

Crown Employees Grievance Settlement Board

ANNUAL REPORT

2023-2024

MESSAGE FROM THE CHAIR

In achieving its commitments, the Grievance Settlement Board continues to provide an effective mediation and arbitration process to the workplace parties. This past year, all hearings, including mediations, were held by video with few exceptions. This resulted in considerable savings to the parties' travel expenses. Our arbitrators returned to the correctional facilities to conduct mediation/arbitrations in what has been colloquially referred to as the "Road Show". I am grateful for the flexibility of the arbitrators as the parties find the balance between using video software and in-person meetings.

In reviewing our statistics, it is apparent that the high success rate of settlement has continued. However, it is an area that we will seek to improve upon.

I am pleased to advise that the entire roster of arbitrators were renewed for another two-year term. While some retirements are anticipated in the next fiscal year, I do not expect any issues in arbitrator availability and expect that we will satisfy the needs of the parties. In this regard, we welcomed four new arbitrators who were recent graduates from the Arbitrator Development Program, a joint effort by the Ministry of Labour, Immigration, Training and Skills Development and the Ontario Labour Management Arbitrators' Association. They are Sara Slinn, Kumail Karmijee, Sarah Atkinson and Heather Ann McConnell. I am confident that these arbitrators will enjoy the collegial environment that exists among the arbitrators.

I remain impressed with the commitment of the staff of the GSB. The parties, their counsel and the arbitrators confidently rely on our staff on a daily basis. The staff, who are in the offices three days per week unless otherwise required, support the efficient scheduling of hearings, billings to the parties, and the overall administration of the GSB. They are to be commended for their dedication to the GSB.

Last year, we recognized an increase to the number of grievances filed with the GSB. We now see these grievances proceeding through the arbitration process. As expected, we have been able to handle the increased caseload. Our arbitrators and staff are committed to the efficiencies that the parties have come to expect from the GSB.

Over the next year, we will monitor (and modify as needed) the utilization of video hearings. With the office space lease expiring in 2025, it will be necessary to discuss the parties' needs for anticipated in-person hearings. We will also continue to refine our processes with respect to the scheduling of hearings to meet the needs of the parties.

We look forward to the challenges ahead.

Matthew Wilson, Chair
June 2024

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1. GSB MANDATE

The Grievance Settlement Board (the "Board") was established by section 20 of the *Crown Employees Collective Bargaining Act, 1972, S.O. 1972, c.67* and is continued by section 46 of the *Crown Employees Collective Bargaining Act, 1993, S.O. 1993, c.38*, as amended by S.O. 1995, c. 1, s. 11-70; [2001, c. 7, s. 16-18](#); [2001, c. 13, s. 13](#); [2002, c. 18, Sched. J, s. 2](#); [2006, c. 19, Sched. D, s. 6](#); [2006, c. 21, Sched. F, s. 136 \(1\)](#); [2006, c. 35, Sched. C, s. 23](#); [2006, c. 35, Sched. D, s. 1-3](#); [2008, c. 14, s. 51](#); [2009, c. 34, Sched. J, s. 27](#); [2016, c. 37, Sched. 6](#); [2017, c. 8, Sched. 6](#); [2017, c. 14, Sched. 4, s. 11](#).

Section 47 (1) provides that: The Grievance Settlement Board shall be composed of the chair and one alternate chair. 2017, c. 8, Sched. 6, s. 2.

Section 47.1 (1) provides that: The chair of the Grievance Settlement Board shall establish and maintain a roster of mediator-arbitrators who may be selected for the purpose of determining matters before the Board. 2017, c. 8, Sched. 6, s. 2.

The Board exercises the powers and performs the duties conferred upon it by the *Crown Employees Collective Bargaining Act, 1993 (CECBA)*. Subsection 7(3) of the CECBA provides that:

7. (3) Every collective agreement relating to Crown employees shall be deemed to provide for the final and binding settlement by arbitration by the Grievance Settlement Board, without stoppage of work, of all differences between the parties arising from the interpretation, application, administration or alleged violation of the agreement including any question as to whether a matter is arbitrable. 1993, c.38, s. 7 (3).

The Crown Employees' Grievance Settlement Board (GSB) is funded as a budget item of the Ministry of Labour, Immigration, Training and Skills Development (MLITSD). All costs directly related to dispute resolution are allocated to the parties and are recovered from them. The GSB staff provides services to the Public Service Grievance Board (PSGB), an agency of (MLITSD) (and prior to Feb 15, 2017, an agency of Treasury Board Secretariat). The PSGB resolves grievances filed by management/excluded Crown employees under Regulation 378/07 to the *Public Service of Ontario Act, 2006*. Expenditures made on behalf of the PSGB are recovered and refunded to the GSB.

The Chair of the Grievance Settlement Board is a part-time position appointed by Order-in-Council. The Registrar of the GSB is the most senior full-time civil servant at the GSB and reports to the Chair. The Registrar is directly responsible for all administrative matters. The Chair and the Registrar are jointly responsible for policy matters.

The GSB has entered into partnership agreements with its client group to fully implement the requirements of the *CECBA*. The partnership agreement provides for a Governance Council. As a result of the partnership agreement, some of the governance is determined by decisions made and minuted at the Governance Committee meetings, resulting in accountability to the client group with respect to some GSB administration and policy issues.

The GSB is an adjudicative agency and is viewed by its clientele to have independence and neutrality. The GSB's independence is preserved by its physical location, separate from government agencies other than the PSGB and by virtue of the fact that the GSB utilizes the services of mediators/arbitrators who are prominent and well respected in the private sector labour relations community. The obligation of the Board is to provide dispute resolution services and work with the parties to improve labour relations within the Ontario Public Service. The Board provides timely, concise decisions resulting in consistent advice and guidance to the parties in the settlement of specific disputes.

