

KYLE LAMBERT



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Kyle is an accomplished employment lawyer and successful construction dispute resolution counsel. In his employment practice, Kyle assists businesses with a wide array of workplace concerns, including drafting contracts, resolving workplace disputes, and managing investigations. Kyle specializes in working with federally regulated employers and has extensive knowledge of requirements under the *Canada Labour Code*, *Work Place Harassment and Violence Prevention Regulations*, and *Pay Equity Act*. Kyle works frequently with organizations in a variety of sectors, including banking, aviation, and telecommunications.

Kyle's dispute resolution practice focuses on the construction and infrastructure sectors. Kyle has extensive experience in representing owners and builders in complex, multi-faceted disputes and proceedings. Kyle has represented both Canadian and multinational businesses in complex international and domestic arbitrations, in domestic litigation, and in adjudication proceedings under the *Construction Act*. Kyle has also gained broad experience in assisting businesses implicated in public commissions of inquiry, including responding to

summons and participating in inquiry hearings.

Email: kyle.lambert@mcmillan.ca

Expertise: Aviation, Banking & Finance, Construction & Infrastructure, Employment & Labour Relations, Litigation & Dispute Resolution

LinkedIn: <https://www.linkedin.com/in/kyle-lambert-241315a/>

Location: Ottawa

Phone: 613.691.6117

Position/Title: Partner, Litigation & Dispute Resolution | Employment & Labour Relations

Community Involvement:

- Director and Corporate Secretary, Ottawa Symphony Orchestra

Directorships & Affiliations:

- Carleton Counsel Law Association
- Canadian Association of Counsel to Employers

Publications:

- "[The Skeptical Arbitrator, Claims of Bias, and the Search for Truth: *Dufferin v. Morrison Hershfield*](#)," Co-authored with Jason Annibale, Canadian College of Construction Lawyers - Legal Update, L.U. #164 (October 8, 2023)
- "Ontario Superior Court of Justice Opines on Federal Termination Obligations," LexisNexis Labour Notes®, January 15, 2021
- "Ontario Court of Appeal Comments on Service and Notice Calculation in the Context of an Asset Purchase Transaction", Employment and Labour Law Reporter (September 2020)

Education & Admissions:

Degree: Called to the Ontario bar

Year: 2013

Degree: JD

University: Queen's University

Year: 2012

Degree: B.Soc.Sc. (Honours)

University: University of Ottawa

Year: 2006

Media Mentions:

- "[Federal Employees Return to Office](#)," CTV News (September 7, 2024)
- "[What are the top legal challenges for construction in 2024?](#)" by Angela Gismondi, Daily Commercial News (April 24, 2024)
- "[Legal Notes: Ontario court overturns arbitrator's use of 'his own mind'](#)", by John Bleasby, Daily Commercial News (August 31, 2023)
- "[How recent Canada Labour Code updates are impacting federally regulated employers](#)" by Julius Melnitzer, Benefits Canada (August 23, 2023)
- "[What employers should know about election time](#)", by John Dujay, Canadian HR Reporter (April 26, 2022)
- "[Federal employers shouldn't change employment entitlements during notice period: court](#)," By Julius Melnitzer, Benefits Canada (February 5, 2021)
- "Stop Finding Ambiguity Where There Is None — Ontario Court of Appeal Adds to the Law of Termination Clauses", Employment and Labour Law Reporter (August 2018)

Rankings & Recognition:

- Law Society of Upper Canada Award and Osgoode Society Award of Excellence for achieving academic standing among the top 10% of his law school class.

Speaking Engagements:

- Pay Equity Audits, Enforcement Orders and Monetary Administrative Penalties – What Can Employers Expect?, Implementing Federal Pay Equity Requirements, Virtual Course
- April 12, 2022

- Implementing Demanding New Harassment and Violence Prevention Regulations. What Should You, the Employer, Have Completed by Now? at Preparing for Further Changes to the Canada Labour Code, Virtual conference, Co-speaker with Marie-Eve Jean

- March 16, 2021

- Preparing for Further Changes to the Canada Labour Code, Virtual conference, Co-Chair with Dianne Rideout

- March 16 - 17, 2021

- Canada Labour Code or Provincial Legislation. What Law Applies?, Workshop at Preparing for Further Changes to the Canada Labour Code, Virtual conference

- March 15, 2021

Representative Matters: Selected Cases

- [Segura Mosquera v. Rogers Communications Inc., 2020 ONSC 6024](#)
- Lead counsel for an aviation industry entity in a multi-proceeding dispute against a former employee
- Counsel in shareholder oppression and winding up action under the Ontario Business Corporations Act
- [Dustbane v. Gifford, 2015 ONSC 1036](#)
- [Oracle Canada ULC v. Department of Public Works and Government Services \(CITT, PR-2014-019\)](#)
- [CGI Information Systems and Management Consultants Inc. v. Canada Post Corporation \(CA CITT, 2014\)](#)

Arbitration

- Represented a multinational energy and infrastructure entity in a complex arbitration relating to the construction of a major infrastructure project
- Acted as counsel in an arbitration related to the termination of a leading non-governmental organization executive
- Acted as counsel on behalf of a municipality in an arbitration against a telecommunications provider relating to the sale of public infrastructure

Selected Transactions

- Acted for Auryn Resources Inc., a TSX and NYSE American listed company, completed an approx. \$350 million comprehensive reorganization transaction
- Acted for U.S.-based private equity fund in its acquisition of a series of Canadian auto supply companies
- Acted for Canadian private equity fund in its acquisition of group of companies providing for virtual data

rooms and platform for secure document sharing

- Acted for US private equity fund in series of Canadian based acquisition transactions
- Acted for Canadian private equity fund in series of acquisitions of a food service and manufacturing company

Industries: Aviation, Banking & Finance, Construction & Infrastructure

Practices: Employment & Labour Relations, Litigation & Dispute Resolution