronto, Faculty of Law on the topic of “#MeToo Movement and Risk Management” – (September 30, 2019)
- Presented at the Scarborough Rotary Club on the topic of “Top Ten Things You Need to Know about Managing Cannabis in the Workplace” – (November 2018)
- Chaired International Panel Discussion in Prague, Czech Republic on the topic of “Termination Law and Employer Obligations” – (October 2018)
- Presented at The Advocates Society on the topic of “Best Practices for Negotiation” – (September 2018)
- Presented at The Canadian Institute on the topic of “Sexual Harassment Investigations: Pitfalls & Best Practices” – (June 2018)



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- Presented at the University of Toronto, Faculty of Law on the topic of “Sexual Harassment, Sexual Assault and Corporate Compliance Requirements in Canada” – May 2018
- Chaired Global Panel Discussion in Dublin, Ireland on the topic of “Employee Rights to Reinstatement” – (May 2018)
- Published Halsbury’s Law of Canada volume on Discrimination and Human Rights (Lexis Nexis; 2018) (674 pages)
- Presented at the Gardiner Roberts Toolbox Seminar on the topic of “#METOO Movement, Guillotine Justice and the Law of Sexual Harassment” – (February 2018)
- Presented at the Gardiner Roberts CPD Event on the topic of “Being Weinstained: The Law of Sexual Harassment” – (November 2017)
- Presented at Feldman Daxon Human Resources Breakfast on the topic of “Sexual Harassment and Gender Discrimination” – (November 2017)
- Presented at the Osaka Bar Association on the topic of “Enforcing contracts in Canada” – (October 2017)
- Chaired a Panel discussion at a Global Conference of lawyers in Amsterdam on the topic of “Social Media and the Practice of Law” – (May 2017)
- Presented at the 4th Annual Pay It Forward Legal Gala on the topic of “Basic Employment Rights” – (December, 2016)
- Presented at a Global Conference of Lawyers in Shanghai, China on the topic of “The Use Of Social Media To Educate People On Employment Related Rights” – (October 2016)
- Presented at the Ontario Trial Lawyers Association Conference on the topic of “Employment Law 101: Sex, Drugs and Money” – (October 2016)
- Presented at a Global Conference of Lawyers in Milan, Italy on the topic of “Enforceability of Non-Competition Covenants” – (May 2016)
- Presented at the Law Society of Upper Canada’s The Six-Minute Employment Lawyer on the topic of “Breaches of the Employment Standards Act, 2000” – (May 2016)
- Presented at a Global Conference of Lawyers in Cape Town, South Africa on the topic of “Effectiveness of Non-Competition Clauses in Employment Contracts” – (October 2015)
- Presented at a Global Conference of Lawyers in Barcelona, Spain on the topic of “Drafting Effective Intellectual Property Clauses” – (May 2015)
- Published article on the topic of “A Nuanced Decision on Constructive Dismissal”, in The Lawyers Weekly – (May 2015)
- Published Halsbury’s Laws of Canada volume on Employment Law, 785 pages (Lexis Nexis; 2015)
- Published the Employment Equity Manual (Carswell)

Board Memberships

- Toronto Philharmonic
- The Haliburton Club (in support of Scouts Canada)



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- The South Asian Bar Association
- GS1

Recognition

- Business Leadership Award (Women Entrepreneurs of Canada)
- Lawyer of the Year (SABA)
- Elected Chair, Employment Law Group Consulegis (2-year term)