



# Nicole Naglie

## NICOLE NAGLIE

is an associate at Lenczner Slaght.

Nicole's practice encompasses a broad range of civil litigation, with particular experience in employment disputes, human rights applications, investigations, commercial litigation, and franchise disputes.

Nicole has appeared before the Ontario Superior Court of Justice, the Federal Court, the Human Rights Tribunal of Ontario, and the Ontario Labour Relations Board. She has also represented clients at countless private mediations and arbitrations.

Prior to joining the firm, Nicole practiced in the dispute resolution group of a national firm, focused on labour and employment. Nicole continues to be a member of the executive of the Ontario Bar Association's Labour and Employment Law section.

Nicole completed her JD at Queen's University. She was the recipient of the Queen's Law Prize in Labour Law, Stringer, Brisbin, Humphrey Prize in Labour Law, Queen's Law Prize in International Human Rights, Queen's Law Prize in Medical Malpractice, and Dean's Honour List. While in law school, Nicole served as a case worker for the Queen's Prison Law Clinic and Pro Bono Students Canada, advocating for client's rights. Nicole participated in the competitive Julius Alexander Isaac Moot and the Hicks Morley Moot, where her team earned first place at Queen's Law.

### Education

Queen's University (2019) JD  
Western University (2016) BA  
(Honours – Specialization in History,  
Minor in Political Science)

### Bar Admissions

Ontario (2020)

### Practice Areas

Arbitration  
Employment  
Investigations  
Professional Liability and Regulation

### Contact

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## RECOGNITION

- Course Prize in International Human Rights (2018)  
Queen's University
- Course Prize in Labour Law (2018)  
Queen's University
- Course Prize in Medical Malpractice (2019)  
Queen's University
- Dean's Honour List (2018)  
Queen's University
- Stringer, Brisbin, Humphrey Prize in Labour Law (2018)  
Queen's University

## SELECT CASES

- **Dufault v The Township of Ignace** – Co-counsel to The Township of

Ignace in an application for leave to appeal to the Supreme Court of Canada, in a decision addressing the enforceability of termination clauses and the impact of severability clauses in employment agreements.

- **Motion Picture Association Canada v Canada Association of Broadcasters** – Counsel to Music Canada in a motion seeking leave to intervene to the Federal Court of Appeal. The matter is the consolidation of several appeals and judicial reviews, seeking review of an order by the CRTC.
- **Abid Chaudry v Bank of Montreal** – Counsel to the Bank of Montreal in relation to a wrongful dismissal claim made by a senior managerial employee. Successfully resisted several motions and subsequent appeals brought by the Plaintiff, including a motion to amend his Statement of Claim and a motion to compel answers to refusals.
- **VIA Rail Canada Inc v Canadian National Railway Company and Attorney General of Canada** – Counsel to Canadian National Railway Company responding to a judicial review brought by VIA Rail Canada Inc. in the Federal Court of Canada. Successfully brought a motion to strike the judicial review without leave to amend on the basis that CN is not a judicially reviewable decision-maker and the Federal Court did not have jurisdiction over the dispute.
- **Unifor, Local 975 v Enbridge Gas Inc** – Counsel to Enbridge Gas Inc responding to a related business and an unfair labour practice application brought by Unifor before the Ontario Labour Relations Board. Successfully brought a motion to dismiss the sale of business aspect of the related business application and the unfair labour practice application.
- **Roland Morrison v Nishnawbe-Aski Police Service** – Counsel to Roland Morrison, the former Chief of Police of the Nishnawbe Aski Police Service ("NAPS") in a claim against NAPS. Chief Morrison brings this claim against NAPS for wrongful dismissal, bad faith, and discrimination.
- **Enbridge Gas Inc v Unifor** – Counsel to Enbridge Gas Inc., the successful party in a termination arbitration. *(Prior to joining Lenczner Slaght)*
- **Hall v ESC Automation Inc** – Counsel to ESC Automation Inc., the successful respondent in a human rights application. *(Prior to joining Lenczner Slaght)*
- **Kau v Harbourfront Corporation (1990)** – Counsel to Harbourfront Corporation, the successful respondent in a human rights application. *(Prior to joining Lenczner Slaght)*
- **Enbridge Gas Inc v Unifor** – Counsel to Enbridge Gas Inc. in a termination arbitration. *(Prior to joining Lenczner Slaght)*
- **Sit v Trillium Health Centre** – Representative to a defendant doctor as an articling student, successful in defending a medical malpractice claim. *(Prior to joining Lenczner Slaght)*

