

Minutes of the OLRB Advisory Committee

**September 17, 2009
McCarthy Tétrault Boardroom**

In attendance: Kevin Whitaker – Chair, OLRB
Tim Parker – Director/Registrar, OLRB
Lorne Richmond – Union, Committee Co-Chair
Bridget Lynett – Legal Director, Ministry of Labour
Patrick Moran – Employer
Mark Geiger – OBA Labour and Employment Section
Daryn Jeffries – Employer
Sunil Kapur – Employer
Elizabeth Mitchell – Union
Risa Pancer – Union
Leonard Marvy – Solicitor, OLRB

Absent: Joe Liberman – Employer, Committee Co-Chair
Gail Misra – Union
David Jewitt – Union
Kathleen Stokes – Employer

Lorne Richmond chaired the meeting.

A. FOLLOW-UP FROM LAST MEETING

1. Proposed Certification Application changes to Form and Envelope

There was discussion about the recommendation from the employer members that the Board's certification forms and envelopes include a NOTICE something like:

THIS IS AN IMPORTANT LEGAL DOCUMENT. YOU HAVE TWO (2) DAYS TO RESPOND TO IT AND FAILURE TO RESPOND TO IT WILL RESULT IN LEGALLY BINDING DECISIONS BEING MADE REGARDING YOUR BUSINESS WITHOUT YOUR INPUT.

The union members raised a number of concerns particularly about a requirement to put Notice-stickers on the outside of envelopes. It was decided that a Committee of two (Daryn & either Lorne or Gail) would make a proposal, concerning a change to the certification forms, to the Committee at its next meeting with specific language (and format) for the Board's consideration. There was no agreement on putting the Notice on the outside of the envelope containing the application.

Mark will also bring the issue for discussion to the executive of the OBA Labour and Employment Section and report back at the next meeting.

2. **E-filing**

Tim advised the group that effective January 1, 2010 the Board is planning to pilot the initial stage of providing parties with decisions/notices electronically. He expected to contact a handful of firms to iron out issues such as filters and recipients. Tim will send out a group email highlighting the specifics of the pilot project.

3. **Cumulative Index**

Len advised that seven years of reported OLRB cases (from 1977-1982 and 1989) were now on CanLII and that reported cases from 1983 – 1986 had also been forwarded to CanLII. It is projected that the remainder of the reported cases, 1987 & 1988 and 1990 – 2000, will have been provided to CanLII by the Spring. At that point the Board will be able to work on the ten-year cumulative indices.

B. NEW ISSUES

4. **2010 Meeting Dates**

We will pick the meeting dates for next year at the December meeting, so come prepared with calendars.

5. **New part-time Vice-Chair**

Kevin announced the appointment of Charles Humphrey as a part time Vice Chair.

6. **Future Agenda**

Gail Misra will communicate with members before the next meeting for agenda items (and circulate the agenda prior to the meeting).

C. Future Meetings (for 2009)

December 10 [OLRB 2nd floor]

Meeting adjourned at 6:15 p.m.
Minutes prepared by Leonard Marvy