

# Legal advice, automated and on the cheap

Power dynamics between employer and employee among the challenges for the average Canadian in solving a severance dispute without the aid of a lawyer

## CURT CHEREWAYKO

A new Vancouver company has started a web service offering affordable legal advice to Canadians who believe they've been short-changed in their severance package.

With Canada's unemployment rate at 8.6% in June, the highest it has been in 11 years, **Paradigm Shift Solutions Inc.** wants to lend a hand to laid-off Canadians that are in the unfortunate position of requiring legal advice but are unable to afford it.

For about \$60, out-of-work Canadians can use Paradigm Shift's automated web service, [www.firedwithoutcause.com](http://www.firedwithoutcause.com), to calculate the severance they are entitled to and to create a customized counter-offer letter to take to their (former) boss.

Two years ago, **Chilwin Cheng**, an independent lawyer in Vancouver, created a business model based on automated lawyer services.

At the time, however, he wasn't certain what specific

services could be applied to.

That was until he lost his job as chief litigation counsel of the **Western Region Market Regulation Services Inc.**, which was downsizing following a merger.

He and school colleague **Jim Hamlin**, a software developer, founded Paradigm Shift last year.

Cheng said that many workers don't know they have rights when they are fired and are unaware that they are legally entitled to a proper severance.

"We know that about half a million Canadians are laid off every year," said Cheng. And few, he said, approach lawyers for help. "That's because the cost of legal services are so high."

Paradigm Shift has spent the past year with a team of paralegals and data assistants combing court cases to create an automated database filled with thousands of wrongful dismissal cases from across Canada. Equipped with that information and using algorithms that consider a laid-off



Jim Hamlin (left) and Chilwin Cheng started an automated web service to help out-of-work Canadians understand their legal rights during severance negotiations

worker's age, nature of work, province of employment and term of employment, [www.firedwithoutcause.com](http://www.firedwithoutcause.com) calculates how much a worker can expect in severance.

Cheng estimates that the average lawyer charges about

\$1,700 to provide the same information and advice that [www.firedwithoutcause.com](http://www.firedwithoutcause.com) provides for \$60.

He said that the website is not meant to replace the services provided by employment lawyers.

"For the vast majority of Canadians, who just want to know that what they got was fair – they aren't looking to go to a lawyer quite yet – we offer a low-cost solution," said Cheng.

He said that lawyers stand to benefit from the service.

"We're growing the market – we're actually letting people know that they have these rights," said Cheng, noting that the service, in a way, pre-qualifies those who require further legal advice.

Paradigm Shift's web service also includes a free tutorial on employment law; a manual outlining severance negotiation; and a detailed report on how an individual's case compares to similar cases.

**Robert Yeager**, principal of **Brister Yeager Law Corp.** in West Vancouver, said that the service is a good resource for people who want to prime themselves in very general terms about what they are owed in severance.

"There is definitely a need for people to know what their rights are," said Yeager. "This

will put them on the path to knowing, but they won't have a complete and accurate picture until they've obtained legal advice [from a lawyer]."

Yeager said that the challenge for the average Canadian in independently solving a severance dispute lies in the power dynamics between employer and employee.

"The employer has always been the boss – why would the employer suddenly start listening to the employee after they've terminated their employment?" said Yeager. That's where a lawyer comes in, he added.

Cheng noted that when unemployment rates increase, many workers might actually be entitled to larger severance packages. That's because severance packages are meant to tie an employee over until he or she can find new work.

If work is scarce, larger severance packages may be justified.

"The best bargaining position you can be in is where what you need and what you're legally entitled to is more than what you're employer gave you," he said.

That's just one of the details of employment law, said Cheng, that many Canadians are not familiar with. ■ [cgc@biv.com](mailto:cgc@biv.com)

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