

**Minutes of the OLRB Advisory Committee
March 4, 2021 (By Video Conference)**

Ontario Labour Relations Board

In attendance: Bernard Fishbein – Chair, OLRB
Ursula Boylan – Deputy Registrar, OLRB
Matthew Wilson – Alternate Chair, OLRB
Lindsay Lawrence – Solicitor, OLRB
Aaron Hart – Solicitor, OLRB
Amy Hadibhai – Ministry of Labour
James Jennings – Ontario Bar Association
Graham Williamson – Union
Steve Krashinski – Union
Laurie Kent – Union
Chris Fiore – Employer
Melissa Kronick – Union
Neil Dzuba – Employer
Ben Ratelband – Employer
Craig Morrison – Union
Keith Burkhardt – Employer

Regrets: Catherine Gilbert – Director/Registrar, OLRB
Marina Schellenberg – Employer

Bernard Fishbein chaired the meeting. Meeting commenced at 5:05

1. New Vice-Chairs

Bernie says recently Maureen Doyle and Neil Keating have been appointed as full-time Vice-Chairs. I can tell you also that we are awaiting approval of 3 more part-time vice chairs.

2. Update on caseload

Ursula 80% of previous year's case load. 204 files directly related to Covid. No significant backlog that we can talk about.

3. In-person hearings

Bernie says as of right now there is no return to in person hearings.

4. E-mail addresses and electronic votes

Bernie says all votes have been proceeding electronically over the pandemic. The early procedure was that employer's were asked to provide the e-mail address to the Board. Early requests by unions for the e-mail addresses were rejected. A decision was issued last week in a case called Mappi where on the facts of that case, the Board issued to the union the e-mail addresses of the union, the Board said that it will look at this on a case by case basis for the Board's processes.

5. Publication of Project Agreements on the Board's website (Keith Burkhardt)

Keith says, I'm not sure what the Board does when a project agreement is sent to the Board and my thought or request that the Board consider posting on their website as they do for accreditation applications. There are public interest considerations and nothing particularly private about the agreement.

Bernie says the litigation over project agreements are not a frequent occurrence at the Board. I'll have to look through those provisions again. I recall that there are notice requirements, the notice is supposed to contain the proposed project agreement. All the feedback we receive is just supposed to be given to the Board if someone contests it then it would be listed like any other litigated file. We'll have to look into it and getting it back.

Bernie says we'll look at why we can't post

6. Other issues (if any)

James Jennings raised issues about less settlement.

Matt says we met with mediators about additional tools and we have sent in Iros in advance of hearings.

Laurie says I just want to raise an issue we've noticed about the A139, we have had some grievance referrals because the A139 doesn't reference the Employer Associations and it is rejected.

Bernie says that even before the pandemic that was addressed with Employer Associations.

James Jennings said on the topic of A-139, we haven't gotten a clear answer on whether RPs have to do it. Bernie says our real concern was insuring that everything done by e-mail was actually getting served. We'll take a look at it to see if we should clarify.

7. Next Meeting Dates

Next meetings will be held June 15, 2021, September 21, 2021

Meeting adjourned at 5:49 pm.

Minutes taken by Aaron Hart.

NEXT MEETINGS SCHEDULED FOR