2. HUMAN RESOURCES

GRIEVANCE SETTLEMENT BOARD

<u>Name</u>	<u>OIC Appointment</u>	<u>Date of Initial Appointment</u>	<u>Expiry Date of Current Appointment</u>
Matthew Wilson	Chair	March 15, 2021	March 2026
Marilyn A. Nairn	Alternate Chair	March 18, 2007	March 2028

GSB ROSTER MEMBERS

<u>Name</u>	<u>Member</u>	<u>Tenure Start</u>	<u>Tenure End</u>
Randi Abramsky	Mediator-Arbitrator	July 1996	June 2026
Christopher Albertyn	Mediator-Arbitrator	May 2008	June 2026
Ian Anderson	Mediator-Arbitrator	October 2013	June 2026
Sarah Atkinson	Mediator-Arbitrator	February 1, 2024	June 2026
Kevin Banks	Mediator-Arbitrator	February 2018	June 2026
Adam Beatty	Mediator-Arbitrator	March 10, 2022	June 2026
Kim Bernhardt	Mediator-Arbitrator	January 2021	Retired Dec. 31, 2023
Jules Bloch	Mediator-Arbitrator	September 1999	June 2026
Joseph D. Carrier	Mediator-Arbitrator	May 1999	June 2026
Joanne Cavé	Mediator-Arbitrator	January 17, 2022	June 2026
Reva Devins	Mediator-Arbitrator	April 2004	June 2026
Nimal V. Dissanayake	Mediator-Arbitrator	December 1987	June 2026
Barry Fisher	Mediator-Arbitrator	May 1987	June 2026
Diane Gee	Mediator-Arbitrator	December 2015	June 2026
Daniel A. Harris	Mediator-Arbitrator	December 1998	June 2026
Bram Herlich	Mediator-Arbitrator	December 1998	June 2026
Dale Hewat	Mediator-Arbitrator	February 2018	June 2026
Colin Johnston	Mediator-Arbitrator	April 1, 2022	June 2026
Janice D. Johnston	Mediator-Arbitrator	September 1999	June 2026
Kumail Karmijee	Mediator-Arbitrator	February 1, 2024	June 2026
Deborah Leighton	Mediator-Arbitrator	July 1996	June 2026
Gord Luborsky	Mediator-Arbitrator	October 2013	June 2026
Michael Lynk	Mediator-Arbitrator	December 2006	June 2026
Heather Ann McConnell	Mediator-Arbitrator	February 1, 2024	June 2026
Annie McKendy	Mediator-Arbitrator	January 12, 2022	June 2026
Brian McLean	Mediator-Arbitrator	February 2018	June 2026
Gail Misra	Mediator-Arbitrator	October 2013	Retired June 2024
Kathleen O'Neil	Mediator-Arbitrator	December 2020	June 2026
Jasbir Parmar	Mediator-Arbitrator	February 2016	June 2026
Kenneth Petryshen	Mediator-Arbitrator	June 1997	June 2026
Stephen Raymond	Mediator-Arbitrator	December 2006	June 2026
Brian Sheehan	Mediator-Arbitrator	March 2010	June 2026
Barry Stephens	Mediator-Arbitrator	April 2004	June 2026
Tatiana Wacyk	Mediator-Arbitrator	October 2014	June 2026
Kelly Waddingham	Mediator-Arbitrator	January 2023	June 2026

3. ARBITRATOR BIOGRAPHIES

MATTHEW WILSON - CHAIR

Matthew Wilson is the Chair of the Ontario Grievance Settlement Board and maintains an active arbitration practice. He is regularly invited to mediate complex labour disputes, including collective bargaining. He is a former Vice Chair and Alternate Chair with the Ontario Labour Relations Board. Prior to his appointment, Matthew was in-house counsel to two hospital corporations after working as the Director of Labour Relations/Counsel for a large municipality. He started his career at Hicks Morley. Matthew is co-author of Evidence and Procedure in Canadian Labour Arbitration and holds an LL.B. from Western University, an LL.M. from Osgoode Hall, an M.I.R. from Queen's University and a B.A.(Hons) from Trent University. He is also an appointed arbitrator to the Sports Dispute Resolution Centre of Canada. As a frequent speaker at conferences and seminars, Matthew taught at the university level and is regularly invited to speak to law classes. He is a current executive member of the Ontario Labour-Management Arbitrators' Association and maintains his good standing with the Law Society of Ontario.

ARBITRATORS

RANDI ABRAMSKY

Randi Abramsky is a full-time Arbitrator and Mediator. She initially served as a Grievance Settlement Officer with the GSB (1992-1996) and then became a Vice-Chair in 1996 and Mediator-Arbitrator in 2017. She also served as a Labour Relations Officer and Vice-Chair with the Ontario Public Service Labour Relations Tribunal and the Boards of Inquiry. Ms. Abramsky also engages in private sector arbitrations and mediations, has taught labour law related courses and written in the field.

CHRISTOPHER ALBERTYN

Chris Albertyn is an arbitrator and mediator, principally in Ontario, Canada. He is a member of the National Academy of Arbitrators and of the Ontario Labour-Management Arbitrators' Association. He is on the Labour Ministers' lists of arbitrators kept by the Ontario Office of Arbitration and by Canadian Federal Mediation and Conciliation Service. He is a Vice-Chair of the Ontario Labour Relations Board (since 1994) and a Vice-Chair of the Ontario Grievance Settlement Board (since 2008) and Mediator-Arbitrator (since 2017).

IAN ANDERSON

Ian Anderson is an Arbitrator and Mediator. He has been a Vice-Chair since 2013 and then a Mediator-Arbitrator with the GSB since 2017. Previously, he was a full-time Vice-Chair of the OLRB for nine years and a part-time member of the Human Rights Tribunal of Ontario for eight years. From 1987 to 2004, Mr. Anderson practiced primarily in the fields of labour and employment law. His community involvement includes having served as the Chair of the Board of Directors of Crossroads International, the Chair of the Board of Directors of the Institute for Work and Health, the First Chair of the OBA Workers'

Compensation Section, and the Chair of the Injured Workers' Consultants Community Legal Clinic.

SARAH ATKINSON

Sarah Atkinson is a labour mediator and arbitrator. She is a graduate of McGill University (1987, French and Political Science) and the University of Ottawa Law School (1990, French Common Law). Sarah obtained her degree in Civil Law in 1991 (Université Laval) and her LLM in Labour Relations and Employment Law in 2005 (Osgoode Hall Law School). She was called to the bar in Ontario (1993) and in Québec (1994-2011). Sarah practiced for ten years as a labour and employment lawyer, first as in-house counsel to a union and then in private practice with a leading human resources management-side law firm. In 2004, Sarah transitioned to an independent role, including conducting independent workplace investigations and three terms as a part-time member at the Human Rights Tribunal of Ontario. Most recently, Sarah completed the Arbitrator Development Program with the Ministry of Labour, Immigration, Training and Skills Development and is launching her full-time labour arbitration and mediation practice. She is a member of the Law Society of Ontario and the Ontario Labour-Management Arbitrators Association.

