

WRITTEN DECISIONS

INTRODUCTION

All Board decisions are confidential until they are issued. It is unfair, and it appears unfair, if one party learns of a decision before another. Early release of a decision or even gossip about pending decisions can give one side an advantage over another. Once a hearing is over and a decision reserved, the decision-making process is absolutely confidential until the moment the Board formally issues the decision.

The Board issues most of its decisions in the form of a written set of reasons for decision. This policy describes how to issue those reasons.

PROCEDURES FOR ISSUING DECISIONS

All decision drafts are confidential and not to be released to anybody outside the Board. Drafts must be shredded rather than put in the recycling bin or the garbage.

The Chair or Vice-Chair only signs a decision once it is in final form, fully proof-read, and approved by the panel that sat on the matter. Scanned signatures are considered a signed decision.

When a decision is to be released, the Chair's administrative assistant will prepare the covering letters and sufficient copies of the decision.

The Chair's administrative assistant telephones the offices of the Counsel and parties who appeared on the file. Advise them of the 9:30 a.m. release the next morning. If Counsel or parties are not in, leave a message with their assistant.

The Chair's assistant emails all Board management, officers, the Deputy Minister's Executive Assistant and the Assistant Deputy Minister, Issues Management that the decision has been issued.

The decision packages are left at the front desk of the receptionist so they can be picked up at 9:30 a.m. the next day.

If anyone wishes the decision couriered to them, they should arrange for the courier to pick up the package, at their expense, at 9:30 a.m.

Do not fax long decisions; have them picked up. Decisions are faxed out to parties outside of Edmonton or Calgary.

The Board may modify this practice in cases involving urgent labour relations matters. If so, the Chair or Vice-Chair may give special directions.

As soon as the Board issues a decision, the responsible officer should review the decision, update the database, and make sure they are clear about what has been resolved, and how. Any ambiguity should be discussed right away with the Chair or Vice-Chair.

As soon as a decision issues, the Chair's assistant will give a copy to the Board's solicitor for a headnote, which should be prepared forthwith.

All media requests for a decision should be noted in the LRO comments. Media should be advised of a decision's release date (when known). They may pick up copies of the decision when it is released or view it online. The Board does not fax decisions to the media.

The Board will not provide comment on decisions, which speak for themselves. Requests for information about the result of a case should be directed to the Director of Settlement. No comment should be made beyond the bare details of the decision rendered. This is to avoid any suggestion that the Board favours one side over the other.

Once a decision has been rendered, the Chair's Assistant will indicate in the database that the Chair's or Vice-Chair's outstanding commitment is met.