

Breakfast Seminar Series

Labour Arbitration Update: The Year in Review

September 24, 2010

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Your Panel

- Jennifer Birrell – Arbitrator
- J.D. Sharp – Employer Counsel
- Steven Williams – Union Counsel

CASE #1

Duty to Accommodate Safety Issues and Undue Hardship

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- *County of Simcoe Ambulance Service and O.P.S.E.U., Local 911 (Rogers)* (2007), 162 L.A.C. (4th) 289 (Gorsky)
- *Simcoe (County) v. O.P.S.E.U., Local 911* (2009), 189 L.A.C. (4th) 300 (Ontario Divisional Court)
- Leave to Appeal to the Ontario Court of Appeal refused April 12, 2010

CASE #2

Workplace Theft – Use and Admissibility of Video Surveillance at Arbitration

Admissibility of Video Surveillance

- *Chatham-Kent (Municipality) and C.A.W., Local 127 (Jefferson)* (2009), 186 L.A.C. (4th) 394 (Watters)

CASE #3

Pattern of Misconduct Appropriate Disciplinary Steps

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- *Park Place Retirement Residence and U.S.W. Local 8327 (Francis) (2010), 101 C.L.A.S. 394 (Baxter)*

CASE #4

Social Media and Off-Duty Conduct

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- *Wasaya Airways LP and A.L.P.A (Wyndels)* (2010), 101 C.L.A.S. 389 (Marcotte)

Other Recent Developments

- Damages at arbitration
 - *Greater Toronto Airports Authority and PSAC Local 004* (2010), 191 L.A.C. (4th) 277 (Shime)
 - GTAA has filed for judicial review

Questions?