

# REFORMATTING DECISIONS FOR THE LRB REPORTS

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## INTRODUCTION

This section describes the process of reformatting a Board decision, once issued to the parties. We report all decisions, whether formal or in a letter format, in a series of binders called the *Alberta Labour Relations Board Reports*. The Board Reports contain: a casetable page, the formal and letter decisions, a cumulative index of the decisions, a court challenges report and discussion papers. The Board Reports are sent out to practitioners every two months. The [HR&E Library](#) (Bernadette Wohlmuth) prepares the cumulative index of the decisions for the Board. This section describes:

- reporting Board decisions;
- storing reformatted decisions;
- reformatting page one;
- reformatting page two;
- reformatting the last page;
- headnotes;
- preparing headers;
- review before printing; and
- the ALRBR package.

## REPORTING BOARD DECISIONS

The Board publishes its decisions to give parties wide access to previous decisions in the interest of certainty. We report all decisions containing reasons of substance in what we call a “formal decision.” We treat these reasons as precedent or part of the Board’s jurisprudence. The Board also issues letter decisions. Letter decisions are also reported in the Board Report series.

It is for the Board to decide on the form of its reasons. Among the criteria weighed is whether the decision is of interest to the community (suggesting a formal decision) or only to the parties (suggesting a letter decision) as well as the precedential value of the decision. Usually, counsel want the reasons for a Court challenge or for use as a precedent. It is not usually appropriate to use “off-the-bench” oral reasons as a precedent in a future case. Incomplete reasons of this type cause more confusion than certainty, and are often taken out of context.

Formal court decisions (as well as transcripts of court decisions) arising from decisions of the Board are reported in the Alberta Labour Relations Board Reports. These transcripts are typed in the formal decision format and are treated the same as formal decisions.

There are times when the Board will issue cease and desist directives at a hearing. Often called *Findings and Directives*, these decisions do not form part of the Board Reports. They are kept by the Chair's secretary in a binder and are also available on-line.

## STORING REFORMATTED DECISIONS

Once a decision is signed, move it to the G:\process\decision\final subdirectory. Then *make a copy* of the decision and store it in the G:\publish\reports\format directory. Formatting a copy of the original decision takes place in the G:\publish\reports\format directory so as not to touch the original in case of discrepancies between the formatted version and the original version.

## REFORMATTING THE DECISION FOR THE LRB REPORTS

Open the decision found in the format directory. You will begin formatting it to the style of the Board Reports. To do this, follow the instructions below:

### **Page One**

- Delete the words, "IN THE MATTER OF:" and "THE LABOUR RELATIONS CODE" on the first page.
- Reformat the names of the parties as per this example: CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1158, Applicant and MILLWOODS SHEPHERD'S CARE CENTRE, Respondent and XYZ COMPANY, Intervenor. Board Files: BR-02399, BR-0001. January 20, 1990. The names must be in uppercase letters.
- The above heading of the decision appears as Times Roman **12** point Bold.
- Separate the parties' names by a comma. Then add their status (Applicant, Respondent, Intervenor) and the word "and". Do the same for the other parties.
- If more than one Board File, change the heading to "Board Files:"
- Type a period (.) after the last file number.
- Type in the date of the decision and end the paragraph with a period (.).
- The Board panel is displayed in Times Roman 11 pt. Bold/Italics. It should appear as follows: ***Mark L. Asbell, Chair, D. Fagan and L. Schell, Members.***

Keep the "For the Applicant:" or "For the Respondent:" or "For the Intervenor:" headings. Separate these by a return. Only use full Counsel's names. Keep the (Counsel) references.

For example:

For the Applicant: John Smith (Counsel), Kelly Jones

For the Respondent: Jane Doe, Q.C. (Counsel), Kim Smith

### **Page Two**

Type the name of the person who wrote the decision at the beginning of the first paragraph. For example, if it is the Chair's decision: (in bold type: **Mark L. Asbell, Chair: [3 spaces]**) The paragraph immediately follows. For example:

#### **REASONS FOR DECISION**

**Mark L. Asbell, Chair:** This is paragraph one of the decision ... etc.

### **The Last Page**

Remove the entire last paragraph (Issued and Dated etc.), the signature line and name, and any filename paths that may appear at the end of the decision.

Remove any page number references in the header of the decision. They will be renumbered with new headers in the Board Reports.

### **PREPARING THE LRB REPORTS**

Check the last page of the Alberta Labour Relations Board Reports already published. Text not filling a page will be the start of the next month's reports.

