

Nurse Can't Sue for OHS Reprisals after Signing Severance Release



A nurse signed a release waiving all claims against a convalescent home in exchange for a severance package. Six weeks later, she filed an OHS complaint claiming the company discriminated against her in retaliation for complaining about workplace bullying and harassment. The home argued that the release blocked the OHS claim and the Sask. high court agreed. Employers and workers can't 'contract out' of OHS safety protections, the Court acknowledged. But the protection against reprisals was a personal claim that the nurse *could* waive as long as the release agreement is fair and valid. And in this case it was [*Wieler v Saskatoon Convalescent Home*, 2017 SKCA 90 (CanLII), Oct. 20, 2017].