

Mark H. Mason

Partner
Toronto

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Year of Call: Ontario, 2002



Mark Mason is a labour and employment lawyer in Hicks Morley's Toronto office. His practice includes arbitration advocacy, employment litigation, human rights proceedings and the entire spectrum of collective bargaining, including interest arbitrations and strike management. Mark advises a variety of employers and brings a practical and solution-focused approach to the legal services he provides.

Mark is recognized as one of Ontario's leading counsel in the emergency services sector through his work with municipalities in managing their relationships with both firefighters and paramedics. He works extensively in this area and keeps his clients current on existing and emerging sector trends.

A portion of Mark's practice also involves day-to-day human resources and workplace consulting. He works closely with various employer groups, speaks extensively at conferences and seminars and conducts client training workshops, all on a wide variety of issues facing management in both labour and employment law. He provides employers with the knowledge and tools they need to anticipate and manage their workplace issues.

Areas of Practice

Employment Law, Labour Relations, Human Rights

Industries

Healthcare, Manufacturing, Municipalities and Municipal Agencies, Nursing Care Facilities, Social Services

Awards and Recognition

The Best Lawyers in Canada™ (2022–2024) – Labour and Employment Law

Canadian Legal Lexpert® Directory (2018–2023) – Labour Relations (Repeatedly Recommended)

Representative Work

Ongoing representation of municipalities (all sizes) across Ontario in their fire and EMS negotiations and interest arbitrations.

Ongoing representation of hospitals and municipalities across Ontario in their rights and interest arbitrations in the healthcare sector.

Successfully argued to uphold the termination of an employee pursuant to a last chance agreement. Arbitrator dismissed the union's claim that the last chance agreement violated the *Human Rights Code* of Ontario. Successful in having subsequent complaint to the Human Rights Tribunal of Ontario dismissed on the basis that the arbitration had dealt with the substance of the complaint.

Interest arbitration award which was the first comprehensive arbitration involving expert testimony to litigate the issue of 24 hour shifts in the fire sector in Ontario.

Obtained the first comprehensive interest arbitration involving expert testimony to litigate the issue of 24 hour shifts in the fire sector in Ontario.

Successfully argued against the reinstatement of a unionized employee despite a finding that cause did not exist for the termination of his employment on multiple cases.

Successfully argued to uphold the key components of the City of Hamilton's Attendance Management Support Program as it related to paramedics.

Select Publications and Presentations

"Case Law Review" Understanding in Ontario Employment Law, HRP: Peterborough and Thousand Islands Chapters (April 28, 2021)

"Bargaining Update" and "Urban Breakout Session" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar (January 19, 21, 2021)

"Pregnant Fire Fighters" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar (January 30, 2020)

"Suburban/Rural Breakout Session" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar (January 29, 2020)



"Urban Breakout Session" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar (January 29, 2020)

"Legal Update: Top 10 Legal Challenges of the Year" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar (January 29, 2020)

"Provincial Governance Review" Ontario Municipal Human Resources Association (OMHRA) One Day Seminar (June 24, 2019)

"Essential Services Agreement Update – Lessons Learned," "Bill 148 ESA Update – Are You Complaining or Not?" and "EMS Bargaining Landscape – What's Happening and Where are We Headed?" Ontario Association of Paramedic Chiefs (OAPC) Education Symposium (May 8–9, 2019)

"Annual Hicks Morley Legal Update" Ontario Municipal Human Resources Association (OMHRA) Spring Workshop (April 10–12, 2019)

"Legal Update – Top 10 Legal Challenges of the Year" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar (January 23, 2019)

"OMHRA Fall Conference 2018" Ontario Municipal Human Resources Association (September 19-21, 2018)

"A Different Form of Climate Change" Paramedic Chiefs of Canada Annual Conference in Edmonton, AB (June 2018)

"OAPC 2018 Spring Conference" Ontario Association of Paramedic Chiefs (May 9–10, 2018)

"Legal Implications and Management of First Responder Mental Health Issues" Global Paramedic Leadership Mental Health Summit, Warwick, England (March 22–23, 2018)

"Fire, Police & Emergency Services Bargaining Trends" Ontario Association of Fire Chiefs (O AFC) Labour Relations Seminar, Toronto (January 17–18, 2018)

Memberships and Affiliations

Canadian Association of Counsel to Employers – Member

Canadian Bar Association – Member

Ontario Bar Association – Member (Civil Litigation and Labour & Employment Law)

Education

Osgoode Hall Law School, LL.B.

Queen's University, B. Comms. (Hons.)