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**JUDICIAL REVIEW IN LABOUR LAW**

**Richard J. Charney and Thomas E.F. Brady**

**Release No. 33, December 2018**

This award-winning looseleaf service provides a comprehensive overview of what the courts have done, and are currently doing, when confronted with applications for judicial review of decisions made by labour tribunals. It discusses current case law from all Canadian jurisdictions and includes a discussion of the procedure and remedies available.

**What's New in this Update:**

This release features updated commentary and new case law on breach of natural justice (Chapters 7, 11 and 14), remedies (Chapters 15 to 17) and procedure (Chapter 18).

**Highlights:**

- *A & K Enns Trucking Ltd. v. Elkew*, 2017 CarswellNat 5600 (F.C.), affirmed 2018 CarswellNat 6699 (F.C.A.), on an adjudicator relying on cases that neither party had cited (para. 14.981)
- *Saskatoon (City) v. Amalgamated Transit Union, Local 615* (2017), 2018 C.L.L.C. 220-013 (Sask. C.A.), on unfair labour

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practice complaints brought by a union after a lockout (para. 7.550)

- *A.U.P.E. v. Northern Alberta Institute of Technology*, [2018] Alta. L.R.B.R. 229 (Alta. Q.B.), on the standing of a union to bring a constitutional challenge over the exclusion of a class of employees (para. 15.321)
- *Importations Grand Prix inc. c. Tribunal administratif du travail*, 2018 CarswellQue 2618 (C.S. Que.), where an employee competed with his employer while he was suspended (para. 14.920.2)
- *Lindsay v. British Columbia (Labour Relations Board)*, 2018 CarswellBC 1092 (B.C. S.C.), where a petitioner challenged part of a board's decision because that part might allow the employer to raise arguments in defence of a human rights complaint (para. 15.580)
- *Newfoundland and Labrador Association of Public and Private Employees v. Memorial University (Fisheries and Marine Institute)*, 2017 CarswellNfld 304 (N.L. T.D.), on the apprehension of bias where an adjudicator was found to be a director of a non-profit corporation with close ties to the employer (para. 11.1004)