



## firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at [www.mcmillan.ca](http://www.mcmillan.ca).

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## executive compensation

### overview

Executive compensation is no longer all about annual salary and bonus. It now often includes unique pension plans, stock options, deferred income and/or customized benefit plans.

On the one hand, this flexibility can be used as a competitive advantage to help attract the best possible talent to a strategic position in your organization. At the same time, however, activist shareholders are putting increasing pressure on publicly-traded companies and their boards to assume greater accountability for executive compensation packages. And if an executive does not work out as planned, employers need to minimize the risks associated with a high-profile departure.

McMillan's Employment and Labour Relations Group helps boards and executives navigate this sensitive area. We deliver a multi-disciplinary approach, bringing together lawyers from other practice areas, such as Tax and Business Services, to deliver solutions that consider all possibilities.

Our focus is on helping you devise an executive compensation approach that attracts the best and brightest to your company, while mitigating your risks. We also provide expert counsel to boards and compensation committees on their duties and obligations to shareholders.

McMillan professionals help clients lead by:

- Creating compensation arrangements for domestic employees and foreign workers
- Counseling on options regarding equity plans, deferred compensation arrangements, pensions and benefits, retirement plans, pay-for-performance, taxation and corporate governance
- Advising on the impact of mergers and acquisitions on executive compensation and employment issues
- Designing compensation packages in anticipation of initial public offerings
- Developing employment contracts, including non-compete, non-solicit, confidentiality and severance agreements
- Ensuring their practices comply with applicable Canadian securities laws