KEVIN BANKS

Kevin Banks is a bilingual arbitrator and mediator practicing mainly in Ontario and in the federal jurisdiction. He has been a member of the Grievance Settlement Board since 2018. He is a member of the Ontario Labour Management Arbitrators Association and of the National Academy of Arbitrators. He has also served as an adjudicator appointed under Part III of the Canada Labour Code, and as a panel Chair appointed to decide a labour dispute under an international trade agreement. He is an associate professor with the Faculty of Law at Queen's University, where he teaches labour law and serves as the Director of the Queen's Centre for Law in the Contemporary Workplace. He has written widely on workplace law and is the Editor-in-Chief of the Canadian Labour and Employment Law Journal. Prior to joining Queen's he held executive positions for six years within the Public Service of Canada, in the field of labour and employment policy. He began his career as a labour lawyer representing unions and employees, practicing for 7 years. He holds an S.J.D. from Harvard Law School (2003), and an LL.B. (1989) and B.A. (1986) in economics from the University of Toronto.

ADAM BEATTY

Adam is an arbitrator/mediator. Before joining the GSB, Adam was a Vice-Chair at the Ontario Labour Relations Board from 2016-2022. Prior to that, he practiced with a prominent labour law firm in Toronto. Adam is also co-author and editor of Canadian Labour Arbitration (otherwise known as "Brown and Beatty") the leading labour arbitration text in Canada. He is also the editor of Brown and Evans Judicial Review of Administrative Action in Canada. Adam holds a BA from the University of Victoria, a Master's degree from McGill University and a JD from the University of Toronto Faculty of Law. Adam is a member of the Ontario Labour Management Arbitrator's Association and the Law Society of Upper Canada (non-practicing).

KIM BERNHARDT

Kim Bernhardt is an adjudicator who arbitrates and mediates in both the public and private sectors. She has been named by the Ontario Minister of Labour to the list of approved grievance arbitrators on the Ministry of Labour's section 49 list. Kim is currently a member of the Executive Committee of the Ontario Labour Management Arbitrators Association (OLMAA) and she arbitrates and mediates at the Grievance Settlement Board (GSB). Previous appointments include being a part-time Member of the Human Rights Tribunal of Ontario; a part-time Member of the Public Service Grievance Board (PSGB), 1994 - 1998; the Human Rights Board of Inquiry, 1994 -1998; a member of the HRTO Advisory Practice Committee; and acting as the Law Society of Upper Canada's representative on the Ontario Judicial Council. Kim practiced for 15 years in the areas of employment, labour, and human rights law. Previous positions include working as a union staff member, a college teacher, and as a human rights officer. Kim continues to be engaged in many volunteer activities and speaking engagements involving legal and equity issues.

JULES B. BLOCH

Jules B. Bloch is an experienced, bilingual, mediator, arbitrator, facilitator, fact-finder, lecturer and trainer. After his call, he practiced law primarily in the field of labour and employment law. In 1991 he was appointed full time Vice-Chair of the Ontario Labour Relations Board (OLRB) (November 7, 1991 to September 1, 1999). Presently, he is a Mediator-Arbitrator of the Ontario Grievance Settlement Board. Mr. Bloch is a member of the National Academy of Arbitrators. Mr. Bloch is a co-author of Canadian Construction Labour and Employment Law (Butterworths: 1996).

JOSEPH D. CARRIER

Joseph (Joe) Carrier has been engaged as a full-time mediator/arbitrator since 1991. After graduating from Queen's Law School in 1969, and from the bar in 1971, he practiced corporate and commercial law for several years before joining Mathews Dinsdale & Clark, a boutique management side law firm as an associate, and from 1979-1989 as a Partner.

While there he acted as counsel in all manner of proceedings before the ORLB and arbitration boards in both rights and interest disputes as well as being engaged by his clients as spokesperson in their collective agreement negotiations. In 1989 he briefly left the field to assist his family in the management of its real estate holdings. In 1991 he returned to the labour and employment field as a mediator/arbitrator where he has been continually included on the Ministry of Labour's list of approved arbitrators. He was shortly thereafter added to the list of federally acceptable and approved adjudicators and arbitrators until the adjudicator function was referred to the C.L.R.B. In 1999, he was appointed as a Vice-Chair of the Ontario Grievance Settlement Board which appointment was renewed regularly. Since 2017, he was included as a Roster Mediator-Arbitrator for the G.S.B. which position he still retains while also carrying on his consensual practice in the labour and employment field. He has a Certificate of Achievement from the Faculty of Law, University of Windsor, Ontario for completion of its Alternative Dispute Resolution Workshop. In addition to his employment history, he has been and continues to be a member of the following Associations and Organizations: Ontario Labour-Management

Arbitrators' Association, Law Society of Ontario, National Academy of Arbitrators (USA & Canada), Canadian Bar Association, Toronto Lawyers Association and Canadian Italian Business & Professional Association.

JOHANNE CAVÉ

Johanne Cavé is a full-time arbitrator and mediator. She practices in Ontario, Quebec and the federal jurisdiction. She is a part-time Vice Chair with the Ontario Labour Relations Board and an External Adjudicator with the Canada Industrial Relations Board. Until 2018, she worked as in-house counsel for large Canadian companies, practicing labour and employment law. She received the Order of Merit from the Faculty of Law of the University of Ottawa in 2016. She is fluent in French and English.

REVA DEVINS

Reva Devins is a full time arbitrator and mediator. She is a Mediator-Arbitrator of the Ontario Grievance Settlement Board. She was a Vice Chair of the Public Service Grievance Board from (2015-2020). She has also been appointed under many class action settlement plans. Currently, Ms. Devins is the Lead Assessor under the CAF/DND Sexual Misconduct Settlement Agreement and is the Chair under the 1986-90 Hepatitis C Benefit Plan. She also serves as the Independent Assessor under the Indian Day School Class Action Settlement, and was a member of the Canadian Human Rights Tribunal (1995-2005). Ms. Devins was called to the Bar of Ontario in 1985, holds degrees from York University (B.A), Osgoode Hall Law School (LL.B.) and Harvard Law School (LL.M.). She was awarded the Law Society Medal in 2023.

