G. Grant Machum, ICD.D

Partner



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LinkedIn Profile

Language(s) spoken: English

Bar Admission(s): New Brunswick, 1997; Ontario, 1993; Nova Scotia, 1991

Legal Assistant(s): Angela Atkinson

Providing legal services through a professional corporation.

Grant offers experienced counsel and effective advocacy pertaining to workplace issues for private and public sector clients across Canada and internationally. He is a member of the bars in Ontario, New Brunswick and Nova Scotia. He helps employers navigate successful solutions in areas of performance and discipline management, employee terminations, wrongful dismissal litigation, labour relations, workplace disputes, employment agreements, executive compensation, workplace human rights, fiduciary and other post-employment duties. Grant has guided his clients (including Boards) through high stakes "bet-the-company' litigation. He is the former firm wide Practice Group Leader for Labour & Employment. In 2018 he was appointed a Member, Advisory Committee, Queen's University Faculty of Law, Centre for Law in the Contemporary Workplace. Matters handled by Grant include:

- Acting as lead negotiator for the largest regional newspaper achieving a modern collective agreement to respond to industry changes;
- Successfully defending a claim against a financial institution for age discrimination;
- Successfully defending a national food retailer against claims of constructive dismissal;
- Regularly provide workplace advice to five Canadian Chartered Banks and defence of litigated matters;
- Successfully defended a claim by a former human resources manager against a distribution company;
- Acted for an employer in relation to one of the original first contract arbitration cases in Nova Scotia;
- Employment issues in relation to the acquisition by Sobeys of the assets of Canada Safeway for approximately $5.8 billion;
- Representation of a large publicly traded children's content creation company in relation to various acquisitions and

executive compensation;

- Advice in relation to sexual harassment and #metoo complaints;
- Representation of a large regional institution in relation to misappropriation of funds by senior executives;
- Successfully defending claims relating to workplace accommodation;
- Successfully defending actions brought by financial advisers (brokers);
- Successfully defended action by unionized employee against the school board in relation to claims of negligent misrepresentation, breach of statutory duties, breach of good faith and breach of fiduciary duties;
- Successfully defending venture capital companies from dismissal claims by former employees;
- Successfully representing a dairy producer in relation to various grievances including poor performance by long service employees;
- Successful claim by fishermen against a global seafood company;
- Successfully defending a shareholders dispute;
- Successfully defending a human rights claim by janitorial workers against a property development company;
- Successfully represented employers in the hospitality industry in relation to human rights and labour standards;
- Successfully defending one of the world's largest publicly traded international oil and gas companies against a claim of constructive dismissal by a senior executive at the trial level and Court of Appeal;
- Defending the world's leading technology company against a dismissal claim;
- Successfully resolving disputes through private arbitration relating to senior executives or workplace issues;
- Successfully defending a national retailer before the Labour Board in relation to a claim for psychological harassment and bullying;
- Successfully representing a privately-owned company that manages and operates ambulance services in final offer arbitration;
- Successfully representing a financial institution in relation to a human rights complaint (failure to accommodate a mental illness) before the Canadian Human Rights Tribunal;
- Successfully defending a leading beverage company against termination grievance (long service);
- Successfully defending a large carpet manufacturer against a termination grievance (long service);
- Successfully defending claim by a manager during a probationary period addressing what duties are on the employer during the probationary process;
- Successfully defending a pharmaceutical company against a claim by a former sales manager;
- Successfully striking out claim for breach of fiduciary duty and oppression remedy against a CEO of a manufacturing company;
- Successfully defending a school board and bus driver in a claim for negligence in the longest civil jury case in Nova Scotia history including an appeal to the Supreme Court of Canada;
- Successfully obtaining injunctions against former employees unfairly competing;
- Secured an Anton Piller injunction to seize without warning electronic devices and documents believed to contain trade secrets;
- Advising large and small employers in relation to reorganizations and restructuring;

- Successfully defending a company in the off-shore industry in relation to a claim for special post-retirement benefits;
- Successfully defending a claim against a sporting association by a former coach;
- Successfully defended a sports team in relation to a claim of common employer;
- Successfully defending claim for wrongful termination by former manager of Quebec-based telecom and media company;
- Successfully defending action in Ontario by former manager against environmental engineering firm alleging constructive dismissal;
- Successfully defending claims by former employees terminated for poor performance, harassment, theft, breach of confidence and insubordination;
- Defending the world's largest developers of products for snowboarding in a claim for negligence;
- Successfully defending a claim against a large real estate company by a former property manager for wrongful termination and discrimination;
- Assisting regional and national employers on the development of employment policies; protection of business policies and codes of conduct;
- Assisting national law firms on matters in Atlantic Canada;
- Advising boards of private and publicly traded companies, universities, and crown corporations on board governance; and
- Providing strategic advice to employers regarding collective agreements, unionization, decertification, grievances and arbitrations.