## SELECT PUBLICATIONS AND PRESENTATIONS

- **2025 Snapshot: Through the Lens of Lenczner Slaght** – We've released our *2025 Snapshot*, highlighting the most significant developments, decisions, and trends in litigation from the past year across 21 practice areas. Reflect on 2025 and look ahead to 2026 through the lens of our expert litigators.
- **Attend Examinations for Discovery... Or Else?** – Nicole Naglie and Derek Hooper authored an article published by the Ontario Bar Association, exploring the importance of attending examinations for

discovery in wrongful dismissal cases and how repeated non-compliance can lead to pleadings being struck, while isolated incidents are less likely to result in such severe outcomes.

- **Lenczner Slaght Advocacy Competition in Legal Ethics and Professionalism 2025** – Risa Kirshblum, Sean Lewis, Andrew Locatelli, Nicole Naglie, Joudy Sarraj, and Kyle Magee participated as judges at Western Law’s Annual Advocacy Competition in Legal Ethics and Professionalism.
- **2024 Snapshot: Through the Lens of Lenczner Slaght** – Lenczner Slaght launches our *2024 Snapshot*, which highlights the most significant developments, decisions, and trends in litigation from the past year across 20 areas of expertise. Reflect on 2024 and look ahead to 2025 through the lens of our expert litigators.
- **Unique Labour and Employment Considerations for Federally Regulated Companies** – Nicole Naglie was invited to co-chair The Canadian Bar Association’s program titled *Unique Labour and Employment Considerations for Federally Regulated Companies*. Nicole led a discussion on the complexities of employment law issues within federally regulated companies, including workplace investigations, harassment regulations, and severance pay entitlements.
- **New Rules Around Temporary Help Take Effect** – Nicole Naglie co-authored an article, published by the Canadian HR Reporter, on the new rules around temporary help. (*Prior to joining Lenczner Slaght*)

## BLOG POSTS

- **Employers Emerge Victorious in Rule 21 Motion Regarding the Enforceability of an ESA-Minimum Termination Clause** – In *Bertsch v Datastealth Inc*, the Superior Court confirmed the enforceability of an ESA-minimum termination clause that excluded common law notice periods. This decision, resulting from a Rule 21 motion to strike, marks a welcome shift for employers in the court’s longstanding reluctance to uphold termination provisions in employment contracts.
- **Default and the Interpretation of Termination Clauses: Navigating the Impact of Hypothetical ESA Breaches in Ontario Case Law** – The Court of Appeal for Ontario (“ONCA”) will hear the appeal of *Dufault v The Corporation of the Township of Ignace* (“*Dufault*”) this Friday. While Ontario courts previously recognized that creating jurisprudence based on hypothetical situations is a slippery slope, since the decision in *Waksdale v Swegon North America Inc*, courts in Ontario have repeatedly invalidated termination clauses in employment agreements by considering hypothetical breaches of employment standards legislation.

## SELECT NEWS ARTICLES

- **Lenczner Slaght Welcomes Nicole Naglie** – Canada’s leading litigation firm continues to add to its depth of experience and knowledge.

## PROFESSIONAL ACTIVITIES

- The Advocates’ Society
- Canadian Bar Association

- Ontario Bar Association  
Technology Liaison, Labour and Employment Executive (2025-2026);  
Member-at-Large, Labour and Employment Executive (2024-2025)
- Canadian Association of Counsel to Employers