

## Rick Dunlop

### Partner

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Language(s) spoken: English

Bar Admission(s): Nova Scotia, 2001

Legal Assistant(s): [Hayden Marchand](#)

*Providing legal services through a professional corporation.*

Rick works with clients such as construction companies, radio companies, government, food services companies, international organizations, trucking companies, finance companies and power companies. He has appeared before all levels of Court in the province and labour and employment related tribunals, as well as the Supreme Court of Canada. Some of the ways in which he has assisted his clients include:

- Successfully represented municipality in interest arbitration involving police union.
- Secured substantial monetary damages award for consulting business whose employees secretly competed while employed.
- Successfully represented private sector employers' organization before Nova Scotia Court of Appeal in high profile medical marijuana benefits human rights appeal.
- Successfully represented employer in wrongful dismissal involving malingering employee that received national attention.
- Successfully represented employer in constitutional challenge to essential services legislation.
- Successfully represented an energy company in a complex construction industry labour relations matter before the Labour Board.
- Successfully represented an international organization in a wrongful dismissal suit before the Nova Scotia Court of Appeal and Supreme Court of Canada.
- Successfully represented employers in upholding dismissal of employees for theft before arbitrators, the Labour Standards Tribunal and the Nova Scotia Court of Appeal.
- Successfully represented car dealerships before the Nova Scotia Labour Board.
- Successfully represented a securities company before the Nova Scotia Supreme Court in a wrongful dismissal suit.

## Practice Areas

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Construction  
Human Rights  
Labour & Employment

## Education & Career

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### Education

Dalhousie University, LLB, 2000  
University of King's College, BA (honours), 1996

### Activities

Member, Canadian Bar Association  
Practice group leader, Stewart McKelvey Labour and Employment group  
Member, Dalhousie Alumni Association Board  
Member, Laing House Board of Directors  
Former part time faculty, Schulich School of Law, Dalhousie University, Civil Trial Practice  
Past chair, Constitutional and Human Rights Section, Canadian Bar Association  
Associate member, Human Resources Association of Nova Scotia  
Member, Canadian Association of Counsel to Employers  
Recipient, Outstanding Volunteer Award, Heart and Stroke Foundation of Nova Scotia, April 2011  
Former member, Board of Directors, Heart and Stroke Foundation of Nova Scotia

### Accolades

Lexpert rating: Labour Relations, 2021  
Best Lawyers: Labour and Employment Law, 2013 – 2024

## Thought Leadership

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Nova Scotia relaunches Paid Sick Leave Program  
[January 12, 2022](#)

Supreme Court of Canada almost slams the door on unionized employees' human rights complaints  
[November 09, 2021](#)

Nova Scotia workers can now access paid COVID-19 sick days – “stay tuned for the details”  
[May 13, 2021](#)

Think: roadmap to recovery – Saskatchewan's re-open plan is worthy of consideration  
[April 24, 2020](#)

COVID-19: Keep calm and consider the issues!

March 06, 2020

Atlantic Canada Year in Review 2019 – Top 15 Takeaways for Employers

January 23, 2020

Proposed *Workplace Harassment and Violence Prevention Regulations* under the Canada Labour Code

August 02, 2019

New *Trade Union Act General Regulations* addresses (in part) \*snapshot\* approach to construction industry unionization

May 02, 2019

Client Update: Benefits plans really do not have to cover the sun, the moon and the stars (and medical cannabis)

April 13, 2018

Client Update: Federal Cannabis Act regulations taking shape: consultation feedback revealed

March 22, 2018

Client Update: Nova Scotia gives first look at cannabis regulation

December 08, 2017

Client Update: Federal government desires feedback on proposed Cannabis Act regulations

November 28, 2017

Client Update: New Brunswick's final cannabis report: government operated stores, guidance on growing at home

September 06, 2017

Client Update: Elk Valley Decision – SCC Finds that Enforcement of “No Free Accident” Rule in Workplace Drug and Alcohol Policy Does Not Violate Human Rights Legislation

June 23, 2017

Client Update: Cannabis Act regulations – now we are really getting into the weeds!

June 15, 2017

Client Update: The Cannabis Act – Getting into the Weeds

May 09, 2017

TTC's Random Testing Decision: A Bright Light for Employers in the Haze of Marijuana Legalization

April 11, 2017

Unionization in the Construction Industry: Vacation Day + Snapshot Rule = Disenfranchisement

April 04, 2017

Federal Government's Cannabis Report: What does it mean for employers?

December 15, 2016

## Publications

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Author, "Cannabis: a reminder of your rights and responsibilities in managing employees in safety sensitive roles",  
Discovery: Atlantic Education and the Law – Spring 2019

June 12, 2019

Drafted the Canadian Association of Counsel to Employer ("CACE") submission to the Nova Scotia Labour Board regarding its  
policy on casual employees

January 31, 2018

"Employers: What should you think about in preparation for the legalization of marijuana?", Now! Nova Scotia

January 22, 2018

"Do's and don'ts when facing a union-organizing drive", Canadian HR Reporter, December 2015

False/unfounded allegations: what about the unsubstantiated complaints?", Atlantic Employers' Counsel, Fall 2015

"Community of Interest Considerations are Important in a Construction Industry Certification", HR Law blog, March 2015

"Privacy Issues and Disclosure of Personal Information to Unions", Atlantic Employers' Counsel, Fall 2010

"Unionization and Its Impact in the Construction Industry", Atlantic Employers' Counsel, Spring 2014

