

IN THE SUPREME COURT OF NOVA SCOTIA  
[Cite as: Lane v. Carson, 2002NSSC218]

**PATRICK ERIC LANE**

**V.**

**CARSON GROUP INC.**

(PLAINTIFF)

(DEFENDANT)

HALL, D.M.

NO. S.K. No. 9806

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HEARD: At Kentville, N.S., on June 26 & 27 and July 19, 2002.

DECISION: September 25, 2002.

SUBJECT: Constructive dismissal.

SUMMARY: Plaintiff employed by the defendant as a salesman earning substantial income based on salary plus commission. After 25 years service defendant unilaterally reduced plaintiff's territory and product lines resulting in potential 25% decrease in income.

ISSUES: Whether a constructive dismissal and if so, appropriate period of notice.

RESULT: Unilateral action of employer - defendant constituted constructive dismissal. Plaintiff entitled to 24 months notice.

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

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