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LABOUR & EMPLOYMENT

PROFILE

MICHAEL SHERRARD, labour and employment specialist, spends a lot of time getting to know his clients' business

By Norman MacInnes
Toronto

Whether by spending time in a retail store or donning hard hat and steel-toed boots to tour a steel mill or an automotive parts plant, Toronto labour and employment specialist Michael Sherrard invests a lot of non-billable time up-front getting to know his clients' business.

Sherrard and partner Erin Kuzz started up Sherrard Kuzz LLP, a labour and employment law boutique representing employers, in October 2001.

We "spend time trying to understand the business side of things as opposed to just how our legal advice is supposed to be used," says Sherrard. "And we've been very successful in using that knowledge to improve our advice to the clients. For example, we tell our clients in the retail sector, 'if we can help you keep your employees happy, that

will improve the shopping experience and the shoppers will come back to your store.' We focus on 'how do you retain the talent? How do you reduce turnover?'

"We're trying to set ourselves apart by seeking long-term partnerships with clients. One of the keys to doing that is to show the clients that we're going to invest a lot of time free of charge at the front end — it's not just going to be 'the billable clock is now on.'

"We say, 'we'd love to have a long-term relationship, so our lawyers will spend time with you to get to know you, to get to know your needs.' And I really sell the idea that we will never say 'no' or 'you can't' to a client. We will try to find a way to get to the solution the client wants."

Sherrard Kuzz has developed a special focus on three sectors — retail, automotive parts and construction. The firm decided to concentrate on those sectors for two reasons, said Sherrard: "(1)



As individuals, we have had good success with clients in those fields, and (2) there's an institutional knowledge that you build that starts to become a benefit to the clients in each of those sectors. So, when a client talks about a retail store issue, we're able to bring added value to our advice because we've spent a significant amount of time with other retail clients. Likewise in the automotive parts sector."

It really pays to get to know the key players in the construction sector, says Sherrard. "You must be aware of the different

trades and personalities involved."

A native of Fredericton, Sherrard graduated from the University of New Brunswick with both a Bachelor of Education degree and an LL.B. He taught high school and junior high school for one semester each before heading off to law school.

He had always planned to go into law, but "I had in the back of my mind that if law wasn't it, the next career that I would enjoy would be teaching.

"And I get a lot of opportunity in my day-to-day practice to use teaching skills," says Sherrard. "We as a firm use those skills. We spend a lot of time doing seminar work with clients. We meet with supervisors or managers to talk about employment practices. There's a real value in being able to convey information in a practical manner, so that the supervisors and managers walk out of those meetings and are actually able to apply the skills that we're trying to help with."

After graduating from law school in 1990, Sherrard headed to Toronto to article with Hicks Morley Hamilton Stewart Storie.

Called to the Ontario Bar in 1992, he practised for about a year at Emond Harnden, "the largest labour and employment law firm in Ottawa," before joining Stringer Brisbin Hum-

phrey, a Toronto labour and employment boutique.

Sherrard moved to Ogilvy Renault in April 1997, getting in on the ground floor of the national full-service law firm's rapid Toronto expansion.

"I enjoyed my time at all three firms and benefitted from all three experiences," says Sherrard. "All three have leading labour and employment law practitioners."

He left Ogilvy Renault to help start up Sherrard Kuzz because he believed that there was room in Toronto for another speciality firm. He and partner Erin Kuzz, who share a similar philosophy of proactive practice, welcome the opportunity to develop a firm personality. "Clients come to us because we will spend a lot of time getting to know them and we are down to earth."

An advantage of being at a smaller firm, he says, is being able to make his own calls based on the needs of clients. As well, a small firm is often able to make decisions more quickly.

Starting initially with just the two partners, Sherrard Kuzz has since added two lawyers and plans to add two more by the fall of 2002. Sherrard expects the firm to continue to expand "to meet our current clients' needs"

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Employment law growing

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and says he has no optimum size in mind. "I haven't been with a firm yet that says 25 lawyers is optimum or 100 is optimum. It will be a measure of what our clients' needs are."

About 70 per cent of Sherrard Kuzz's practice is labour law and about 30 per cent employment law. "We're known as labour lawyers, but we're trying to market our employment services," says Sherrard. "If you

talk to any labour and employment firm in Toronto, I think you'll find that there's a growing percentage of employment work compared to, say, five years ago.

"The unionized sector in Canadian economy looks like it is shrinking, but not dramatically. What has been dramatic is the the growth in the complexity of employment relationships. The number of issues that are coming up seem to be growing, particularly compared to issues relating to unionized workplaces."