

## **Minutes of the OLRB Advisory Committee**

**February 23, 2012**  
**Ontario Labour Relations Board**

In attendance: Bernard Fishbein – Chair, OLRB  
Gail Misra – Union, Committee Co-Chair  
Patrick Moran – Employer  
Ben Ratelband – Employer  
Mark Geiger – OBA Labour and Employment Section  
Elizabeth Mitchell – Union  
Craig Morrison – Union [by telephone]  
Daryn Jeffries – Employer  
Paula Turtle – Union  
Eli Gedalof – Union  
Peter Gallus – Director/Registrar, OLRB  
Leonard Marvy – Solicitor, OLRB

Absent: Kathleen Stokes -- Employer  
Joe Liberman – Employer, Committee Co-Chair  
Catherine Gilbert – Deputy Registrar, OLRB  
Bridget Lynett – Legal Director, Ministry of Labour

Bernard Fishbein chaired the meeting.

### **A. FOLLOW-UP FROM PREVIOUS MEETINGS**

There were no follow-up issues.

### **B. NEW ISSUES**

#### **Protocols for Committee members**

1. Bernie advised the members that the Board had to post its consultation policy under *ATAGAA* soon and that there was a gap in their protocols with respect to ensuring rotation, not just in the length of terms but in the potential rotation of firms. The Board asked the two sides to submit their protocols within two weeks taking into account this concern.

#### **Draft Information Bulletin 30 [Agreements re: Adjournment *Sine Die*]**

2. The Board received substantial feedback, particularly about the six month time period on “other applications”. There was strong feedback that it should remain at one year, and that rather than “compelling reasons” being required

### **Information update on OIC Members of the Board**

3. Bernie advised the members that the Board was moving to part-time side persons in an attempt to reinvigorate panels at the Board

### **Information update on s. 50 (OHSA) referrals**

4. Len advised the members that, once the amendments to the Act are proclaimed, (expected April 1), in addition to complainants filing s. 50 complaints, Ministry of Labour inspectors, with the consent of the worker, may also make a referral. Additionally, both direct complaints and referrals will be covered by Rule 41 (Expedited Proceedings).

### **Draft changes to Rule 12 (First Contract) and Rule 19 (Interim Applications)**

5. Len reviewed the draft changes to Rules 12 and 19. There was some feedback about perceived inconsistencies in the application of “consultations” before the Board and for clearer guidelines about its use.

### **Expansion of Current email project to emailing of decisions and notices of hearings to counsel for any file that has a counsel.**

6. Peter advised the Committee of the Board’s intention to expand the use of e-mail for decisions, notices of hearing and other correspondence from the registrar’s office. There was confirmation that this will, for now, only include the sending of material to counsel and their assistants and that counsel will be responsible for distribution to their clients.

### **NEXT MEETING**

Venue? **Thursday, May 31, 2012**

### **2012 MEETINGS**

**Thursday, October 25, 2012**

Meeting adjourned at 7:30 p.m.  
Minutes prepared by Leonard Marvy