

# Michelle A. Willette

she/her

**PARTNER**

**ST. JOHN'S**

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## PRACTICE AREAS

Employment & Labour • Administrative

## BIOGRAPHY

Michelle was admitted to the Newfoundland and Labrador Bar in 1999, having completed her education at Memorial University of Newfoundland (B.Comm., 1988) and Dalhousie University (LLB, 1998).

Michelle practices primarily management-side labour and employment law, acting on behalf of provincially and federally regulated employers. She represents private corporations and institutions, providing advice with respect to collective agreement negotiation and interpretation; employment contracts; employee terminations; labour standards; and human rights issues. She has appeared before various administrative tribunals and before all levels of court in the Province.

## INDUSTRY RECOGNITION & AWARDS

- Listed as a leading practitioner by the publication *The Best Lawyers in Canada* for her practice in the areas of Labour & Employment Law.
- Recognized by the Canadian Legal Lexpert Directory as a leading practitioner in Employment law and Labour law.

## LANGUAGES

- English

## LAW SOCIETY MEMBERSHIPS

- Canadian Bar Association
- Law Society of Newfoundland & Labrador

## BAR ADMISSION

- Newfoundland and Labrador (1999)

## LAW SCHOOL

- Dalhousie University

## EDUCATION

- Memorial University of Newfoundland (B.Comm., 1988)
- Dalhousie University (LLB, 1998)
- Certified Workplace Investigator, Bernardi Human Resource Law LLP (August, 2019)

## PUBLICATIONS

- Temporary Lay-off Period Extended in Newfoundland and Labrador
- Newfoundland and Labrador's COVID-19 Response – Information for Businesses
- Employee Refusals to Work: Employer Rights and Obligations under OHS Legislation
- COVID-19 Public Health Measures and Essential Services in Atlantic Canada
- COVID-19 – How Employers Can Manage the Workplace in These Uncertain Times
- How to Prepare for Coronavirus in the Workplace
- Workplace Investigations: Navigating Respectful Workplace Policies
- #MeToo and Your Corporate Culture

## LECTURES & PRESENTATIONS

- Co-Presenter, St. John's Board of Trade: Employment Law and COVID-19: Returning Employees to Work and Recent Labour Standards Act Amendments, June 2020
- Co-Presenter, Business and Arts NL: Navigating Contracts During COVID-19, May 2020
- Co-Presenter, National Webinar – Advocates for Employers of Canada: COVID-19, April 2020
- Presenter, Client Presentation: OHS Amendments and Respectful Workplaces, March 2020
- Panelist, CACE: #What's Next?, September 2019
- Panelist, Lancaster House Audio Conference: After #MeToo, Now What? Victims' rights, procedural fairness, and reputational risk, June 6, 2019
- Moderator, Regional Cox & Palmer Webinar: Workplace Investigations: Navigating Respectful Workplace Policies, May 2019
- Co-Presenter, Regional Cox & Palmer Webinar: Crisis Planning: Mitigating Risk Under Pressure, February 2019
- Co-Presenter, Labour & Employment Breakfast Seminar: #MeToo and Your Corporate Culture, October 2018
- Presenter, Atlantic Universities and Colleges Human Resources Association Conference, October 2018
- Presenter, Automobile Dealers Association AGM: Cannabis in the Workplace, June 2018
- Co-Presenter, Regional Webinar: Getting Down in the Weeds: Cannabis in the Workplace, May 2018
- Co-Presenter, Labour & Employment Breakfast Seminar: Managing Mental Health Issues in the Workplace, November 2017
- Co-Presenter, Newfoundland & Labrador Construction Association: Drugs and Alcohol Testing, September 2017
- Co-Presenter, International Personnel Managers Association of Canada, June 2017
- Co-Presenter, Client Seminar: Managing Mental Health in the Workplace, May 2017
- Co-Presenter, Labour & Employment Breakfast Seminar: Drug & Alcohol Testing: Part 2, November 2016
- Co-Presenter, Labour & Employment Breakfast Seminar: Drug & Alcohol Testing: Part 1, October 2016
- Co-Presenter, Labour & Employment Breakfast Seminar: Gender Expression, Gender Identity, October 2015
- Co-Presenter, Newfoundland & Labrador Employers' Council Case Law Update: Duties and Obligations of Employers in Termination, May 2015

