

Josiane L'Heureux

Partner

Josiane L'Heureux is a partner at Lavery's Montréal office and a member of the Labour and Employment group. She works for private and public employers of various fields such as pharmaceuticals, manufacturers, mining, telecommunications as well as the health and social services network.

Ms. L'Heureux is notably known for her ability to well evaluate often complex issues related to labour relations and her concrete approach aimed towards the clients' needs. Recognized for her expertise, she is regularly called upon by upper management in businesses and institutions, both federal and provincial, to give advice in matters relating to labour contracts or their termination, certification, collective labour relations, occupational health and safety including the related penal complaints, human rights, as well as crisis management deriving from work conflicts or other mediatized clashes.

Ms. L'Heureux frequently represents employers' interests before arbitration, civil, administrative and penal tribunals, and works actively with them towards the development of global business strategies, while encouraging a proactive and integrated approach. She acts before the Labour and Relations Board as well as the Canadian Industrial Relations Board, on matters relating to outsourcing, constitutional jurisdiction of tribunals, bad faith bargaining and complaints of unfair practices. She also acts before civil courts in matters relating to injunctions ensuring the application of non-competition and non-solicitation clauses in employment.

Ms. L'Heureux has also been a guest lecturer at numerous conferences, notably for the Canadian Association of Counsel to Employers, of which she is an active member. As a speaker, she is often invited to outline the most recent developments in labour law, which she also teaches at the Montréal Bar School.

In 2017, The Canadian Legal Lexpert® directory listed her in the field of Occupational Health and Safety Law.



PUBLICATIONS



- Josiane L'Heureux, with the collaboration of Élodie Brunet and Judith Houle-Couture, "A corporation receives a hefty fine and two of its officers face jail time for violations of the Ontario occupational health and safety regulations" – *Need to Know Express* - February 2015.
- Josiane L'Heureux, with the collaboration of Élodie Brunet and Léonie Gagné, "A pregnant worker's right to benefits in the event of preventive withdrawal pursuant to section 36 of the AROHS does not apply to a business under federal jurisdiction: *Éthier v. Commission des lésions professionnelles*" - *Need to Know* - July 2014.
- Josiane L'Heureux, with the collaboration of Élodie Brunet and Léonie Gagné, "Right to refuse to work and preventive withdrawal: the *Dionne v. Commission scolaire des Patriotes* case" –*Need to Know* - July 2014.
- Josiane L'Heureux, with the collaboration of Élodie Brunet and Frédérique Duchesne, "Notice to employers under federal jurisdiction: amendments to the Canada Labour Code will take effect on October 31, 2014" – *Need to Know* - July 2014.
- Josiane L'Heureux, with the collaboration of Élodie Brunet, "*Recent Québec and Federal Law Developments in Occupational Health and Safety*", Canadian Association of Counsel to Employers (CACE), 11th Annual Conference, article of the speakers, June 20, 2014.
- Josiane L'Heureux, with the collaboration of Élodie Brunet, "Criminal negligence: The Court of Appeal of Ontario increases to \$750 000 the fine imposed on Metron Construction Corp." – *Need to Know Express* - September 2013.
- Josiane L'Heureux and Élodie Brunet, "Recent Developments in the Case Law on Human Rights in the Employment Context in Quebec", Canadian Association of Counsel to Employers (CACE), 9th Annual Conference, 2012.
- Josiane L'Heureux and Élodie Brunet, *La responsabilité accrue des administrateurs eu égard aux cotisations impayées à la Commission de la santé et de la sécurité du travail* [Translation : "The Increased Liability of the Employer's Directors with Regards to Unpaid Assessments to the CSST"], *Revue Industrie & Commerce*, 2011 [available in French only].
- Josiane L'Heureux, with the collaboration of Vincent Metsä and Élodie Brunet, articling student, "Criminal negligence and industrial accidents: a review of the case law and comments on issues faced by employers" - Canadian Association of Counsel to Employers (CACE), 8th Annual Conference, 2011.
- Josiane L'Heureux and Luc Pariseau, "Avoid a \$15,000 fine for a first offence under the Act respecting occupational health and safety. Know your rights!" - *Lavery Business* - December 2010.

DISTINCTIONS

- The Best Lawyers in Canada in the field of Labour and Employment Law, 2022
- The Canadian Legal LEXPERT® Directory in the field of Occupational health and safety, since



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EDUCATION

■ LL.B., Université de Sherbrooke, 1997

BOARDS AND PROFESSIONAL AFFILIATIONS

■ Canadian Association of Counsel to Employers (CACE)

■ *Réseau des femmes d'affaires du Québec*