NIMAL V. DISSANAYAKE

Nimal Dissanayake was called to the Ontario bar 1980; LLB (Honours) SL; LLB and LLM (Queens); Formerly Professor of Industrial Relation Faculty of Business McMaster University; Served as Solicitor, Senior Solicitor and Vice-Chair (Part-Time) of the Ontario Labour Relations Board; Former Editor of the Ontario Labour Relations Board Reports; Arbitrator/Mediator in labour and employment related disputes since 1987; Vice-Chair of the Grievance Settlement Board 1987 and since 2017 to present as Mediator-Arbitrator. Member of the Ontario Labour-Management Arbitrators Association 1987 to present. Member of the National Academy of Arbitrators 2001 to 2022.

BARRY FISHER

B.A., University of Toronto; LL.B., Osgoode Hall Law School, called to the Bar, 1979. Member of Ontario Management Labour Arbitrators Association, a labour arbitrator since 1988 and Mediator-Arbitrator of Grievance Settlement Board. An arbitrator under Police Services Act, Hospital Labour Disputes Arbitration Act, and Canada Labour Code. Trained as a mediator at the Academy of Mediation in Toronto, Harvard Law School and ADR Associates in Washington, D.C. Has mediated employment / labour disputes involving wrongful dismissal actions, sexual harassment, collective agreement interpretation, human rights issues, shareholders disputes arising from employment and the negotiation of collective bargaining agreements. Has authored numerous articles on wrongful dismissal, mediation practice and labour arbitration. He created the Wrongful Dismissal Database,

containing over 2500 cases, utilized by lawyers/ judges/human resources professionals across Canada.

DIANE GEE

Diane Gee began her career in 1988 practicing exclusively in the areas of labour and employment law and transitioned to the role of adjudicator in 1994 with her appointment to the Ontario Labour Relations Board as a Vice-Chair. Diane returned to the practice of law in 2002 as a partner in a national law firm again practicing exclusively in the areas of labour and employment law. Diane left practice in 2008 when she was appointed to the Ontario Labour Relations Board as the Alternate Chair and Chair of the Pay Equity Hearings Tribunal and went on to serve as the Interim Chair of the OLRB. Diane also served as Chair of the Compensation Restraint Tribunal and as an Adjudicator at the Ontario College of Trades. In 2013 Diane became a private mediator and arbitrator working exclusively in the areas of labour and employment law. Diane is currently on the Labour Minister's List of Arbitrators kept by the Ontario Office of Arbitration and the Canadian Federal Mediation and Conciliation Services. She is a member of the Ontario Labour Management Arbitrators Association and is named as a roster arbitrator in several collective agreements. She is engaged as a mediator and arbitrator in employment and labour matters in both the private and public sectors.

DANIEL A. HARRIS

Mr. Harris is a graduate of York University (1978) and Osgoode Hall Law School (1981). Upon being called to the Bar of Ontario in 1983, he served a one-year appointment as a Law Clerk to the Chief Justice of the High Court of Justice, Province of Ontario. He then practiced labour law until 1991, when he was appointed to the Minister's List of Arbitrators in Ontario. Since then he has worked as a labour arbitrator and mediator in both rights and interest matters in all sectors, public and private. He serves as an arbitrator on numerous collective agreement panels. He has been a Vice-Chair with the Grievance Settlement Board since 1998, as a Mediator-Arbitrator since 2017 and previously held appointments with the Workers' Compensation Appeals Tribunal and Office of Adjudication.

BRAM HERLICH

Bram Herlich has B.A (1972) and M.A (1977) degrees from McGill University (English and Communications). After several years as a CEGEP professor and union representative in Montreal, he enrolled in law school and graduated from Osgoode Hall in 1982. After graduation, he held a number of positions including Arbitration Officer with the Ontario Nurses Association and Associate with the firm Cavalluzzo, Hayes and Lennon. He has been an adjudicator since 1989 when he was appointed Vice-Chair of the Ontario Labour Relations Board. Appointed in 1996 as a Referee/Adjudicator under the Employment Standards Act and an Adjudicator under the Occupational Health and Safety Act. Appointed Vice-Chair of the Grievance Settlement Board in 1998, and since 2017 as a Mediator-Arbitrator. Bram is currently hearing and mediating cases at the GSB and at private arbitration.

DALE HEWAT

Dale Hewat is a labour arbitrator and employment law mediator. Dale practice includes both private and public sector arbitration and mediation work. In 2018, Dale was appointed to the approved Mediator-Arbitrator roster for the Grievance Settlement Board where she continues to provide arbitration and mediation services. Between 2008 and 2018, Dale worked as a part-time Member of the Human Rights Tribunal of Ontario gaining extensive experience adjudicating and mediating employment related human rights applications. Dale served as a Vice-Chair of the Ontario Labour Relations Board in 1995 and 1996, following which she began her private arbitration practice. Earlier in her career, Dale was employed as General Counsel for Humber College advising on labour relations matters and representing the College at arbitration hearings. Prior to Humber College, Dale worked as a lawyer in private practice specializing in employment and labour law. Dale graduated from Western University with a B.A. (1983) and LL.B. (1986) and was called to the Ontario Bar in 1988. She is a member of the Law Society of Ontario and the Ontario Labour-Management Arbitrators Association.

COLIN JOHNSTON

Colin Johnston has a degree in Labour Studies from McMaster University and a Law degree from the University of Ottawa. He worked in private practice in Toronto and later in Windsor before joining the Ontario Nurses' Association as a litigator and eventual leader of ONA's Litigation Department. Colin works as a labour mediator and arbitrator and is on the Ministry of Labour's list of approved Grievance Arbitrators. He sat as a part-time member of the Human Rights Tribunal of Ontario from 2015 to 2020. He has experience working with parties in both the private and public sector in the areas of health care, education, municipal services, manufacturing, and service industries. He is also a frequent speaker at conferences including Lancaster House, Osgoode Continuing Education, and the University of Western Ontario.

JANICE JOHNSTON

Ms. Johnston graduated from Wilfred Laurier University with a B. A. in history and received her law degree from the University of Western Ontario in 1979. She was called to the Bar in 1981. She worked in the public and private sector as labour relations counsel before joining the Ontario Labour Relations Board as a Vice-Chair in 1990. In 1999 she left the OLRB to pursue her career as a private mediator/arbitrator. In addition to this practice, she is currently a Mediator-Arbitrator for the Grievance Settlement Board and the Sport Dispute Resolution Council of Canada.

