

**Federal Court of Appeal**



**Cour d'appel fédérale**

**Date: 20130116**

**Docket: A-164-12**

**Citation: 2013 FCA 09**

**CORAM: EVANS J.A.  
SHARLOW J.A.  
WEBB J.A.**

**BETWEEN:**

**DEBORAH GUYDOS**

**Applicant**

**and**

**CANADA UNION OF POSTAL WORKERS,  
CANADA POST CORPORATION**

**Respondent**

Heard at Toronto, Ontario, on January 16, 2013.

Judgment delivered from the Bench at Toronto, Ontario, on January 16, 2013.

**REASONS FOR JUDGMENT OF THE COURT BY:**

**EVANS J.A.**

Federal Court of Appeal



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BETWEEN:

DEBORAH GUYDOS

Appellant

and

CANADA UNION OF POSTAL WORKERS,  
CANADA POST CORPORATION

Respondent

**REASONS FOR JUDGMENT OF THE COURT**

(Delivered from the Bench at Toronto, Ontario, on January 16, 2013)

**EVANS J.A.**

[1] This is an application for judicial review by Deborah Guydos to set aside a decision of the Canada Industrial Relations Board (2012 CIRB LD 2788). In that decision, the Board denied Ms Guydos's request that it reconsider an earlier decision, CIRB LD 2752 (the original decision). In the original decision, the Board dismissed certain complaints made by Ms Guydos.

[2] The grounds on which the Board may reconsider its decisions include those set out in section 44 of the *Canada Industrial Relations Board Regulations, 2001*, SOR/2001-520.

[3] In denying Ms Guydos's request for reconsideration, the Board stated that, on the information that she had provided, there was no basis on which reconsideration could be justified. Rather, Ms Guydos was repeating the submissions she had made before the Board rendered the original decision. It also noted that the Board was now in a position to proceed with complaints by Ms Guydos that it had been holding in abeyance while grievances by the union remained outstanding.

[4] This Court may only set aside a decision by the Board on a reconsideration request if satisfied that the Board's decision was unreasonable. Having considered the submissions of Ms Guydos, both written and oral, we are not persuaded that the Board's decision to deny her request for reconsideration was unreasonable.

[5] Accordingly, the application for judicial review is denied with costs in a lump sum payable by Ms Guydos to the Respondents: \$2,500 to be paid to the Canadian Union of Postal Workers, and \$1,250 to Canada Post Corporation.

“John M. Evans”

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J.A.

**FEDERAL COURT OF APPEAL**

**NAMES OF COUNSEL AND SOLICITORS OF RECORD**

**DOCKET:** A-164-12

**(APPEAL FROM A JUDGMENT OR ORDER OF THE CANADA INDUSTRIAL  
RELATIONS BOARD DATED MAY 2, 2012)**

**STYLE OF CAUSE:** *DEBORAH GUYDOS v. CANADA  
UNION OF POSTAL WORKERS,  
CANADA POST CORPORATION*

**PLACE OF HEARING:** TORONTO, ONTARIO

**DATE OF HEARING:** JANUARY 16, 2013

**REASONS FOR JUDGMENT  
OF THE COURT BY:** (EVANS, SHARLOW, WEBB JJ.A.)

**DELIVERED FROM THE BENCH BY:** EVANS J.A.

**APPEARANCES:**

DEBORAH GUYDOS FOR THE APPLICANT, ON HER  
OWN BEHALF

JEFFREY M.ANDREWS FOR THE RESPONDENT,  
CANADIAN UNION OF POSTAL  
WORKERS

DANIEL MCDONALD FOR THE RESPONDENT,  
CANADA POST CORPORATION

**SOLICITORS OF RECORD:**

DEBORAH GUYDOS FOR THE APPLICANT, ON  
TORONTO HER OWN BEHALF

CAVALLUZZO HAYES SHILTON McINTYRE & FOR THE RESPONDENT,  
CORNISH LLP CANADIAN UNION OF  
TORONTO POSTAL WORKERS

NORTON ROSE CANADA LLP FOR THE RESPONDENT,  
TORONTO CANADA POST CORPORATION

