

SHARP

Preparing your client for mediation

Fact Pattern

- Layla is an executive assistant at a growing consulting firm in a mid-sized BC community. Layla works directly with Salman, the founder and owner of the business.
- Salman is very affectionate towards Layla, lavishing attention on her. Salman has kissed Layla on the cheek, and on one occasion put his arm around her waist at a work luncheon. Layla is uncomfortable with this attention but has not said anything to Salman.
- Just over a year into her employment, Layla and her husband of 20 years divorced. Layla began dating again.
- For a brief time Layla is in a romantic relationship with Connor, a co-worker and one of the managers reporting to Salman. The relationship was casual and ended amicably, but since the end of the relationship Connor has continued with unwanted comments and sexual advances in the office.
- Eventually, Layla begins a relationship with a new partner who knows Salman and Connor but does not work at the Company. When Salman and Connor learn about the new relationship, the office environment changes and both men begin acting coldly and abruptly toward Layla.
- Layla decides she has had enough of this treatment and asks for a meeting with Salman to discuss the situation. When they meet, before Layla can say anything, Salman terminates her employment without cause citing various vague performance problems. Salman gives Layla a severance offer of one month per year of service.
- Layla feels like she is entitled to more and has sued and/or made a human rights complaint. A mediation is scheduled for 2 weeks from today.