KUMAIL KARIMJEE

Kumail Karimjee is a mediator, arbitrator, and independent investigator. He graduated from the University of Toronto Faculty of Law (LL.B. 1997) and Osgoode Hall Law School (LL.M. 2020). He was appointed a part-time Vice-Chair at the Workplace Safety Insurance Appeals Tribunal (2007 to 2012), adjudicating workers' compensation matters. Kumail practised law for 25 years focusing on workplace and human rights matters, and since 2015 has maintained an active mediation practice.

DEBORAH LEIGHTON

Deborah J. Leighton is a full-time arbitrator and mediator. She was appointed to the Grievance Settlement Board in 1996. She served as a Vice-Chair of the Public Service Grievance Board (1993-2016) and as an adjudicator for the Ontario Human Rights Tribunal (1992-1998). Ms. Leighton was called to the Ontario Bar in 1989 and is a past member of the Florida Bar. She was professor at Queen's University, teaching labour and employment and human rights law, arbitration and mediation courses in the Master of Industrial Relations program from 1994 to 2023. She holds a B.A. in law from the University of Oxford and an L.L.M, from the University of Texas (Austin).

GORDON F. LUBORSKY

Holds a Master's Degree from the University of Toronto and received his Law Degree from Toronto's Osgoode Hall Law School in 1982. After his call to the Ontario bar in 1984, he practiced law with a management side law firm until 1994, thereafter serving as Co-Chair, Employment and Labour Law Group of another law firm. He was appointed in 1999 to the Ontario Ministry of Labour, Training and Skills Development's list of arbitrators under the Ontario Labour Relations Act, and in 2002 to the list of adjudicators for disputes under the Canada Labour Code. Since 1998 he has practiced as a mediator and arbitrator in commercial, employment and labour disputes. He also taught Business Negotiations and Dispute Resolution courses from 2002 - 2006 at the University of Toronto.

MICHAEL LYNK

Michael Lynk is professor emeritus at the Faculty of Law, Western University, where he taught labour law, human rights law and constitutional law. Prior to becoming a professor, he practiced labour law in Toronto and Ottawa for a decade. Mr. Lynk is also an active labour arbitrator, and served as a Vice-Chair with the Ontario Public Service Grievance Board (1995-1999) before joining the Ontario Grievance Settlement Board in 2007. He has written widely on the issues of labour law and human rights in the unionized Canadian workplace, and is a frequent speaker at industrial relations and labour law conferences across the country.

Mr. Lynk's academic writings and arbitration awards have been widely cited by labour boards and the courts, including the Supreme Court of Canada.

He has also written on international human rights law, and he served a six year term as a human rights special rapporteur, appointed by the United Nations Human Rights Council.

HEATHER ANNE MCCONNELL

Heather Ann McConnell is a mediator and arbitrator specializing in labour, employment, and human rights disputes. She brings creativity and tenacity to solving workplace disputes and delivering practical results for workplace parties. She is a graduate of the Arbitrator Development Program run by the Ministry of Labour, Immigration, Training and Skills Development and OLMAA (Ontario Labour-Management Arbitrator's Association). She was called to the bar in 2007, after receiving her Bachelor of Laws from Osgoode Hall Law School. She also holds two degrees from the University of Toronto – a Bachelor of Arts

(Hons.) and a Master of Arts from the Ontario Institute for Studies in Education (OISE). Before becoming an Arbitrator, Heather Ann was a partner in a leading labour law firm in Toronto, where she regularly appeared before boards and tribunals in the areas of labour, human rights, occupational health and safety, education, professional regulation, and administrative law. She also served as a neutral third-party, conducting workplace harassment and discrimination investigations.

ANNIE MCKENDY

Annie McKendy graduated from the University of Ottawa with degrees in Droit Civil (LL.L) and Common Law (LL.B.), and from Cornell University (LL.M). She was called to the bar in 2007 while clerking at the Federal Court of Canada. She went on to practice labour law for a decade before being appointed as a Vice-Chair to the Ontario Human Rights Tribunal. She is now a labour arbitrator and mediator and is a member of the Ontario Labour-Management Arbitrators' Association. Annie is fully bilingual and has experience conducting hearings and writing decisions in both English and French.

BRIAN MCLEAN

Brian McLean is a mediator/arbitrator. He was the Alternate Chair of the Ontario Labour Relations Board, having been a Vice Chair at the OLRB for nearly 20 years. Immediately prior to joining the Board, he was a sole practitioner representing employees, employers and unions. Before that he practiced at Baker and McKenzie as an employment and labour lawyer. He co-authored (with Stewart D. Saxe) The Collective Agreement Handbook: A Guide for Employers and Employees which has been published in three editions. Brian grew up in Victoria, B.C.

GAIL MISRA

Gail Misra is a labour mediator and arbitrator. She is a graduate of Wilfrid Laurier University (B.A. 1986) and Osgoode Hall Law School (LL.B. 1989, LL.M. in Alternative Dispute Resolution 1998), and was called to the Ontario Bar in 1991. Ms. Misra practiced labour law in Toronto for approximately 14 years. During her career as a lawyer Ms. Misra represented unions, employers, and workers in grievance arbitration, contract negotiations, national and provincial labour board proceedings, bankruptcy proceedings, and before human rights tribunals. She was appointed to the Ontario Labour Relations Board as a Vice-Chair from 1994 to 2001, and again from 2012 to 2013. As an adjudicator, she has decided cases involving employment-related statutes including the Labour Relations Act, 1995, the Human Rights Code, the Occupational Health and Safety Act, and the Employment Standards Act, 2000, and collective agreements in all sectors. As a mediator, Ms. Misra has mediated harassment issues as well as a wide range of rights issues arising under collective agreements. Ms. Misra was appointed to the Grievance Settlement Board on October 23, 2013.

