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

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.

In its application the Employer proposed that this application be determined by the outcome of a reconsideration application involving the same parties in BCLR 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)

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 BCLR No. B330/2004, which was issued on April 7, 2005, BCLR No. B88/2005, the application at hand is dismissed.

LABOUR RELATIONS BOARD

MARK J. BROWN
VICE-CHAIR AND REGISTRAR