

## Clarence Bennett, K.C.

### Partner

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Language(s) spoken: English

Bar Admission(s): New Brunswick, 2005;

Ontario, 2022

Legal Assistant(s): [Francine Bradbury](#), [Janie Gaudet](#), [Wendy Ebbett](#)

Clarence is a management-side labour, employment and human rights lawyer, workplace investigator and mediator who works with a broad variety of clients spanning both public and private sectors including: crown corporations, colleges and universities, municipalities, banks, airports, manufacturing, trucking, construction and IT. Samples of his work include:

- Acting for David Dunsmuir challenging his dismissal and the law with respect to the standard of review and procedural fairness to the Supreme Court of Canada.
- Acting for the New Brunswick Legal Aid Services Commission in a claim of constructive dismissal by its Executive Director to the Supreme Court of Canada.
- Acting for the New Brunswick Provincial Court Judges Association in the Judicial Remuneration Commission, a constitutionally mandated process designed to set remuneration for judges.
- Acting on behalf of Spielo against an oppression remedy claim in excess of 30 million dollars by a former shareholder and employee.
- Defending various companies facing human rights complaints by employees claiming to have been discriminated against because of maternity leave issues, obesity, disability, mandatory retirement, sex, sexual orientation and religion.
- Performing workplace investigations for in-house counsel and corporations across Canada for complaints of harassment, discrimination, bullying.

## Practice Areas

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Education

Human Rights  
Intellectual Property  
Labour & Employment  
Litigation & Alternative Dispute Resolution  
Pensions & Benefits

## Education & Career

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### Education

Osgoode Hall Law School, York University, LLM, 2008

University of New Brunswick, LLB, 2004

St. Thomas University, BA (honours), 2001

Harvard Law School:

- Negotiation and Leadership, 2021
- Sidetracked: Understanding the Psychological Barriers that Derail Negotiations, 2021
- Difficult Conversations: How to Discuss What Matters Most, Program on Negotiation, 2021
- Mediating Disputes, Harvard Law School, Program on Negotiation, 2021

### Activities

Member, Canadian Bar Association

Member, Canadian Association of Counsel to Employers

Member, Human Resources Association of New Brunswick

Firm practice group leader, Labour & Employment, Stewart McKelvey (2015 - 2016)

Editor, Atlantic Employers' Counsel, Stewart McKelvey (2007 - 2014)

Lecturer, Employment Law, University of New Brunswick College of Extended Learning, Management Development Program (2005 - 2006)

Board of Directors, Fredericton Non-Profit Housing Corporation (2008 - 2016)

Board of Directors, College Hill Daycare Cooperative Ltd. (2012 - 2014)

Board of Directors, United Way/Centraide Central New Brunswick Inc. (2014 - 2016)

Board of Directors, Canadian Association of Counsel to Employers (2015 - 2017; 2019 - 2022)

Managing Partner, Fredericton office (2015 - 2020)

Managing partner, Saint John office (2016 - 2024)

Board of Directors, Fundy Civic Center (2019 - present)

Board of Directors, Ronald McDonald House Charities Atlantic (2021 - present)

### Accolades

King's Counsel, 2022

Chambers and Partners Canada 2022-2024 Employment & Labour - Atlantic Canada, Band 1 lawyer

Best Lawyers 2022 Labour and Employment Law "Lawyer of the Year" in Saint John

Benchmark Canada, local litigation star (Labor and employment)

Best Lawyers: Labour and Employment Law, 2015 – 2022, 2024

Lexpert rating: Workplace Human Rights

[Lexpert® Rising Star: Leading Lawyer Under 40, 2018](#)

## Thought Leadership

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New Brunswick Court of Appeal rejects claim for unjust enrichment in ordinary wrongful dismissal action

December 22, 2021

Volleyball coach reinstated after recruiting student athlete charged with sexual assault

July 30, 2021

COVID-19 FAQ & Checklist

May 21, 2020

New Brunswick employers returning to the new normal – what’s your plan?

May 13, 2020

Did the Government of New Brunswick pave the way for employees to refuse to work during the State of Emergency?

April 20, 2020

## Publications

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Contributor, Canadian Journal of Administrative Law and Practice special issue – A Decade of Dunsmuir / les 10 ans de Dunsmuir, ‘David Dunsmuir – An Unlikely Administrative Law Celebrity’

Cross-Canada Guide to Human Rights Law in Employment (ISBN: 978-0-7798-5554-4), Carswell, 2013; Contributing Author with others from the Canadian Association of Counsel to Employers

Fairness, Reasonableness and the Eye of the Beholder, Solicitor’s Journal, Volume 26, Issue 1, Spring 2010

A Tale of Two Gamblers: The Oppression Remedy and Employee Shareholders, Commercial Litigation Review, Volume 7, Number 4, November 2009