

## Clarence Bennett, K.C.

### Partner

---



501-140 Carleton Street  
Fredericton, N.B.  
E3B 3T4

Phone: +1.506.444.8978

Fax: +1.506.444.8974

[cbennett@stewartmckelvey.com](mailto:cbennett@stewartmckelvey.com)

Language(s) spoken: English

Bar Admission(s): New Brunswick, 2005;

Ontario, 2022

Legal Assistant(s): [Francine Bradbury](#), [Hannah Sullivan](#), [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

---

Education

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

## Education & Career

---

### 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 – present)

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

---

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

---

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