

Peter McLellan, QC

Partner



Suite 900, Purdy's Wharf Tower One
1959 Upper Water St.
Halifax, N.S.
B3J 3N2

Phone: +1.902.444.1717

Mobile: +1.902.402.0189

Fax: +1.902.420.1417

pmclellan@stewartmckelvey.com

[LinkedIn Profile](#)

Language(s) spoken: English

Bar Admission(s): Nova Scotia, 1973

Legal Assistant(s): [Susan Snow](#)

Providing legal services through a professional corporation.

Peter focuses his career on representing management in all aspects of labour, employment, education and pension and employee benefit matters. Through his coordination, he recently had the Nova Scotia Private Sector Employers' Roundtable and the CEO Safety Charter recognized by successive governments as key stakeholders in matters of labour and employment. Peter has also served as the management representative on the selection panel for both the new Chair of the Nova Scotia Labour Board and the Arbitration Advisory Committee. Peter helps his clients navigate difficult workplace issues, and has:

- Represented the Employers' Roundtable before the Nova Scotia Court of Appeal in a successful human rights appeal regarding coverage of medical marijuana (2018).
- Successfully represented a major remediation construction contractor against a claim of "common employer" under the *Trade Union Act* (2017 - 2018).
- Advised and represented a major Nova Scotia manufacturer who has operated union-free for over 40 years (involving numerous union organizing campaigns, multiple proceedings before the Nova Scotia Labour Board, the NSSC, the NSCA and the Supreme Court of Canada) (1974-2019).
- Acted for Atlantic Canada's largest safety training company successfully defending claims of violations of non-competition agreements (2016).
- Secured a rare Anton Piller Injunction to seize without warning or notice electronic devices and documents believed to contain trade secrets (2014).
- Provided strategic advice for the largest long-term care provider in Atlantic Canada involving the coordinated negotiation of over 20 collective agreements in two provinces (2006 - 2009).

- Successfully represented the sponsor of a large Nova Scotia pension plan in litigation involving so-called “pension contribution holidays” where the claim was over \$400 million (2004 – 2007).
- Advised sponsors of many of the largest pension plans in Atlantic Canada on a broad range of strategic issues including governance, plan funding and wind-ups.
- Acted for numerous Nova Scotia School Boards on contentious matters such as school closures and realignment of bargaining units following Board amalgamations.
- Been involved in the following, outside the realm of labour and employment:
 - Acted for a renowned international photographer in successfully defending a claim by The Rolling Stones involving an artist’s residual rights in a film.
 - Negotiated an NHL player’s contract with the legendary Lou Lamoriello of the New Jersey Devils.

Practice Areas

Education

Human Rights

Labour & Employment

Pensions & Benefits

Education & Career

Education

Dalhousie University, LL.B., 1973

Mount Allison University, B.A., 1969

Activities

Past president, Canadian Association of Counsel to Employers

Coordinator, Nova Scotia Employers Roundtable

Accolades

Queen’s Counsel, 1990

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

Best Lawyers 2015 Labour and Employment Law “Lawyer of the Year” in Halifax

Guide to World’s Best Labour & Employment Lawyers 2011

Lawday’s Leading Lawyers: Employment Law, 2009

Who’s Who Legal: Canada 2012, 2014-2015 (Management L&E)

Best Lawyers: Employee Benefits Law, 2008-2020

Best Lawyers: Labour and Employment Law, 2006, 2008-2020

Inductee – U.S. College of Labor and Employment Lawyers, 2013

Lexpert rating: Employment Law

Lexpert rating: Labour Relations

Martindale-Hubbell rating: AV Preeminent® (highest peer rating)

Thought Leadership

Client Update: New Nova Scotia pension plan asset transfer regulations

November 30, 2017

Pensions & Employee Benefits Update: Nova Scotia pension funding framework & regulatory review

October 24, 2017

The Latest in Labour Law: A Stewart McKelvey Newsletter – Nova Scotia Teachers Union & Government – a synopsis

March 07, 2017

The Latest in Labour Law: A Stewart McKelvey Newsletter – Onsite OHS liability: Who is (and who is not) the true constructor?

December 15, 2016

Can an employer prohibit tattoos and piercings?

January 21, 2016

Presentations

Presenter, “Interest Arbitration Workshop”, Lancaster, Halifax, 2015

Presenter, “Social Media – Employment Issues”, Institute of Chartered Accountants, Halifax, 2015

Presenter, “Employment Law A-Z”, Institute of Chartered Accountants, Halifax, 2014

Presenter, “Current Pension Issues”, Lancaster, Toronto, 2013

Panel chair, “Labour Law Update”, Canadian Association of Counsel to Employers, Banff, 2012

Presenter, “Emerging Pension Issues”, Lancaster, Halifax, 2011

Presenter, “Collective Bargaining Post BC Health Services”, Canadian Association of Counsel to Employers, Vancouver, 2010

Presenter, “Current Legal Issues”, Canadian Pension & Benefit Institute, PEI, 2010

Presenter, “Managing the Difficult Employee”, Institute of Chartered Accountants of Nova Scotia, Halifax, 2010

Presenter, “Top 10 Rules of Collective Agreement Interpretation”, Lancaster, Halifax, 2010

Presenter, “Emerging Issues for Employers”, International Association of Pension & Benefit Lawyers, Quebec City, 2010

Presenter, “Employers Perspective Post BC Health Services”, Conference on Freedom of Associations, University of Saskatchewan, Saskatoon, 2010

Presenter, “Costs in Pension Litigation”, Pension Litigation and Governance, Canadian Institute, Toronto, 2010