Practice Areas

Corporate Governance
Education
Human Rights
Labour & Employment
Litigation & Alternative Dispute Resolution
Pensions & Benefits

Education & Career

Education

ICD Designation – Directors Education Program, Institute of Corporate Directors – Rotman School of Management, University of Toronto, 2020
University of New Brunswick, LLB, 1990
Dalhousie University, BComm, 1986

Activities

Member, Partnership Board, Stewart McKelvey, 2020 – present

Chair, Board of Governors, Art Gallery of Nova Scotia, 2022 – Present
Chair, Capital Campaign Committee, Art Gallery of Nova Scotia, 2022 – present
Member, Advisory Committee, Queen's University Faculty of Law Centre for Law in the Contemporary Workplace, 2018 – present
Firm practice group leader, Labour & Employment, Stewart McKelvey, 2011 – 2013
Member, ALFA International – The Global Legal Network
Firm
Past Chair of Telefilm Canada (also served as Vice Chair; Chair of Nominating, Evaluation and Governance Committee; Chair of Audit; and Member of the Strategic Planning and Communications Committee), 2008 – present
Past Chair, Nova Scotia College of Art and Design University (also served as Vice Chair; Chair of Governance and Human Resources; Chair of Audit; Member of Facilities and Development Committee; and Chair of the Presidential Search Committee), 2010 – 2017
Board member, Prescott Group, 2006 – present
Board member and secretary – Nova Scotia Yachting Association
Board member – Premier Sailing Class
Firm Compensation Committee, 2009 – present
Member, Canadian Bar Association
Member, American Bar Association, Labour & Employment Sector
Member, The Advocates Society
Member, Association of Ski Defense Attorneys
Member, Canadian Association of Counsel for Employers
Member, Employment Law Section, Nova Scotia Branch, Canadian Bar Association
Management Committee, Halifax 2004 – 2006
Firm Associate Practice Manager, Halifax 2002 – 2004
Lecturer Dalhousie Law School, 2001 – 2004 Civil Procedure Workshop
Board member, Royal Nova Scotia Yacht Squadron, 1999 – 2002
Past chair, Construction Law – CBA NS
Former Instructor, Schulich School of Law Civil Procedure

Accolades

Chambers and Partners Canada 2024 Employment & Labour – Atlantic Canada, Band 2 lawyer
Lexpert rating: Employment Law, 2021, 2023
Lexpert rating: Labour Relations, 2023
Listed in Financial Post Directory of Directors, 2020
Listed in Lawday's Leading Lawyers for Employment Law, 2009
Listed in Inaugural Edition – National Post
Best Lawyers: Labour & Employment, 2023 – 2024
Who's Who Legal: Canada 2023 (Labour, Employment & Benefits)
Martindale-Hubbell rating: BV Distinguished®

Thought Leadership

Trends in Employment Law: A look forward in 2023
January 13, 2023

Federal holiday declared to honour Queen's death on September 19, 2022, but Atlantic provinces divided on whether to declare the holiday for private sector businesses
September 14, 2022

Alberta court upholds employer-friendly termination clause
February 07, 2022

Top five employment law issues going into 2021
January 15, 2021

Supreme Court of Canada's Canada Post decision delivers good news for federal employers
January 20, 2020

How employers can protect themselves with respect to social media
May 29, 2019

Employer or employee: who owns social media accounts or contacts?
April 04, 2019

Paper light employment files
March 28, 2019

Client Update: Isn't Canada Day always on July 1? (updated)
June 21, 2018

The Latest in Employment Law: A Stewart McKelvey Newsletter – "You gotta have (good) faith" ... Terminating without notice during the probationary period
April 19, 2017

Presentations

Presenter at annnual conference of CACE

Presenter on various topics at HRANS

Stewart McKelvey In-house Counsel Day, presented on Eliminating Surprise from Crisis Management- Tips from the Board Level Down

April 26, 2019

Institute of Corporate Directors, presented on Good-Deeds- Good Governance for Not-For Profits; presented on Risky Business-A focus on crisis management

February 20, 2019

Speaker and participant at numerous conferences relating to the fields of litigation, labour and employment law.

Past lecturer, Civil Procedure Workshop, Faculty of Law, Dalhousie University