

## Brian Johnston, K.C.

### Partner

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Language(s) spoken: English

Bar Admission(s): Nova Scotia, 1981

Legal Assistant(s): [Angela Atkinson](#)

*Providing legal services through a professional corporation.*

Brian works with virtually every type of employer in Canada in a wide variety of industries, including transportation, manufacturing, construction, mining, financial services, universities, healthcare, telecommunications, retail and utilities. His work has included:

- Successfully concluding collective agreement settlements.
- Discreetly dealing with executive level and other employment terminations.
- Dealing with unionization drives
- Developing labour relations strategies for clients across Canada and internationally.
- Advising employers on drug and alcohol policies.
- Litigating before labour arbitrators, labour boards, human rights tribunals and courts; both federally and provincially.

## Practice Areas

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Cannabis

Education

Human Rights

Labour & Employment

Pensions & Benefits

## Education & Career

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### Education

Dalhousie University, LL.B., 1980

Mount Allison University, B.Comm. (honours with distinction), 1977

### Activities

Fellow, College of Labor and Employment Lawyers

Member, Canadian Bar Association

Member, American Employment Law Council

Practice group leader, Labour & Employment, Stewart McKelvey, 2008-2011

Member, American Bar Association

Member, Human Resources Association of Nova Scotia

Member, Employment Advisory Board for Practical Law – Canada

Chair, Board of Regents, Mount Allison University, 2005-2006

### Accolades

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

Best Lawyers 2021 Labour and Employment Law “Lawyer of the Year” in Halifax

King’s Counsel, 1998

Best Lawyers 2016 and 2012 Labour and Employment Law “Lawyer of the Year” in Halifax

Legal Media Group, Expert Guides, World’s Finest Labour & Employment lawyers, 2014

Best Lawyers: Labour and Employment Law, 2006 – 2024

The International Who’s Who of Management Labour and Employment Lawyers (2014-2023)

Who’s Who Legal: Global Thought Leaders 2021, 2023 (Labour & Employment)

Who’s Who Legal: World’s Leading List of Canadian Lawyers (2022-2023)

Who’s Who Legal: Canada 2011 – 2023 (Labour, Employment & Benefits)

Legal Media Group, Guide to the World’s Leading Labour and Employment Lawyers

Lexpert rating: Employment Law, 2008 – 2024

Lexpert rating: Labour Relations, 2008 – 2024

Lexpert rating: Workplace Human Rights, 2008, 2013 – 2014

Martindale-Hubbell rating: BV Distinguished®

## Thought Leadership

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Replace-me-not: Bill C-58 proposes ban on replacement workers in federal strikes and lockouts

November 29, 2023

COVID-19 vaccination soon to become mandatory in all federally regulated workplaces in Canada

December 17, 2021

Upcoming regulatory initiatives from the Federal Labour Program

April 19, 2021

Increasing pay transparency for federally regulated employers under *Employment Equity Regulations*

December 18, 2020

More return to work

May 01, 2020

Nova Scotia announces mandatory quarantine for public sector staff and students returning from outside Canada

March 13, 2020

Change is the only constant – Bill C-86 changes in federal labour and employment regulation

January 18, 2019

2018 Year in Review: Atlantic Canada Labour & Employment Law Developments

January 17, 2019

Countdown to Cannabis: A Stewart McKelvey Newsletter: The legalization of cannabis: 7 reasons why employers should take notice

May 24, 2018

Client Update: Medical marijuana found to be undue hardship in safety sensitive positions – the problem of residual impairment

May 01, 2018

The Latest in Employment Law: A Stewart McKelvey Newsletter – Changes to the federal pay equity scheme expected in 2018

November 17, 2017

The Latest in Employment Law: A Stewart McKelvey Newsletter – Good faith expected of employers!

August 16, 2017

Canadian employers facing marijuana challenges in the workplace

November 25, 2016

Nova Scotia Government Introduces Public Services Sustainability (2015) Act

December 16, 2015

## **Publications**

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Regular contributor, *Canadian Employment Law Today* and *Canadian HR Reporter*

## **Presentations**

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Co-presenter, "Federal Focus", Stewart McKelvey Labour and Employment webinar

January 27, 2022

Co-presenter, "Trending Topics", Stewart McKelvey Labour and Employment webinar

November 23, 2021

Nova Scotia CEO Safety Charter Council – 10 Things Every CEO Should Know About Cannabis, October 2018

CPHR Nova Scotia, "Trends in Labour and Employment Law", May 2017

AMANS/UNSN, Legalization of Cannabis: Municipal Impacts, "Cannabis in the Workplace", May 2017

Innis Christie Lecture & Symposium in Labour and Employment Law, "Coping with the Fissured Workplace and Precarious Employment", March 2017

HRANS Conference, "Marijuana in the Workplace", November 2016

American Bar Association's International Labour and Employment Law Conference, Barcelona Spain, May 2015

HRANS Conference, "Recent Legal Developments", May 2015

Senate Legal and Constitutional Affairs Committee, Bill C-377, Union Financial Disclosure, April 2015

Lancaster House Labour Law Conference, "The Supreme Court's Irving Decision – Last Call for Random Drug and Alcohol Testing", October 2014

Innis Christie Lecture & Symposium in Labour and Employment Law, "Labour Market Regulation and the Ivany Report", October 2014

Lancaster House Labour Law Conference, "Collective Bargaining and the Right to Strike: Are they endangered species?", October 2013

HRANS Conference, Top Legal Trends, June 2013

CBA-NS Labour & Employment Law Section Dinner Meeting "Experienced Counsel Analyze Tough Decisions", November 2012

Insight Conference, Atlantic Canada Construction Labour Relations, "Practical Advice on Drug & Alcohol Testing. Update on Where the Law is Taking Us", May 2012

Insight Conference, Co-Chair, Disability Claims in the Workplace, May 2012