- Retrieve the leftover text and open a new file for this reporting period. Example: G:\publish\reports\year\*months.doc* (Fill in proper year/months – Jan-Feb.doc etc.).
- Add each new reformatted decision to the end of the document. (They will flow continuously and are in **chronological order**.)

### **HEADNOTES**

When a decision is finalized, a copy of the signed decision is given to the Board's Legal Counsel for headnoting. The Board's Legal Counsel prepares a summary for each decision. We call this summary a "headnote." When the Legal Counsel prepares the headnote, it contains: keyword lines, headnote, index sections and annotations for the decision. The keyword lines and headnote portion of the headnote appear in each formal decision.

A few guidelines on headnotes:

- The Legal Counsel types headnotes in the G:\process\decision\headnote drawer. The keyword lines and the headnote appear in the Board Reports. Insert only these into the **reformatted** decision. Place them immediately above the REASONS FOR DECISION title.
- Type the keyword lines in Times Roman 11 point Bold.
- The headnote appears in Times Roman 11 point Italics.

Insert the decision by attaching it to the end of your document: e.g., G:\publish\reports\2002\Jan-Feb.doc.

When adding the decision to the Board Report document, Microsoft Word will cause havoc with much of the formatting previously found on the original. You will have to review every paragraph for items that have changed. Decisions that arrive from outside our office (e.g., from outside Vice-Chairs) may need even closer scrutiny. Check for the following:

- all headers are correct;
- all paragraphs are the proper font and size;
- that line spacing is 1.2 spacing;
- all paragraphs have only one carriage return between them;
- everything is fully justified;
- tab settings all equal 5; and
- all indents are left and right indented.

## **HEADERS**

The Board Reports contain headers that display odd- and even-page numbering. For even pages, set up the header on the first page of the report as below:

- Even headers contain the page number [on the left], Alberta Labour Relations Board Reports [centered] and [year] Alta. L.R.B.R. [on the right].
- Odd headers contain the parties name [centered] and the page number [on the right].

## **BEFORE PRINTING**

The Legal Education Society of Alberta (LESA) receives the original Reports. They handle the publishing and mailing for the Board. Before submitting originals to LESA, it is wise to review the reports to check that:

- Leftover text from a page of the last month's reporting period appears at the start of this month's reporting period.
- All page number headers (e.g., - 2 -) found on previous decisions are deleted;
- All line spacing changes now equal 1.2.
- All headers match the decision they are outlining and appear at the top of the correct page.
- All quotes have been indented properly and styled with the Times Roman Italics 11 point font.
- The author's name appears at the start of the first paragraph, in bold.
- The keyword lines and headnotes are inserted.
- The keyword and headnotes correspond to their proper decisions and have been properly styled, keyword lines in bold and headnotes in Times Roman Italics 12 point font.
- No closings (e.g., Issued and Dated etc.) appear at the end of the decisions.
- Only one carriage appears between paragraphs.
- Proper styles have been attached on first pages (e.g., caps, quotes, italics/bold etc.).
- Three carriage returns separate decisions.
- The date of the decision is entered.

### ***Printing the Reports***

The Reports are printed using Word's binding feature, called Gutter. Found in Page Setup, change the Gutter to 0.3. Gutters allow room for proper hole-punching.

### **ALRBR PACKAGE**

The Alberta Labour Relations Board Reports contain not only a copy of the formal and letter decisions but a Casetable, Status of Court Challenges, and the Index and any Discussion Papers. Attach these three/four items before sending to LESA.

#### ***Casetable***

Prepare the casetable in the g:\publish\reports\year drawer. [The file is called "\_index.doc"]. The abbreviations used for the parties should match the odd page header in the reports.

#### ***Status of Court Challenges***

The Board's Legal Counsel prepares the update of the Status of Court Challenges. The Legal Counsel can update the document found at G:\publish\reports\year\\_challenge.doc.

### ***Index***

Email a set of the latest headnotes to Bernadette Wohlmuth in the library to prepare the Index. She uses the Index section off the headnotes to prepare the Index and will bring up a paper index for you when she has completed the Index.

### ***Special Instructions***

When sending the complete package to LESA, prepare the cover letter containing filing instructions. It is found at *G:/publish/reports/year/B Downie Front Page Letters*. There is also a memo to Bev Downie from the Board found at: *G:/publish/reports/year/Memo – Bev Downie.doc*.