MARILYN NAIRN – ALTERNATE CHAIR

Ms. Nairn was called to the Ontario bar in 1982 and practiced labour law until moving to the Ontario Labour Relations Board as counsel. In 1989 she was appointed a Vice-Chair of the OLRB and adjudicated in that capacity for nine years. Since 1998 she has conducted

a full-time practice as arbitrator and mediator in Ontario dealing with a wide variety of workplaces and industries in both the private and public sectors and in both the provincial and federal jurisdictions. She has also been appointed to Chair various judicial remuneration commissions and holds a part-time appointment as a Vice-Chair of the Public Service Grievance Board. Ms. Nairn is a member of the National Academy of Arbitrators, as well as a member and Past President of the Ontario Labour-Management Arbitrators' Association, and she has held various executive positions in the Labour Section of the Ontario Bar Association. She has taught at both the college and university levels and has appeared as a speaker in the areas of labour law and human rights. She was appointed to the Grievance Settlement Board in 2001 and was appointed Alternate Chair in 2018.

KATHLEEN O'NEIL

Kathleen G. has over thirty-five years of experience as an adjudicator, including chairing the GSB's sister tribunal, the Public Service Grievance Board, from 2014 to 2021, and having served as Vice-Chair of the PSGB (2004 to 2014). She previously served as Vice-Chair of the Ontario Labour Relations Board (1988 to 1997), and of the Workers' Compensation Appeals Tribunal (1986 to 1988). Since 1997, she has also been active in her private practice as mediator and arbitrator dealing with grievances under Ontario and federal labour statutes, as well as a mediator in a wide variety of matters including human rights, employment related disputes, and general civil litigation. Admitted to the Bar of Ontario in 1979, she holds a B.A. from the University of Toronto and an LL.B. [now J.D.] from Osgoode Hall Law School.

JASBIR PARMAR

Jasbir is an arbitrator, mediator, and independent investigator practicing primarily in the Province of Ontario. Educated at the University of British Columbia and the University of Windsor, Jasbir was called to the Bar in British Columbia in 1996 and in Ontario in 2000. She practiced labour law until 2005, when she moved to a neutral role. She served as a Vice-Chair for the Workplace Safety and Insurance Appeals Tribunal from 2005 to 2015. In 2008, Jasbir was named by the Ontario Minister of Labour to the list of approved labour arbitrators, and is listed as a roster arbitrator in numerous collective agreements. She is experienced in both the public and private sectors.

KENNETH PETRYSHEN

Ken obtained an undergraduate degree from the University of Saskatchewan in 1972. In 1976, Ken obtained a law degree from Queen's University, where he was awarded the prize in Labour Relations in the Public Sector. He was called to the Bar in 1978 and practiced labour and administrative law until 1985, when he became solicitor of the Ontario Labour Relations Board. He served as a full-time Vice Chair of the OLRB between 1986 and 1994, when he became a part-time Vice Chair and commenced his arbitration and mediation practice. Ken was first appointed to the Grievance Settlement Board in 1997.

STEPHEN RAYMOND

Stephen Raymond is a full-time arbitrator and mediator. He is a graduate of the University of Western Ontario holding a B.A. (Political Science, 1986) and a LL.B. (1989). After his

call to the Bar in 1991, he practiced law primarily in the fields of labour and employment law. In 2000, he was appointed as a Vice-Chair of the Ontario Labour Relations Board. Since 2003, Stephen has worked as a labour mediator/arbitrator and civil litigation mediator. His practice covers all types of disputes, including rights and interest, in both the public and private sector. He is the President of the Ontario Labour Management Arbitrators' Association (term November 2021 to November 2023) and a Director of the National Academy of Arbitrators (term May 2023 to May 2026).

BRIAN SHEEHAN

Brian Sheehan has been involved in the field of labour relations, employment and human rights law either as an advocate or as a mediator and arbitrator from 1985 to the present. He is a graduate of the Ontario Ministry of Labour, Training and Skills Development Arbitrator Development Programme and has been a mediator and arbitrator since April 2007. He was appointed to the GSB in 2010, and he was a part-time adjudicator for the Ontario Human Rights Tribunal from 2008 to 2018.

Mr. Sheehan's arbitration and mediation practice covers all types of disputes in both the private and public sectors. Mr. Sheehan is an agreed-upon arbitrator under a number of collective agreements in the province. Additionally, he is currently an appointed arbitrator under the NHL/NHLPA salary arbitration process.

Mr. Sheehan is a member of the National Academy of Arbitrators and the Ontario Labour Management Arbitrators' Association.

BARRY STEPHENS

Barry Stephens has been a labour relations practitioner for more than forty years. He started his career on the legal staff of CUPE, where he also worked as a union rep and educator. He went on to work for the Southern Ontario Newspaper Guild before becoming a labour relations consultant. In the latter role he worked with a number of unions throughout the province, mainly in grievance arbitration as nominee and counsel, where he developed an interest in mediation and arbitration. Prior to becoming a full time arbitrator he served as the senior labour relations advisor to the Air Canada Pilots Association. Barry has been working as a neutral adjudicator since September 2000.

TATIANA WACYK

Tatiana Wacyk has been an adjudicator and mediator for more than twenty years. She is currently or has been a member of the following panels: the Ontario Ministry of Labour, the Grievance Settlement Board, the Ontario Labour Relations Board, Canada Revenue Agency, the Hepatitis C Settlement Agreement Panel, and the Ontario College of Trades Roster of Adjudicators. A member of the Ontario Labour-Management Arbitrators Association, she has adjudicated and mediated in the areas of wrongful dismissal, personal injury, contractual and tort disputes, grievances under collective agreements, and disputes relating to employment standards, occupational health and safety, workers' compensation, and human rights. Tatiana is the Past Chair of the Labour Relations Section of the Ontario Bar Association. Prior to becoming an adjudicator, she was in-house counsel and the Director of Policy and Research for the Ontario Human Rights Commission. She has also

served as Executive Assistant to the Deputy Minister of Labour. Tatiana has taught Alternative Dispute Resolution and Advanced Alternative Dispute Resolution at the University of Toronto Law School. She has also taught Alternative Dispute Resolution at Queen's University Law School. Tatiana has been a frequent presenter and facilitator at conferences, workshops, and continuing education sessions, and has taught courses to members of the Canada Pension Plan Review Tribunal, the Society of Ontario Adjudicators and Regulators, and the Board of Referees for Employment Insurance. Tatiana has both a J.D. and an LL.M. from Osgoode Hall Law School. She has also completed the Advanced Alternative Dispute Resolution Workshop with the Faculty of Law at the University of Windsor, and a Harvard/MIT Program on implementing Labour-Management Agreements.

