

Nadine S. Zacks

Partner
Toronto

nadine-zacks@hicksmorley.com
416.864.7484

Year of Call: Ontario, 2009



Nadine Zacks is a labour and employment lawyer in Hicks Morley's Toronto office. She provides advice and representation to public- and private-sector employers on a wide range of labour and employment issues including grievance arbitrations, wrongful dismissals, employment standards, employment contracts, human rights and accommodation, disability management and occupational health and safety.

Nadine regularly appears before tribunals, arbitrators, mediators and courts to advocate for her clients. When not litigating, Nadine provides proactive, practical solutions to the most complex problems, helping employers navigate the nuances of the laws applicable to their workplaces. The wide scope of her practice enables Nadine to advise on a broad spectrum of subjects while always taking the time to understand each client's individual needs and concerns. She respects the significance and urgency of the challenges faced by her clients and prides herself on responding thoughtfully and quickly, often identifying potential issues and developing preventative policy updates and training sessions to mitigate any future legal risk.

Nadine is the chair of the firm's Occupational Health and Safety Practice Group and regularly assists clients with responding to and defending orders and charges under the *Occupational Health and Safety Act*.

Nadine spent her childhood figure skating and now spends her free time back in the arena, watching her two young children play hockey and learn to skate, or skating with them on her backyard rink.

Areas of Practice

Occupational Health, Labour Relations, Employment Law, Litigation, Human Rights



Industries

Education (Colleges, School Boards, Universities), Energy and Utilities, Financial Services, Healthcare, Hospitality and Gaming, Manufacturing, Media and Communications, Municipalities and Municipal Agencies, Professional and Technical Services, Retail and Wholesale Trade, Technology

Awards and Recognition

The Best Lawyers in Canada™ (2023–2024) – Labour and Employment Law

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

Representative Work

Successfully achieved the dismissal of multiple human rights applications before the Human Rights Tribunal of Ontario for abuse of process.

Successfully represented a school board client in upholding its interpretation of collective agreement language related to its sick leave plan.

Experienced in representing colleges in classification grievances to determine the proper classification of positions.

Successfully defended a retail client in a human rights complaint brought by a customer who claimed he was denied service for discriminatory reasons.

Successfully argued to have a human rights complaint dismissed against a college due to the applicant's disrespectful and inappropriate conduct.

Successfully defended a school board client on a union appeal of an inspector's order under the *Occupational Health and Safety Act*.

Successfully argued to have a reprisal complaint filed under the *Occupational Health and Safety Act* dismissed for delay.

Successfully represented a college and a school board in defending job competition grievances.

Successfully argued that an employer was not prevented from changing a longstanding scheduling practice.

Select Publications and Presentations

"Current School Board Issues Under the *Occupational Health and Safety Act*" Ontario Public School Boards' Association Education Labour Relations and Human Resources Symposium (April 28, 2022)

“Cyber Security, Monitoring and Remote Working – An In-house Perspective” Innangard Virtual Conference: The World of Work: The Great Reset 2021 (March 24, 2021)

“Work Refusals” The Six-Minute Labour Lawyer 2020, Law Society of Ontario (June 29, 2020)

“Staff-Student Safety: Understanding the *Occupational Health and Safety Act*” Human Resources Law for Education Professionals, Osgoode Hall Law School Professional Development (May 11, 2020)

“Returning to Work – Employer Considerations and Workforce Management Strategies” Ontario Bar Association (May 5, 2020)

“COVID-19 and Your Association, Meetings and Events” Redstone Agency (March 19, 2020)

“Workplace Violence Update” Colleges of Ontario Occupational Safety Health Administrators, Centennial College (October 23, 2019)

“OHS Session: Deep in the Trenches: Practical Tips in Defending OHS Charges” Canadian Association of Counsel to Employers 16th Annual Conference (September 12, 2019)

“2019 AMO Annual Conference” Association of Municipalities of Ontario (August 19, 2019)

“Keeping Workers Well 48th Annual Conference” Ontario Occupational Health Nurses Association (June 6, 2019)

“Requiring Proof of Eligibility to Work in Canada on a Permanent Basis Discriminatory” *Employment and Labour Law Reporter* (2018)

Speaker, National Conference on Campus Mental Health for Higher Education Administrators (May 26, 2017)

“Harassment in the Workplace – Understanding the New Obligations” Law Society of Upper Canada, Toronto (March 28, 2017)

“Bill 132 – Sexual Violence and Harassment Action Plan Act” Ontario Association of Fire Chiefs Labour Relations Seminar (January 18–19, 2017)

“Bill 132 and the Relationship to OHSA” Colleges of Ontario Occupational Safety Health Administrators, Seneca College (October 27, 2016)

Memberships and Affiliations

Canadian Association of Counsel to Employers – Member

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

Canadian Bar Association – Member



Education

University of Toronto, J.D. (Hons.)

McMaster University, B.A. and Sc. (Hons.)