



Kelly Nicholson, Partner / Privacy and Data Protection Officer

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Overview

Kelly Nicholson combines deep knowledge of labour and employment law with hands-on experience conducting investigations, making him a valuable asset to employers.

As a member of our Calgary Labour + Employment Group and the firm's Privacy Officer, Kelly advises private and public-sector clients on all aspects of the employment relationship. His experience includes recruitment, discipline and termination, wrongful dismissal claims, privacy matters, human rights complaints, disability and insurance issues, interpretation and enforcement of non-competition and confidentiality agreements, contract negotiation, policy development, benefit and incentive plan management, executive compensation, collective agreement interpretation and arbitration, and alcohol and drug testing. Kelly also regularly advises police services and other law-enforcement agencies throughout the province on various matters including policy development and implementation, public complaints, internal investigations, police discipline and termination, collective agreement negotiation, and grievance arbitrations.

Beyond his advisory role, Kelly has successfully led investigations into a wide array of workplace issues including bullying, discrimination and harassment. His ability to navigate complex legal landscapes is enhanced by his completion of formal training in the conduct of workplace investigations offered by the Workplace Institute, which equips him with advanced techniques for handling sensitive investigations effectively and empathetically. This training, combined with his comprehensive legal background, allows Kelly to offer nuanced guidance that respects both the procedural and human aspects of workplace investigations.

Kelly has represented clients before a wide range of adjudicative bodies in Canada, including labour and employment arbitration panels, the Alberta Court of King's Bench, the Alberta Court of Appeal, the Supreme Court of Canada, the Alberta Labour Relations Board, the Board of Reference, the Alberta Human Rights Commission, the Alberta Law Enforcement Review Board, and the Office of the Information and Privacy Commissioner.

Kelly is a veteran speaker at legal conferences and seminars, and he makes frequent presentations to clients, lawyers, and the public on privacy, policing, education, and employment law matters. He also regularly contributes articles to a variety of publications in the areas of privacy, employment, education law, and human resources.

Industries

Law Enforcement
Education
Emerging Technology

Services

Labour + Employment
Litigation
Privacy + Data Management
Workplace Investigations
Workplace Human Rights

Education

University of Saskatchewan, 1997,
Juris Doctor With Distinction
University of Victoria, 1991, Master
of Arts With First Class Standing
University of Regina, 1990, Bachelor
of Arts With Honours

Admissions

Alberta, 1998
Saskatchewan, 1998

Outside the Office

Kelly is an avid runner and climber in his spare time.

Experience

Renfrew Insurance Ltd. v. Donald, 2012 ABQB 228

Calgary School District No. 19 v Alberta Teachers' Association, 2017 CanLII 10820 (AB GAA)

Alberta Teachers Association v Calgary Roman Catholic Separate School Division No. 1, 2016 CanLII 97764 (AB GAA)

Alberta Teachers' Association v Information and Privacy Commissioner, 2014 ABCA 432

Jayman Masterbuilt Inc. (Re), 2011 CanLII 97926 (AB ESU)

AM Inspection Ltd. v. Chizen, [2007] A.J. No. 626, Alberta Court of Queen's Bench

Calgary (City) Police Service v. Edmonton (City) Police Services, [2007] A.J. No. 1549, Alberta Court of Queen's Bench

Warren v. West Canadian Industries Group Ltd., 2007 CarswellAlta 1282, Alberta Human Rights and Citizenship Commission

Whitford v. Agrium Inc., 2007 ABCA 109, Alberta Court of Appeal

Whitford v. Agrium Inc., [2006] A.J. No. 1235, Alberta Court of Queen's Bench

Professional

Calgary Bar Association

Member

Canadian Bar Association

Member

Law Society of Alberta

Member

Law Society of Saskatchewan

Member

Community

Alberta Association of Chiefs of Police

Recognition

Labour and Employment Law, The Best Lawyers™ in Canada: 2020 - 2025

Employment + Labour: Alberta, Chambers and Partners: 2021 - 2025

News + Views + Events

June 12, 2024

[Legal Considerations for Employee Off-Duty Conduct](#)

February 2024

[2023 - A Year in Review: Labour + Employment \(Part 2\)](#)

February 2023

[2022 - A Year in Review: Labour + Employment \(Part 2\)](#)

August 17, 2022

[Employment Law Fundamentals](#)

February 24, 2022

[2021 - A Year in Review: Labour + Employment \(Part 2\)](#)