

PUBLIC APPOINTMENTS SECRETARIAT

Appointments Information Form for Submission to the Standing Committee on Government Agencies

Board Name: Ontario Labour Relations Board

Position: Vice-Chair (Part-Time)

Part-time/Full-time: Part-Time

Candidate Name: Brian Smeenk

Candidate Information: Attached

Responsibilities of the Agency, Board, or Commission:

The Board is an independent adjudicative tribunal which plays a fundamental role in the labour relations regime within Ontario. It has a mandate to provide excellence in administrative justice through the effective resolution of a wide range of labour relations and employment disputes. The Board adjudicates and mediates disputes under the Labour Relations Act, Employment Standards Act, Occupational Health and Safety Act and numerous other labour and employment-related statutes. Matters before the Board include certification and termination of bargaining rights, unfair labour practice complaints, unlawful strikes and lockouts, jurisdictional disputes in the construction and non-construction industries, accreditations in the construction industry, construction industry grievances, sale of a business and related employer applications in the construction and non-construction industries, interim order applications, Ministerial References, School Boards Collective Bargaining Act applications, essential services agreements, Crown Employee Collective Bargaining Act disputes, first collective agreement applications, Hospital Labour Disputes Arbitration Act, Ontario College of Trades and Apprenticeship Act appeals, Colleges Collective Bargaining Act applications, Public Sector Labour Relations Transition Act cases, a large variety of reprisal cases and numerous others under a large variety of statutes.

Public Appointment Application

Applicant **Brian Smeenk**

Position Vice-Chair (Part-Time)
Ontario Labour Relations Board
Labour, Training and Skills Development

Advertisement PAS-200139

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Application Notes/Comment/Additional Data

Received mediation training from multiple providers over the past 20 years, including The Harvard/MIT Program. Details can be provided upon request.

Language(s)

English Proficient
Other Languages: Dutch

Education

Institution	Credentials	Year
University of Ottawa, Common Law	LL.B.	1977
University of Michigan	M.B.A. & Diploma in Labour Relations	1979
University of Western Ontario	n/a	1972 to 1974

Employment

Employer	Position/Title	Dates	Responsibilities
Fasken Martineau DuMoulin	Partner	2008 to January, 2020	Senior partner in Canada's leading labour, employment and human rights practice, representing employers across the private and broader public sectors, in both the provincial and federal jurisdictions. I represented and advised many leading institutions, including universities, hospitals, school boards and crown corporations, as well as a broad cross section of private sector companies, including some in the construction industry. Representation of employers before courts and various tribunals, including arbitration boards, as well as extensive leadership of labour negotiations. I retired from the Firm in January, 2020.
McCarthy Tetrault	Partner	1992 to 2008	Senior partner in a national labour, employment and human rights practice, representing employers of all sizes across the private and broader public sectors, in both the provincial and federal jurisdictions. Advised employers regarding virtually all aspects of labour and employment law. Extensive litigation before courts and tribunals. Led many labour negotiations in both the private and public sectors.

Employer	Position/Title	Dates	Responsibilities
Winkler Filion & Wakely	Associate and then Partner	1979 to 1992	General labour, employment and human rights practice, representing a broad cross section of employers, both large and small, in the private and broader public sectors. Private sector clients included many in the construction industry. Broader public sector clients included nursing homes, hospitals, school boards, provincial ministries and federal crown corporations. Practice included labour negotiations, representation before arbitration boards, OLRB, employment standards referees and in the courts. Advised employers regarding broad cross section of labour and employment issues, including union organizing, good faith bargaining, unfair labour practices, employment standards, occupational health and safety, and human rights.
Ontario Public Service	Chair, Public Service Grievance Board	January 21, 2021	Chairing tribunal, including responsibility for its rules and policies, selection and oversight of vice-chairs, assignment of cases, and conduction mediations and hearings.

Community

Organization	Position/Title	Dates Involved	Responsibilities
The Merit Award Bursary Program	President and Chair	1996 to present	I began and now oversee this Program. It provides incentives and financial assistance to youth in the GTA, of all abilities, to pursue advancement through education, and to contribute to their community through volunteerism. Over 25 years, we have awarded 2779 bursaries totaling almost \$2 million. In 2020, we took over 700 applications and awarded 239 bursaries, with a total value of \$245,000, to youth in high needs areas of the GTA.
Rotary International	Paul Harris Fellow	2014	awarded for service to the community
Human Resource Professionals Association	Director & Vice-President of Government Relations	1980 - 2005	Beginning as a member of the Gov't Relations Committee of the original Toronto Personnel Association, which later became the HRPAO, I became Chair of its Gov't Relations Committee and then a member of HRPAO's Board of Directors and VP of Gov't Affairs. As such I led the Association's policy development process, interacting with relevant government agencies and Ministries, and making presentations to committees of the Legislature regarding various bills. I was also responsible for keeping members informed regarding legislative developments.
Toronto Human Resource Professionals Association	Director and President	About 2000 - 2005	I was a director of the Toronto chapter of HRPAO (its largest), from shortly after it was founded as a separate chapter, and later became its President. Oversaw all areas of its activities, in providing services, education and information to members of the human resources profession in the Toronto area.
Toronto Area Industrial Relations Association	Director and President	About 1994 - 2000	This association consisted of members from government, neutral adjudicators, unions and management members engaged in labour relations, having the aim of information and dialogue in a non-adversarial and collegial setting. I helped to guide and organize educational events of interest to members.
College of Labor and Employment Lawyers	Member	2015 - present	This is a U.S. and Canada fellowship of the most accomplished members of the labour and employment law community. It is a tripartite fellowship, including members representing unions and employees, those representing employers, and neutrals (both adjudicators and academics). Its mission includes to establish, by example, the standards of professionalism and civility for the practice of labour and employment law, and to promote achievement, advancement and excellence in this practice area

Associations

Organization	Dates Involved
Law Society of Ontario	1979 to present
Canada Bar Association	1974 to present
Advocates Society	1990 to present
Employers Counsel Network	1993 to present
College of Labor and Employment Lawyers	2015 to present
American Employment Law Council	about 2008 to present