

**MICHELLE S. HENRY**

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**BAR ADMISSION AND EDUCATION**

**2003**            Called to the Bar, Law Society of Upper Canada  
**2002**            Juris Doctor, Faculty of Law, University of Toronto,  
**1999**            Masters of Arts (English), University of Toronto  
**1998**            Honours Bachelor of Arts, with High Distinction, St. Michael's College, University of  
Toronto

**PROFESSIONAL EXPERIENCE**

**Borden Ladner Gervais LLP, Toronto Office**

- **October 2013 to Present**            **-Partner**
- **2010-March 2012**                    **-Partner**
- 2003-2009                                -Associate
- 2002-2003                                -Articling Student
- 2001                                         -Summer Law Student

**Labour and Employment Law**

- Represent employers in employment-related litigation, including wrongful and constructive dismissal actions, unjust dismissal complaints, mediations, injunctions pertaining to restrictive covenants, and administrative proceedings.
- Advise employers and human resources teams on various employment-related matters, including workplace restructuring, employment contracts, employee terminations, discipline, workers' compensation, occupational health and safety matters, employment standards, and workplace policies and procedures.
- Advise and assist clients in identifying and managing labour and employment-related risks associated with business decisions and/or changing business needs. Work with clients in assessing and determining long-term goals and strategies and their impact on labour and employment issues.
- Advise and act on behalf of employers in collective bargaining, grievance arbitrations, strikes and lockouts, and injunction proceedings during strikes. Advise and act on behalf of employers in matters before the Ontario Labour Relations Board and Canada Industrial Relations Board, including union campaigns, union certification applications, unfair labour practice applications, sale of a business and/or related employer applications, appeal of inspectors' orders, and unlawful reprisals applications.

**Human Rights Law**

- Represent companies in human rights litigation before federal and provincial Tribunals both in

respect of allegations relating to discrimination in employment and the provision of services.

### **Independent Investigation**

- Conduct and manage investigations for both private and public sector clients into allegations of harassment, sexual harassment and discrimination both in employment and in the provision of services.
- Conduct investigations relating to Disclosures under the *Public Servants Disclosure Protection Act*.
- Provide training to clients on conducting workplace investigations.

### **Education Law**

- Advise and act on behalf of school boards, independent schools and Colleges in various matters, including labour matters, development of policies and protocols, with respect to court actions and applications, privacy law matters, and issues pertaining to human rights.

### **Commercial Transactions**

- Provide advice in M&A transactions, including reviewing purchase and sale agreements, negotiating changes to agreements, and coordinating due diligence for labour, employment, and benefits related matters.

### **April 2012-September 2013 Corporate Counsel, Federal Express Canada Ltd.**

- Provide business teams with legal support in respect of employment-related matters, commercial litigation matters, and regulatory matters to ensure compliance with various legislative requirements, including the *Canada Labour Code* and its Regulations.
- Represent FedEx Express in external forums, commercial litigation, regulatory matters, government investigations, and employment-related litigation, including wrongful dismissal actions, unjust dismissal complaints, human rights complaints and mediations.
- Advise management on various employment-related matters, including workplace restructuring, employment contracts, employee terminations, discipline, workers' compensation, occupational health and safety matters, and employment standards. Advise management in respect of any union campaigns and labour matters.
- Facilitate workshops and management training on various regulatory and employment-related issues and policies.
- Manage company litigation and instruct outside counsel on litigation matters.

### **OTHER LEGAL AND WORK EXPERIENCE**

**2016-Present**                      **Black Business Law Clinic** - co-founder and volunteer lawyer

**2003 & 2007**                      **Loblaw Companies Limited** - Secondments to provide legal support on labour and employment matters

- 1999-2002**            **African Canadian Legal Clinic** - student volunteer and summer fellowship in 2000 through Pro Bono Students Canada
- 2001**                    **ARCH Disability Law Centre** - summer fellowship through BLG
- 2000-2001**            **Downtown Legal Services (University of Toronto Clinic)** - student volunteer
- 1997-1999**            **Canada Border Services Agency** - Border Services Officer, Commercial Operations Division (Summer Student)

### **PROFESSIONAL AND COMMUNITY ACTIVITIES**

- 2019-Present**            Appointed Member of the Federal Judicial Advisory Committee (GTA)
- 2019-Present**            Board of Directors, George Brown College Foundation
- 2016-Present**            Appointed Co-Chair of the University Tribunal (Trial Division) of the University of Toronto
- 2014-Present**            Ontario Bar Association Council Member: Chair of the Pro Bono Subcommittee (2016-2018); Toronto Regional Director (2018-2019)
- 2011-Present**            Board of Directors, LOFT Community Services; Vice-Chair 2014-2020
- 2002-Present**            Past Board Member and Professional Development Committee Member and Mentor of the Canadian Association of Black Lawyers
- 2003-Present**            Speaker and Faculty member at various labour and employment seminars and workshops, including CABL, Lancaster House, Osgoode Hall Professional Development Program, Law Society of Ontario, and the Ontario Bar Association

### **AWARDS, RECOGNITIONS, AND PUBLICATIONS**

- Named one of the 100 Accomplished Black Canadian Women (2020)
- Recognized in the 2020 edition of Best Lawyers in Canada (Labour and Employment)
- Recognized in the 2020 edition (and since 2018) of The Canadian Legal Lexpert® Directory (Workplace Human Rights)
- 2019 Lexpert Zenith Award, celebrating Change Agents in Law.
- Ann Wilson and Robert Prichard Award at the University of Toronto for significant contribution to the legal profession and community service.
- 2017 Lexpert Zenith Award, celebrating the advancement of women in the legal profession.
- Nominee in Canadian Lawyer's 2017 Top 25 Most Influential Lawyers
- Co-authored *Dismissals in the Unionized Workplace*, published by Carswell.