

Patricia M. Gallivan, QC

Patricia is a senior member of our Labour and Employment Law Group with extensive experience in all facets of labour relations, employment and human rights law.

Patricia spent two years as Legal Assistant to the Chairman of the British Columbia Labour Relations Board before entering private practice. Patricia acts as counsel and provides strategic and tactical advice to the firm's corporate and institutional clients emphasizing preventative aspects of labour and employment law in order to minimize the potential for problems in these areas.

Patricia's practice includes collective agreement negotiations as well as appearing as counsel on behalf of Employers at arbitration, and before the Provincial and Federal Labour Relations Board, Human Rights Tribunals and the courts.

Patricia was appointed Queen's Counsel in 2000.

Recognition And Ranking

- *Chambers Global*: recognized in the Employment & Labour (Canada) category
- *Who's Who Legal Canada 2011*: recognized for management labour & employment law
- 2009 Lexpert Zenith Award: recognized as a leading woman lawyer for her outstanding contribution to the practice and business of law
- *Canadian Legal Lexpert Directory*: repeatedly recommended as a Leading Practitioner for employment (management), labour (management) and workplace human rights law
- *Best Lawyers in Canada*: recognized for labour and employment law
- *Practical Law Company Which Lawyer*: recommended for labour and employee benefits
- *Expert Guides*: recognized as a leading lawyer in the area of labour and employment
- *Guide to the World's Leading Women in Business Law*, recognized as a leading lawyer in the area of labour and employment
- *Martindale-Hubbell International Law Directory*: BV Peer Review rated

Professional Activities

- Canadian Association of Counsel to Employers (CACE), Director
- Canadian Bar Association (BC Branch) (Labour Law, Employment Law, Human Rights Law, Freedom of Information & Privacy Law Subsections), Member
- Human Resources Management Association of British Columbia, Member
- Management Rights Journal, Federated Press, Former Editor-in-Chief and Contributing Editor
- Frequent lecturer at client seminars as well as guest speaker programs sponsored by such groups as Human Resources Management Association of British Columbia, Lancaster House Publishing and Canadian Legal Education Society



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Practices

- Labour and Employment

Patricia M. Gallivan, QC (Cont.)

Community Activities

- South Coast British Columbia Transportation Authority Police Board, Member
- West Vancouver Police Board, Member (2002-2008)
- Vancouver Neurological Centre, Former Director

Bar Admissions

- British Columbia (1977)
- Queen's Counsel (2000)
- Northwest Territories (2008)

Education

- Loyola College (B.A., 1972)
- Dalhousie University (LL.B., 1976)

Experience

- Acting as chief spokesperson for first and subsequent collective agreement negotiations in both the Federal and Provincial Sector in such diverse industries as: transportation, forestry, manufacturing, mining, film and retail
- Representing employers on significant Labour Relations Board decisions including decisions with respect to the appropriateness of the bargaining unit and management exclusions
- Representing employers in labour relations matters in both the Provincial and Federal sector including certifications, unfair labour practice complaints, decertification's, strikes, lockouts and picketing
- Acting for clients faced with labour disruption including strike contingency planning; strike replacement challenges and injunctions
- Providing strategic and tactical employment advice to management with respect to the negotiation of employment contracts and the development and implementation of workplace policies on such diverse matters as drug and alcohol and privacy
- Providing advice to employers on human rights matters including the duty to accommodate: investigating human rights and workplace harassment complaints
- Providing labour and employment advice on corporate transactions, reorganizations, downsizings and closures
- Acting as counsel in Labour Relations Board, arbitration, Human Rights Tribunal and on privacy matters

Conferences

- "Labour Relations Update for Unionized Employers", (June 14, 2011)
- "Drugs and Alcohol in the Workplace", (October 30, 2008)
- "Duty to Accommodate", (June 21, 2007)
- Bargaining in the Broader Public Sector and Labour Arbitration Conference, Lancaster House, (December 11, 2006)
- "Drug and Alcohol Testing", (June 21, 2006)



News / Publications

- Lawson Lundell Recognized in Chambers Global 2012, (March 19, 2012)
- Labour & Employment Law Bulletin, (November 8, 2011)
- Labour & Employment Bulletin: Federal Elections – Employee Voting Time Entitlement and Company Computers and the Employee’s Expectation of Privacy”, (April 29, 2011)
- Labour & Employment Bulletin: Minimum Wage Increase and Changes to Temporary Foreign Worker Regulations, (March 18, 2011)
- Labour & Employment Law Bulletin: Court of Appeal finds Attendance Management Program Discriminatory, (October 20, 2010)
- “What if you Suspect the Disability Claim to be False? A Guide to Fair and Proper Investigations”, *Insight Information Co., Duty to Accommodate*, (2005), Co-author
- “Employer Investigations: Legal and Practical Issues”, *Continuing Legal Education Society, Labour Arbitration*, (June 2004), Co-author
- “The Critical Elements of an Effective Investigation of Employee Misconduct”, *Insight, Western Region Labour Relations*, (February 2004), Co-author
- Overview of Amendments to the B.C. Employment Standards Act and Regulations, (November 26, 2002)
- “Beyond Wallace: The Ongoing Impact of the Supreme Court of Canada’s Decision on Dismissals from Employment”, *Management Rights Journal*, Vol. V, No. 1, pp. 238 – 255, (2002), Co-author
- “The Employer’s Duty of Good Faith: New Developments Since Wallace”, *The Canadian Institute, Western Canada’s Advanced Forum on Employment Law*, (November 2001), Co-author
- “The Termination of Disabled Employees: Termination and Accommodation Issues”, *Insight, Employee Terminations*, (October 2001), Co-author
- “What Not to Ask, A Human Rights Guide to Pre-Employment Inquiries”, (May 2000), Co-author
- “Collective Agreement Language”, *Continuing Legal Education Society, Collective Bargaining*, (1991), Co-author
- “Practice and Procedure Under the Human Rights Act (Federal)”, *Continuing Legal Education Society, Employment Law and Practice*, (November 1989)
- “Human Rights (British Columbia)”, Co-author
- Numerous unpublished papers presented at client seminars and to such groups as the Human Resources Management Association of British Columbia, *Topics include wrongful dismissal, preparing and presenting a case for arbitration, collective agreement negotiations, interpretation of health and welfare language, culpable and non-culpable discharge and other general issues in labour relations.*