KELLY WADDINGHAM

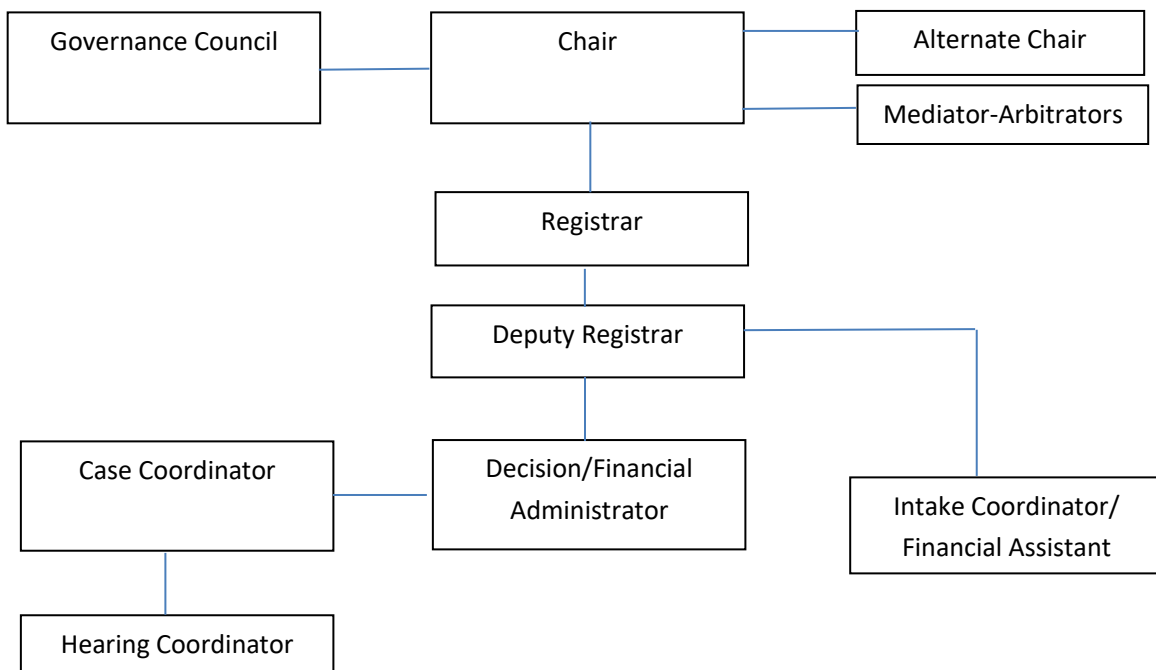
Kelly Waddingham is an arbitrator/mediator practicing in Ontario since 2005. She has extensive experience adjudicating and mediating complex and sensitive matters in the public and private sector. Kelly served as a Vice Chair at the Ontario Labour Relations Board for 18 years. Prior to her appointment at the Ontario Labour Relations Board, Kelly practiced labour, employment, professional regulation and discipline law. She is a graduate of the University of Toronto and Osgoode Hall Law School. Kelly is on the Labour Minister's List of Arbitrators, kept by the Ontario Office of Arbitration, the Grievance Settlement Board and the Ontario Police Arbitration Commission.

THE REGISTRAR

Christine Caillier

Christine Caillier is the current Registrar after more than 20 years with the Grievance Settlement Board. Christine started in this role in October 2021. Over the years, Christine has held various positions including Decisions/Financial Administrator and since May 2003, Christine has held the position of Deputy Registrar, working closely with the Registrar and the Chair.

Organization Chart – GSB



4. OVERVIEW OF ACTIVITIES

GSB Mission Statement

To provide expeditious and appropriate dispute resolution services for grievances arising out of the collective agreements between Crown employers and bargaining agents representing Crown employees in order to resolve disputes and promote harmonious labour relations in the Ontario Public Service.

Overview of Programs and Activities

The GSB provides dispute resolution services to the Ontario Public Service and its unionized employees represented by: Ontario Public Service Employees Union, The Association of Management Administrative and Professional Crown Employees of Ontario, and The Professional Engineers Government of Ontario. The GSB also provides services to Ontario Public Service agencies and their bargaining agents which include:

- Metrolinx and Amalgamated Transit Union, Local 1587
- International Association of Mechanics and Aerospace Workers, Local 78
- Workplace Safety and Insurance Board and Canadian Union of Public Employees, Local 1750
- Metro Toronto Convention Centre and Labourers' International Union of North America, Local 506 and Canadian National Federation of Independent Unions - Local 3033
- Ottawa Convention Centre and United Steelworkers
- Niagara Parks Commission and Workers United Canada Council.

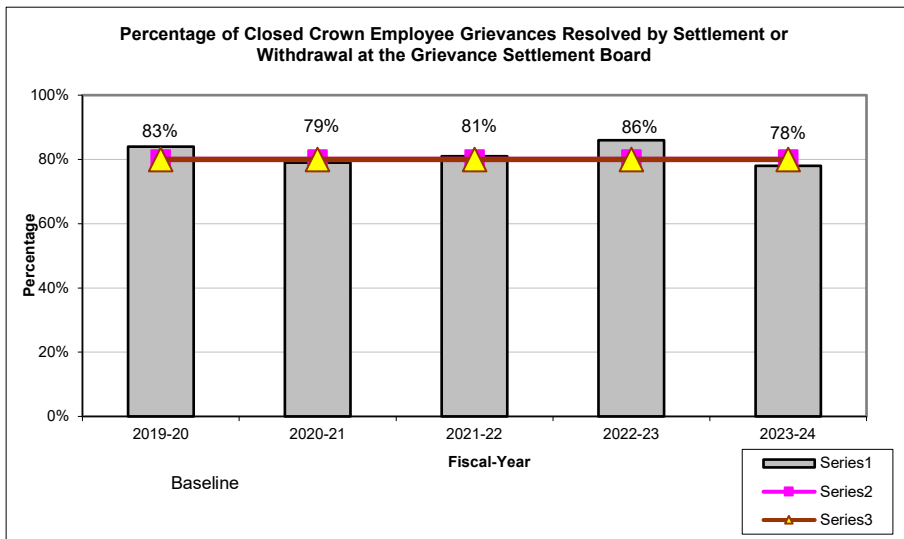
Mediation continues to be the manner in which the large majority of grievances are resolved. Different workplaces have developed their own protocols and practices for mediation. Arbitrators have developed in-depth knowledge about various workplaces, which has allowed them to be particularly effective in resolving workplace problems. The consensual appointment process, whereby the parties mutually agree upon which Arbitrator will mediate or arbitrate any particular grievance allows the parties to benefit from the particular skills and knowledge of individual Arbitrators.

