

BCLRB No. B152/2005

**BRITISH COLUMBIA LABOUR RELATIONS BOARD**

**UNIVERSITY OF BRITISH COLUMBIA**  
**(the "Employer")**

**-and-**

**FACULTY ASSOCIATION OF THE UNIVERSITY OF  
BRITISH COLUMBIA**  
**(the "Association")**

**PANEL:** Mark J. Brown, Vice-Chair and Registrar

**APPEARANCES:** Donald J. Jordan, Q.C., for the Employer  
Allan E. Black, Q.C., for the Association

**CASE NO.:** 53391

**DATE OF DECISION:** June 2, 2005

**DECISION OF THE BOARD**

I. **NATURE OF APPLICATION**

1 The Employer applied under Section 99 of the *Labour Relations Code* (the "Code") in a letter dated April 5, 2005, for review of a Supplementary Award of Arbitrator Joan Gordon, dated March 21, 2005.

2 In its application the Employer proposed that this application be determined by the outcome of a reconsideration application involving the same parties in BCLRB No. B330/2004. In proposing this approach, the Employer stated that it "understands that it is waiving its right to seek reconsideration of the present application if the Board determines in its reconsideration of [B330/2004] that, as a matter of interpretation of the Agreement, the remedy of reversal is available to an arbitrator pursuant to Article 13.07". (page 2)

3 In a letter dated April 8, 2005, the Union agreed with this approach.

II. **DECISION**

Given the result of the reconsideration application with respect to BCLRB No. B330/2004, which was issued on April 7, 2005, BCLRB No. B88/2005, the application at hand is dismissed.

LABOUR RELATIONS BOARD



MARK J. BROWN  
VICE-CHAIR AND REGISTRAR