



## Irv Kleiner \*

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*\* Legal services provided through I. Kleiner Professional Corporation*

Irv is a partner in our Employment & Labour Group. His practice has been focused exclusively on management-side labour relations and employment law since his call to the Bar in 1981. He has extensive experience in representing employers in both the public and private sector. Irv has represented employers in the hospitality, manufacturing, transportation, health care (nursing homes, retirement homes, charitable and municipal homes for the aged, and hospitals), education, automotive and retail sectors.

Irv's practice includes providing counsel and representing employers during union organizing campaigns, in union certification proceedings before the Ontario Labour Relations Board, unfair labour practice complaints, collective bargaining, rights and interest arbitrations, Human Rights complaints, Employment Standards complaints and pay equity matters. Irv is frequently appointed to sit on Boards of Arbitration as the employer-side nominee. He has been involved in the determination and resolution of numerous lead collective agreements and labour disputes both as counsel and as an employer-side nominee on boards of arbitration. Irv has been retained as the lead spokesperson in numerous collective bargaining processes throughout Ontario.

He has been actively involved in strategically advising employers in the course of preparing for collective bargaining and managing the workplace during a labour dispute when there has been a strike or lockout. Irv has represented clients before the courts in judicial review proceedings and, with respect to injunction proceedings, arbitration boards in both grievance and interest-based disputes, labour relations boards, Human Rights boards of enquiry, boards that have been constituted to determine Employment Standards complaints and Pay Equity complaints.

Irv also assists employers in drafting employment contracts, developing workplace policies and procedures, dealing with departing employee issues and litigating wrongful dismissal cases. Irv has extensive experience in advising employers on the labour and employment implications involved in complex corporate transactions, including due diligence, successor employer and related employer issues.

Irv is often retained to conduct independent workplace and fact finding investigations.

### Expertise

- ▶ Employment & Labour
- ▶ Health Law

### Publications & Presentations

- ▶ Apr 06, 2022 | Presentation

The Continuing Impact of COVID-19 on the Workplace - Emerging Issues in the New Normal  
*Speaker, Together We Care Conference*

- ▶ [Apr 05, 2022 | \*Torkin Manes LegalPoint\*](#)  
Arbitrator Upholds Mandatory Vaccination Policy in Retirement Home
- ▶ [Feb 08, 2022 | \*Torkin Manes LegalPoint\*](#)  
Arbitrator Strikes Down Employer's Automatic Termination Provision In A Mandatory Vaccination Policy
- ▶ [Jan 14, 2022 | \*Torkin Manes LegalPoint\*](#)  
Being Placed On An Unpaid Leave of Absence Is Not A Denial of Seniority Rights
- ▶ [Nov 12, 2021 | \*Torkin Manes LegalPoint\*](#)  
Mandatory Vaccination Policy Rejected by Arbitrator. What Does This Mean for Employers?
- ▶ [Nov 10, 2021 | \*Torkin Manes LegalPoint\*](#)  
Mandatory COVID-19 Vaccination Policy Upheld by Arbitrator
- ▶ [Apr 20, 2021 | \*Presentation\*](#)  
Covid-19 in the Workplace - The New Frontier. Where Do We Go from Here?  
*Speaker, Together We Care Conference*
- ▶ [Oct 22, 2020 | \*Torkin Manes LegalPoint\*](#)  
If Employees Work Overtime, Employers Must Pay Despite Overtime Policies
- ▶ [Oct 02, 2020 | \*Torkin Manes LegalPoint\*](#)  
Temporary Wage Enhancements for PSWs and Direct Support Workers and Increase to Minimum Wage in Ontario
- ▶ [Jun 02, 2020 | \*Novel Coronavirus \(COVID-19\)\*](#)  
Temporary Pandemic Pay Order Issued Pursuant to Ontario Regulation 241/20
- ▶ [Apr 08, 2020 | \*Novel Coronavirus \(COVID-19\)\*](#)  
Ontario Government Issues Emergency Order for Developmental Services Agencies
- ▶ [Apr 06, 2020 | \*Novel Coronavirus \(COVID-19\)\*](#)  
Emergency Measures in Retirement Homes
- ▶ [Mar 24, 2020 | \*Novel Coronavirus \(COVID-19\)\*](#)  
New Developments in Ontario Health Care due to COVID-19
- ▶ [Mar 20, 2020 | \*Novel Coronavirus \(COVID-19\)\*](#)  
Province of Ontario introduces amendments to the *Employment Standards Act* to protect workers during the COVID-19 crises
- ▶ [Mar 19, 2020 | \*Novel Coronavirus \(COVID-19\)\*](#)  
Province of Ontario declares an emergency as a result of COVID-19
- ▶ [Nov 13, 2019 | \*Torkin Manes LegalPoint\*](#)  
Retirement Home Or Long-Term Care Facility  
*Torkin Manes LegalPoint*
- ▶ [May 09, 2017 | \*Presentation\*](#)  
Preparing for New Union Organizing Strategies, and Recent Developments in Labour Arbitration  
*Torkin Manes Employment & Labour Relations Seminar, May 2017*
- ▶ [Nov 01, 2010 | \*Newsletter\*](#)  
New developments in labour relations and employment law  
*Torkin Manes Focus - Fall 2010*
- ▶ [Feb 01, 2009 | \*Newsletter\*](#)  
Managing your workplace: The Times, They Are A-Changin'  
*Focus on Labour Relations and Employment Law*
- ▶ [Feb 01, 2007 | \*Newsletter\*](#)  
The *Human Rights Code Amendment Act, 2006*: Employers Beware!  
*Focus on Labour Relations and Employment Law*

- ▶ Oct 01, 2005 | Newsletter  
Changes to the *Labour Relations Act* - coming full circle  
*Torkin Manes Focus - Fall 2005*
- ▶ Jan 01, 2000 | Article  
Bargain Pricing and Costing a Collective Agreement  
*Canadian Institute of Chartered Accountants*
- ▶ May 01, 1991 | Article  
Practice and Procedure Before Administrative Tribunals  
*Labour Law section, Carswell, Volume 3*
- ▶ Jan 01, 1990 | Book  
Negligent Employment in Canada  
*Carswell*

## Memberships

- ▶ American Bar Association - Labour Relations and Employment Section
- ▶ Canadian Association of Counsel to Employers (CACE)
- ▶ Canadian Bar Association
- ▶ Ontario Bar Association
- ▶ Ontario Bar Association - Labour and Employment Law Section Executive, 2003

## Community Involvement

- ▶ Board of Governors at Baycrest Centre for Geriatric Care
- ▶ Baycrest ProAm Hockey Tournament for Alzheimers, Organizing Committee
- ▶ Heart and Stroke Foundation, Ride for Heart

## Credentials

- ▶ Called to the Ontario Bar, 1981

## Education

- ▶ LL.B., McGill University, 1979
- ▶ M.A., Queen's University, 1976