

CASE NO.**VOL. NO.****PAGE**

CANADA POST CORPORATION

CANADIAN UNION OF
POSTAL WORKERS

- and -

(Appellant)

(Respondent)

CA 159750

Halifax, N.S.

CROMWELL, J.A.
(Orally)

**[Cite as: Canada Post Corporation v. Canadian Union
of Postal Workers, 2000 NSCA 72]**

APPEAL HEARD: May 31st, 2000**JUDGMENT DELIVERED:** May 31, 2000**WRITTEN RELEASE OF ORAL:** June 1st, 2000**SUBJECT:** Labour Relations - Arbitration - Judicial Review

SUMMARY: The grievances of nine grievors who had been disciplined by their employer were submitted to arbitration pursuant to a collective agreement. The collective agreement contained a provision that “a final decision rendered by an arbitrator binds the Corporation, the union and the employees in all cases involving identical and/or substantially identical circumstances”. Applying this Article, and relying on three previous awards between the parties, the arbitrator held, in a preliminary award, that four of the grievors could not be disciplined because they were on full time leave for union business. With respect to the remaining five grievors, the arbitrator, in his final award, found that there was no just cause for the imposition of discipline in one case and substantially reduced the penalties imposed in the other cases. The employer applied to quash the awards and the application was dismissed. The employer appealed.

ISSUE: Did the chambers judge err in refusing to quash the arbitrator’s awards?

RESULT: Appeal dismissed. The arbitrator did not commit reviewable error in either his preliminary or final awards.

This information sheet does not form part of the court’s decision. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 5 pages.