"Wal-Mart Wins on Narrow Ground in Quebec Store Closure Case", Labour and Employment Law Perspective – The Canadian  
Bar Association National Labour and Employment Law Section Newsletter, January 2010

"Nova Scotia Fights Workplace Violence with New Regulations", Canadian HR Reporter

December 17, 2007

"Ontario Expands Arbitrators Jurisdiction to Award Punitive Damages", Atlantic Employers' Counsel, Spring 2005

"S.C.C. Expands Meaning of Family and Marital Status Discrimination", Atlantic Employers' Counsel, Winter 2003

"Defending Against Discriminatory Complaints in Nova Scotia", Atlantic Employers' Counsel, Winter 2002

"Nova Scotia Labour Relations Board (Construction Industry Panel) Examines Jurisdictional Dispute", Atlantic Employers'  
Counsel, Winter 2002

"What you Need to Know about the Federal Personal Information Protection and Electronic Documents Act ", Atlantic  
Employers' Counsel, Summer 2002

Nova Scotia Labour Relations Board (Construction Industry Panel) issues Policy Statement on what is considered “Construction Work” vs. “Maintenance Work”, Atlantic Employers’ Counsel, Fall 2001

“Privacy Law Update: Surveillance Video Tape of Suspected Maligner Not Admissible Under Federal Privacy Section Legislation”, Atlantic Employers’ Counsel

Mandatory Pre-Employment Testing Violates Human Rights Legislation in Alberta”, Atlantic Employers’ Counsel

## **Presentations**

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

November 23, 2021

Speaker, “Human rights and mental health accommodation”, Practical insights for employers navigating an uncertain workplace environment – Canadian Lawyer Employment Law masterclass

April 27, 2021

Featured speaker, Employment Agreements – Navigating Your Obligations in a Uncertain Environment webinar

July 14, 2020

Presenter, Urban Development Institute, “Top 10 Things Employers Need to Know about Cannabis in the Workplace”

October 24, 2018

Presenter, AMANS Conference, “A Burning Issue: Marijuana in the Workplace”

October 17, 2018

Presenter, Stewart McKelvey Webinar, “10 Things Employers Should Know about Cannabis”

May 23, 2018

Presenter, InformedHR, “Managing Cannabis in the Workplace – the role of HR”

April 26, 2018

Presenter, CPHR Nova Scotia, “Marijuana in the Workplace”

April 24, 2018

Presenter, Cannabis Safety Charter Presentation, “10 Things Every CEO Should Know about Cannabis”

March 01, 2018

Presenter, Cannabis Safety Charter Presentation, “10 Things Every CEO Should Know about Cannabis”

January 10, 2018

Presenter, Stewart McKelvey Labour and Employment Fall Seminar, “Marijuana (a.k.a. “Cannabis”) – Top 5 Employer

Concerns”

November 02, 2017

Presenter, Stewart McKelvey Labour and Employment Fall Seminar, “Drug and Alcohol Testing – The Latest Law”

November 02, 2017

Presenter, CACE Webinar, “Hot Topics in Workplace Human Rights – Defending Human Rights Complaints”

October 03, 2017

Presenter, Canadian Pension & Benefits Institute Seminar, “Marijuana in the Workplace”

April 12, 2017

Presenter, CPHR NS, “Terminations from Start to Finish”

March 23, 2017

Presenter, Construction Law Seminar

October 06, 2016

Presenter, HRANS Presentation: Law Seminar (New Glasgow), “Medical Marijuana Occupational Health and Safety”

October 05, 2016

Presenter, HRANS Presentation, “Constructive Dismissal”

September 20, 2016

Co-presenter, FAN – The Start Ups Guide to Avoiding Human Resources Hell, “Lesson 1 – Employment Agreement”

June 14, 2016

Presenter, HRANS Presentation: Law Seminar (Wolfville), “Medical Marijuana Occupational Health and Safety”

April 18, 2016

Presenter, UCC, 2015

Presenter, HRANS Presentation, “Accommodating Family Status”

February 20, 2015

Presenter, HRANS Presentation: Law Seminar, “Terminating the Poor Performer Substances in the Workplace”

November 04, 2014

Presenter, HRANS Presentation – Annual Law Seminar

March 20, 2014

Presenter, Atlantic Canada Construction Labour Relations, Hot Topics in Employment, May 2012

Co-chair, HRANS Law Day, 2012

Presenter, HRANS Association of Nova Scotia “Hot Topics in Employment Law”

May 29, 2012

Presenter, “Electronic Surveillance in the Workplace”, Canadian Bar Association Labour and Employment Section and Privacy Section, 2011

Facilitator, HRANS Law Day, 2011

October 31, 2011

Presenter, “Facing the Facebooker: How to Effectively Address the Workplace Legal Issues Raised by Social Networking Sites”, HRANS Smart HR Atlantic Conference, 2009

Presenter, “Understanding Undue Hardship”, Meeting your Duty to Accommodate: Keeping up with New Regulations and Improving Workplace Productivity, INFONEX, November 2007

Presenter, “Drug Testing”, Canadian Manufacturers & Exporters Nova Scotia, 2007

Presenter, “Critical Issues in Employment Law”, Workplace.ca, A Division of the Institute of Professional Management, 2006

Presenter, “Privacy Regimes at Home and Abroad: How to Balance Competing Regulatory Frameworks”, Canadian Corporate Counsel Association (CCCA) National Spring Conference, 2005

Presenter, “How to turn Lemons into Lemonade through HR Investment: It’s not only ‘Good HR’, it’s the Law”, Atlantic Human Resources Conference, 2005