



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, labour arbitrations, and workplace investigations.

Prior to joining the firm, Nicole practiced in the dispute resolution group of a national firm, focused on labour and employment. She has appeared before the Human Rights Tribunal of Ontario, the Ontario Labour Relations Board, and the Ontario Superior Court of Justice. She has also represented clients at countless private mediations and arbitrations.

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

- **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.
- **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

- **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.
- **Dufault 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
Member-at-Large of the Labour and Employment Executive
- Canadian Association of Counsel to Employers