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<p><b>O’BRIEN’S DIVISION VII —</b> <b>LABOUR RELATIONS AND EMPLOYMENT</b> <b>Release No. 1, February 2024</b></p>
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**What’s New in this Update**

This release features updates to the commentary and forms in Chapter 10 (Discharge), Chapter 12 (Grievance Arbitration), 13 (Interest Arbitration), 14 (First Contract Arbitration), 15 (Strike and Lockout), and Chapter 16 (Judicial Review).

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## **Highlights**

**Chapter 10 – Discharge** – Manitoba commentary has been updated and the following forms have been updated:

- § 10:5 Notice of Reference to Adjudication of an Individual Grievance (Federal)
- § 10:6 Notice to the Canadian human Rights Commission
- § 10:8 Complaint Form – Unjust Dismissal
- § 10:22 Public Service Grievance Board Application
- § 10:23 Public Service Grievance Board Response
- § 10:25 Notice of Civil Claim (British Columbia)
- § 10:28 Counterclaim (British Columbia)
- § 10:30 Small Claims Court Notice of Claim (British Columbia)
- § 10:31 Small Claims Court Replying to a Claim (British Columbia)

**Chapter 12 – Grievance Arbitration** – Ontario commentary and the following forms have been updated:

- § 12:7 Consent of Aggrieved Employees to the Presentation of a Group Grievance (Federal)
- § 12:8 Notice of Reference to Adjudication of an Individual Grievance—Interpretation or Application of a Provision of a Collective Agreement or an Arbitral Award (Federal)
- § 12:9 Notice of Reference to Adjudication of an Individual Grievance—Termination, Demotion, Suspension, or Financial Penalty (Federal)
- § 12:10 Notice of Reference to Adjudication of a Group Grievance (Federal)
- § 12:11 Notice of Reference to Adjudication of a Policy Grievance (Federal)
- § 12:12 Notice to the Canadian Human Rights Commission (Federal)
- § 12:14 Complaint Under Section 190 of the [Federal Public Sector Labour Relations] Act (Federal)
- § 12:23 Dismissal for Cause/Discipline/Working Conditions and Terms of Employment Under The Public Service of Ontario Act, 2006
- § 12:25 Request for Appointment of Arbitrator under Section 124 of the Police Services Act as amended (Rights Dispute) (Ontario)
- § 12:26 Request for the Appointment of a Conciliation Officer under Section 123 of the Police Services Act as amended (Rights Dispute) (Ontario)
- § 12:28 Request for Appointment of Single Arbitrator Under Section 49 (Expedited Arbitration) (Ontario)
- § 12:29 Referral of Grievance to Arbitration (Construction Industry) (Ontario)
- § 12:31 Request for Hearing and Notice of Intent to Defend/Participate (Construction Industry Grievance Referral) (Ontario)
- § 12:32 Response/Intervention—Referral of Grievance to Arbitration (Construction Industry) (Ontario)

§ 12:33 Payment of Fee By Credit Card in Application Under Section 133 of the Act (Construction Industry Grievance Referral) (Ontario)

§ 12:37 Application for Approval as an Arbitrator

§ 12:58 Memorandum of General Information Required on all Proceedings (Manitoba - English)

**Chapter 13 – Interest Arbitration** – Manitoba commentary and the following forms have been updated:

§ 13:3 Request for Arbitration (Federal)

§ 13:4 Proposals Concerning a Request for Arbitration or Request for Arbitration of Additional Matters (Federal)

§ 13:5 Applicant’s Response Concerning a Request for Arbitration of Additional Matters (Federal)

§ 13:6 Request for Conciliation (Federal)

§ 13:7 Response Concerning a Request for Conciliation or Request for Conciliation of Additional Matters (Federal)

§ 13:8 Response Concerning a Request for Conciliation of Additional Matters (Federal)

§ 13:8.30 Choice of Dispute Resolution Process (Federal)

§ 13:8.70 Application to Change the Applicable Dispute Resolution Process (Federal)

§ 13:17 Ontario Police Arbitration Commission (Interest Dispute Arbitrator) (Ontario)

§ 13:18 Ontario Police Arbitration Commission (Interest Dispute Conciliator)

**Chapter 14 – First Contract Arbitration** – Manitoba and Ontario commentary and the following forms have been updated:

§ 14:6 Application Under Section 43 of the Act (Direction That a First Collective Agreement Be Settled by Arbitration) (Ontario)

§ 14:7 Response—Application Under Section 43 of the Act (Direction That a First Collective Agreement Be Settled By Arbitration) (Ontario)

§ 14:17 Memorandum of General Information Required on all Proceedings (Manitoba)

**Chapter 15 – Strike and Lockout** – Manitoba and Saskatchewan commentary and the following forms have been updated:

§ 15:7 Statement Respecting a Strike Vote (Federal)

§ 15:8 Application for a Declaration that a Strike Vote is Invalid (Federal)

§ 15:9 Application for a Declaration that Conduct is Unlawful (Federal)

§ 15:11 Application Regarding Unlawful Strike or Lockout (Ontario)

§ 15:12 Response/Intervention - Application Regarding Unlawful Strike or Lock-Out (Ontario)

§ 15:14 Application Regarding Employee Status (Ontario)

§ 15:15 Response/Intervention—Application Regarding Employee Status (Ontario)

§ 15:23 Unfair Labour Practice Complaint (British Columbia)

§ 15:25 Notice of Civil Claim (British Columbia)

§ 15:35 Memorandum of General Information Required on all Proceedings (Manitoba)

**Chapter 16 – Judicial Review** – Manitoba commentary and the following forms have been updated:

§ 16:22 Petition to the Court (British Columbia)

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