- Co-Presenter, Labour & Employment Breakfast Seminar: Employment & Labour Hot Topics Panel, May 2015
- Co-Presenter, Grant Thornton Seminar for Charities and Not-for-Profits: Constructive Dismissal, November 2014
- Co-Presenter, CACE: Cross Canada Employment Law Check-Up, September 2014
- Presenter, Client Presentation: Duty to Accommodate, August 2014
- Presenter, Client Presentation: Terminations 101, June 2014
- Panelist, Law Society of Newfoundland and Labrador: Issues in Employment and Labour Law, November 2013
- Co-Presenter, Labour & Employment Breakfast Seminar: WHSCC Claims: Legal Obligations & Practical Advice, October 2013
- Co-Presenter, Labour & Employment Breakfast Seminar: WORK IT OUT: Current Legal Issues Facing Today's Employers, May 2013
- Presenter, Client Seminar: Labour Relations Training, May 2013
- Presenter, Client Presentation: Labour Law Workshop, September 2012 and February 2013
- Presenter, Newfoundland & Labrador Association of Directors of Education Conference: Bringing Employees Back to Work, December 2011
- Co-Presenter, Labour & Employment Breakfast Seminar: Working Together (Again): Bringing employees back to work, November 2011
- Presenter, Canadian Bar Association (Newfoundland and Labrador Branch), Annual General Meeting CLE: Employment Law and the Purchase and Sale of a Business, July 2011
- Presenter, Association of Treasurers of Religious Institutes, Halifax: Managing Change in the Workplace. September 2010
- Co-Presenter, Labour & Employment Breakfast Seminar: Social Media in the Workplace. September 2010
- Co-Presenter, Managing a Changing Workplace, Legal Issues Confronting Managers, May 2010
- Co-Presenter, Workplace Restructuring, April 2010
- Co-Presenter, Labour & Employment Breakfast Seminar: Brace Yourself. H1N1: The legal issues confronting human resource managers. November 2009
- Presenter, Newfoundland & Labrador Employers Council Workshop: Discipline & Dismissal for Cause. April 2009
- Presenter, Canadian Manufacturers & Exporters Association Workshop: Workplace Policies. March 2009
- Presenter, Cox & Palmer Seminar: Harassment in the Workplace Case Law Review

## **PROFESSIONAL ACTIVITIES & AFFILIATIONS**

- Member, Canadian Association of Counsel to Employers (CACE) (2006 – )
- Board of Directors, Canadian Association of Counsel to Employers (CACE) (2013-2015)
- Member, Newfoundland and Labrador Employers Council
- Chair, Labour and Employment Section of the Canadian Bar Association, Newfoundland and Labrador Branch (2007-2008; 2008–2009 and 2010-2011)

## **ACTIVITIES WITHIN FIRM**

- Regional Chair, Labour & Employment Practice Group (2014 – 2016) (2019 – 2021)
- Co-chair, Regional Gender Diversity Committee (2018 – 2020)

## **COMMUNITY AND VOLUNTEER ACTIVITIES**

- Board Member, Child & Youth Advocacy Centre (August 2020 – )
- Vice-chair, Iris Kirby House (October 2018 – )
- Board Member, Iris Kirby House (September 2016 – )

- Board Member, Learning Disabilities Association of Newfoundland and Labrador (October 2011-December 2016)
- Board Member, Peter's Foundation (2007-2013)
- Past Member, Marketing & Communication sub-committee of the Newfoundland and Labrador Employers' Council
- Past Board Member, Teachers on Wheels adult literacy organization (1999-2005)