



March 31, 2021

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**RE: An application brought by the MacEwan Staff Association affecting
The Faculty Association of Grant MacEwan University and The
Board of Governors of Grant MacEwan University – Board File No.
GE-08377**

**RE: An application brought by the MacEwan Staff Association affecting
The Board of Governors of Grant MacEwan University and The
Faculty Association of Grant MacEwan University – Board File No.
GE-08378**

[1] The MacEwan Staff Association (the "Staff Association") has commenced two applications before the Board which, in part, reference the Board's authority pursuant to section 58.6 of the *Labour Relations Code* (the "Code"). On November 5, 2020, one of the respondents to those applications, the Faculty Association of Grant MacEwan University (the "Faculty Association") applied for summary dismissal of portions of those applications under section 16(4)(e) of the *Code*, or alternatively, deferral of the applications under section 16(4)(d).

[2] The Faculty Association's preliminary applications came before a panel of the Board (Schick, Bokenfohr, Vogrinetz) on March 1, 2021. Preliminary issues with respect to evidence were determined by Vice-Chair Schick in advance of commencement of the hearing. The Board heard argument by the parties and reserved its decision concerning the summary dismissal applications. Both the evidentiary issues and the summary dismissal argument

raise points of statutory interpretation of relatively new sections of the *Code*, and the Board intends to write reasons on those points.

[3] Certain further preliminary matters on these files are scheduled to be discussed in case management before the Board on April 8, 2021, and the Board feels those discussions will be more productive if the parties are aware of a bottom-line result of the summary dismissal applications.

[4] As a result, the Board provides the following bottom-line result of the Faculty Association's preliminary applications. The summary dismissal applications and deferral application are dismissed.

[5] The Board's full reasons for this decision will be provided in due course.



Jeremy D. Schick
Vice-Chair