GRIEVANCE SETTLEMENT BOARD – GRIEVANCES FILED

<i>TOTAL # OF GSB FILES FOR FISCAL 2021-2022</i>			% of change over previous fiscal - month to month	<i>TOTAL # OF GSB FILES FOR FISCAL 2022-2023</i>			% of change over previous fiscal - month to month	<i>TOTAL # OF GSB FILES FOR FISCAL 2023-2024</i>			% of change over previous fiscal - month to month
APRIL:	232	2800.00	% increase	APRIL:	1837	691.81	% increase	APRIL:	182	90.09	% decrease
MAY:	240	2081.82	% increase	MAY:	1453	505.42	% increase	MAY:	525	63.87	% decrease
JUNE:	289	63.74	% decrease	JUNE:	1866	545.67	% increase	JUNE:	318	82.96	% decrease
JULY:	146	57.68	% decrease	JULY:	1605	999.32	% increase	JULY:	265	83.49	% decrease
AUGUST:	145	56.46	% decrease	AUGUST:	972	570.34	% increase	AUGUST:	177	81.79	% decrease
SEPTEMBER:	398	54.26	% increase	SEPTEMBER:	870	118.59	% increase	SEPTEMBER:	268	69.20	% decrease
OCTOBER:	218	41.56	% increase	OCTOBER:	848	288.99	% increase	OCTOBER:	338	60.14	% decrease
NOVEMBER:	375	145.10	% increase	NOVEMBER:	911	142.93	% increase	NOVEMBER:	265	70.91	% decrease
DECEMBER:	563	258.60	% increase	DECEMBER:	756	34.28	% increase	DECEMBER:	204	73.02	% decrease
JANUARY:	352	55.75	% increase	JANUARY:	595	69.03	% increase	JANUARY:	322	45.88	% decrease
FEBRUARY:	283	45.88	% increase	FEBRUARY:	311	9.89	% increase	FEBRUARY:	234	24.76	% decrease
MARCH:	2134	640.97	% increase	MARCH:	269	87.39	% decrease	MARCH:	285	5.95	% increase
TOTAL:	5375	83.82	% increase	TOTAL:	12293	128.71	% increase	TOTAL:	3383	72.48	% decrease
Monthly Average	448			Monthly Average	1024			Monthly Average	282		

APPENDIX A - OUTCOME PERFORMANCE MEASURE

Percentage of Closed Crown Employee Grievances Resolved by Settlement or Withdrawal at the Grievance Settlement Board



What does the graph show?

- The graph shows that for 2023-2024, 78% of closed Crown employee grievances were resolved by settlement or withdrawal at the GSB.

The source of the data is from the GSB Case Management System.

Agency Contribution

- Resolve disputes through mediation and to a lesser extent arbitration, using highly skilled arbitrators/mediators who work proactively with the Board clientele.
- Provides effective and cost-efficient resolution of disputes within the Ontario Public Service, which contributes to a productive, efficient and accountable workplace.

2023-24 Commitment and Long-term Target

- Maintain a commitment of 80% of closed cases by settlement or withdrawal.

2023-24 Achievement

- 78% of closed grievances were resolved by settlement or withdrawal.

APPENDIX A (Continued) - 2023/2024 PERFORMANCE MEASURES

Grievance Settlement Board	Performance Measures	Standards/Targets	2023/2024 Commitments	2023/2024 Achievements
	Percent of grievances disposed of by settlement or withdrawn	80% of grievances disposed of by settlement or withdrawn	80% of grievances disposed of by settlement or withdrawn	78% of grievances disposed of by settlement or withdrawn
	Timeliness of decisions released by the GSB	80 % of decisions released within 90 days of completion of hearing.	80% of all decision released within 90 days from the completion of hearing.	89% of decisions released within 90 days of completion of the hearing.
	Percentage of decisions rendered in fiscal that are not Judicially Reviewed	90% of decisions rendered in fiscal will not be Judicially Reviewed.	90% of decisions rendered will not be Judicially Reviewed.	99% of decisions were rendered without a Judicial Review application filed.

APPENDIX B – BUDGET – 2023-2024

All Figure in \$000.0 thousand

Account	2023-24 Year-end Budget	2023-24 Year-end Actuals	Variance	% Variance
Salaries & Wages	466.8	399.1	67.7	14.5%
Benefits	73.5	75.8	- 2.3	-3.1%
Other Direct Operating Expenses				
Transportation & Communication	127.4	8.5	118.9	93.3%
Services (Including Lease and Per Diems)	4,086.1	3,789.6	296.5	7.3%
Supplies & Equipment	23.2	2.7	20.5	88.4%
Total ODOE	4,236.7	3,800.8	435.9	10.3%
Total	4,777.0	4,275.7	501.3	10.5%
<i>Recoveries</i>	<i>(2,106.1)</i>	<i>(1,822.4)</i>	<i>(283.7)</i>	<i>13.5%</i>
Net Operating Budget/Exp.	2,670.9	2,453.3	217.6	8.1%

Chair/Vice Chair Per Diems 2023-2024	
Vice Chair Per Diem (Alternate Chair no activity)	0.0
Chair Per Diem	158.6

Non-Tax Revenue	Year End Actuals
Reimbursement - Employer Share of GSB Cost	385.2
Reimbursement - Union Share	2,080.2
TOTAL	2,465.4

Variance Analysis

- Savings in Salaries and Wages, approximately \$19.2k, due to a vacancy from December 2023 to March 2024.
- Savings in Travel, approximately \$100k, was due to no travel expenses for hearings as there were held virtually.
- Savings in Services expenditures for hearings are based on the stakeholders' consent to schedule hearing dates. Some hearing dates were cancelled due to settlements/withdrawals and may result in a savings* or hearing dates may be adjourned on consent of the parties and may result in a savings*.
- Savings in Supplies and Equipment as GSB continues to ensure that only required items are ordered for office staff.

*a hearing date adjournment/cancelled may result in a savings of \$2400 or \$1612 depending on the notice date of adjournment/cancellation.