

# “WHAT’S NEW”

## ISSUE 2

In an effort to keep the Labour Relations Community informed on an ongoing basis of happenings at the Labour Relations Board, the Board produces its monthly update – “What’s New.”

### NEWS AROUND THE BOARD

**Recent Board Caucus** – The Board’s most recent caucus meeting was held on April 11 and 12, 2011 in Edmonton. In addition to the Board’s annual open house and a full day of training for Board members on a variety of administrative law issues, the Board passed a resolution agreeing to seek feedback from the community on whether to amend [Information Bulletin #10](#) by reducing the number of standard bargaining units for non-RHA employers from five to four. The reduction would be accomplished by merging the paramedical professional and paramedical technical units.

Please see the linked request for feedback - [Proposed Changes To Information Bulletin #10 – “Bargaining Units for Hospitals and Nursing Homes”](#)

**Welcome Back!** - The Board is happy to announce Vice Chair Nancy Schlesinger has recently returned to full-time status after having spent two years working part-time following her maternity leave. Her added presence will be appreciated by all, in particular given Vice Chair Lucas’ temporary absence from the Board. All indications are Gerry is doing well with rumours of a possible return to work in the not too distant future.

**Upcoming Retirement** – While Nancy has returned to full-time status, Bob Poburan has made the opposite decision – recently announcing his decision to retire and enjoy the good life. Congratulations Bob on your pending retirement! Bob’s last day with the Board will be June 10, 2011. Details of a celebration of Bob’s retirement will be announced shortly.

### CASES OF INTEREST

In a recent decision, the Alberta Court of Appeal has issued a finding which goes against the trend found in a number of recent cases of giving a broad and liberal interpretation to the scope of the employer/employee relationship. The Court held the meaning of the term “employer” in Alberta’s human rights legislation did not include the owner of a job site that required drug testing for the employees of contractors engaged by the owner. A contractor’s employee was fired after failing the owner mandated drug test. The decision is of particular interest given the remedial nature of the legislation in question.

*Alberta Human Rights and Citizenship Commission v. Lockerbie & Hole Industrial Incorporated and Syncrude Canada Limited*, [2011] A.J. No. 2 (QL)