

Hubert Nicholas

v.

Pictou Landing Band Council

JUSTICE FELIX A. CACCHIONE

PICTOU, NS

S.H. S.P.04880

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Cite as: Nicholas v. Pictou Landing Band Council, 2000 NSSC 42

HEARD: At Pictou, Nova Scotia on September 25th - 27th, 2000

DECISION: October 25th, 2000

WRITTEN RELEASE: October 25th, 2000

SUBJECT: Wrongful dismissal.

SUMMARY: Plaintiff hired under a fixed term contract which provided that both parties were to advise each other by a date certain whether contract was to be renewed. Plaintiff complied with the provision, defendant did not.

ISSUE: Whether contract was renewed.

RESULT: Held - Contract renewed based on defendant's conduct which constituted acceptance of plaintiff's offer of renewal. Conduct consisted of knowingly allowing supplies to be ordered for upcoming school term, continuing to pay the plaintiff in the same fashion after the contract allegedly expired and informally advising the plaintiff that he would have a job in the upcoming school year.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
QUOTES MUST BE FROM THE DECISION, NOT THIS COVER SHEET.***