

PREPARING BOARD DECISIONS

INTRODUCTION

This policy manual section describes the procedures and styles used to prepare a Board decision. It discusses:

- what is a decision;
- where to store decisions;
- preparing the first page;
- preparing the decision text;
- the final paragraph or closing; and
- on-line availability

WHAT IS A DECISION?

Decisions fall into three types:

- **Policy decisions:** These decisions address administering the Code. They involve general principles more than minor details. They apply to all matters, not specific cases. These decisions are made at meetings of the full Board called “Caucus Meetings.”
- **Administrative decisions:** These are day-to-day questions about how staff carry out tasks assigned by the Board. They include administrative matters like staffing, budgeting, and office procedures. They also include procedural matters about the way cases are handled. This includes decisions about pre-hearing issues such as notice, investigations, reports, etc. delegated to staff under the Rules. The Chair, as the Board’s Chief Executive Officer, has overall responsibility for administering the Board’s resources. The Board’s Rules give staff the authority to make many administrative decisions about individual cases assigned to them such as the Director of Settlement’s powers under Rule 22, or the powers given to Returning Officers under the Voting Rules.
- **Quasi-judicial decisions:** These are decisions that involve deciding a party’s rights under the [*Labour Relations Code*](#), the [*Public Service Employee Relations Act*](#) or [*Police Officers Collective Bargaining Act*](#). They require the exercise of the Board’s judgment. It is these decisions this policy refers to below. Decisions may be what we call “formal” or “letter format” decisions. There may be oral decisions given at a hearing, but the Chair/Vice Chair will publish reasons in a letter format for these oral decisions.

WHERE TO STORE DECISIONS

Prepare all Board decisions in the G:\process\decision\drafts drawer. Once a decision is signed, it is moved to the G:\process\decision\final drawer.

PREPARING THE FIRST PAGE

The first page of a decision contains information about the parties, the Board panel, the process file number, counsel and appearances from other representatives. Recall the decision template found at G:\process\decision\drafts_Decision Formal Template.doc [or _Decision Letter Template.doc]. It is important to use the templates so all decisions remain consistent and because the page and paragraph numbering are already set up in the template. Some things to keep in mind are:

- When entering the names on the front page, use full names (e.g., Kelly G. Smith, not K.G. Smith). Include Queen's Counsel designations where appropriate (e.g., Kelly G. Smith, Q.C.).
- Under Appearances, when referring to the counsel and representatives appearing before the panel, use "Applicant", "Respondent" or "Intervenor" rather than the parties' names. (If there are two Applicants then put "For the Applicant X:", including an abbreviated name)

APPEARANCES:

For the Applicant: xxxxx
For the Respondent: xxxxx
For the Intervenor: xxxxx

- When typing a section of the Code, write Section 165 not s.165.
- Print the first page of all decisions on Board letterhead.
- A header is included already in the template, you do not need to set up line numbering.

PREPARING THE DECISION TEXT

The following guidelines apply to the body of the decision.

- The first written page of text **always** begins with the title: **REASONS FOR DECISION**. The heading should be in bold, capitalized and centered.
- All text is normally in Times Roman 12 point font.
- All paragraphs are flush left, not indented.
- All paragraphs (excluding quotations) are numbered consecutively.
- All quotes of any kind that are **not** a section of the Code are in the Times Roman 12 point font.
- The names of statutes (e.g., the *Labour Relations Code*) should be in italics. See: [[Grammar & Spelling, Chapter 13\(c\)](#)].

- Type all references to the Code in the Times Roman 12-point italics font.
- Quotes of any kind over three lines in length are always single spaced and indented.

Adding a Section of the Code into a Decision

To recall a section of the Code, open the “G:\publish\acts\New Code with Bill 27.doc” file [or the [PSERA](#) or [POCBA](#) if needed]. Block the portion of text you wish to retrieve, highlight and copy it and then paste it into your current document. Format it as explained above.

References

All references to publications such as “Adams in *Canadian Labour Law*” or “*Canadian Labour Law*” are italicized, not underlined. The same is true where the panel references a decision. The parties’ full names are italicized.

See: International Association of Theatrical Stage Employees and Moving Picture Machine Operators of the United States and Canada, Local 210 v. Calgary Centre for Performing Arts [1988] Alta.L.R.B.R. 257.

THE FINAL PARAGRAPH OR CLOSING

Formal decisions end with the paragraph:

ISSUED and DATED at the City of Edmonton/Calgary, in the Province of Alberta this <date> day of <month>, <year> by the Labour Relations Board and signed by its Chair [or Vice-Chair].

ON-LINE AVAILABILITY

All decisions are made available on the Board’s website until such time as an update to the Alberta Labour Relations Board Reports is issued by LESA. See: [[Reformatting Decisions for the LRB Reports, Chapter 8\(b\)](#)].