

IN THE MATTER OF ARBITRATION BETWEEN:

CATHOLIC DISTRICT SCHOOL BOARD OF EASTERN ONTARIO

(the EMPLOYER)

-and-

**ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION
(Grievance #14319-EO-ME re Toxic Work Environment)**

(the UNION)

INTERIM ORDER

1. During a telephone conference call on April 26, 2016 the Union requested that the Employer produce the following items:
 - A. Copies of the December 2015 Investigation Report that was prepared by a third-party who had investigated the allegations of a poisoned work environment, and
 - B. Copies of all of the witness statements that were produced during the third-party's investigation.

The Employer objected to the production of any of these documents.

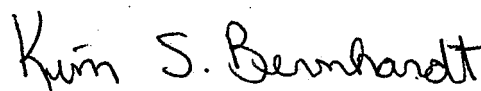
2. Further to the oral ruling that I rendered during this discussion, the following order is made:
 - The Employer will provide the Union with copies of the Investigation Report prior to the first day of hearing on May 9, 2016. The Union will maintain the confidentiality of the report by a.) Not making any copies of the report (other than as outlined under b.); and b.) Limiting the distribution of the report to the

following four individuals: Mr. Hanson (as counsel), the Unit President, the Grievance Officer, and the Provincial Representative.

As the Report is “arguably relevant” to the grievance in dispute, it should be produced. However, it remains for the parties to argue what weight should be given to the Report as a part of the evidence that is to be presented during the arbitration hearing.

- There is no order made at this time regarding the production of the witness statements; arguments regarding the production of the statements can be made during the course of the hearing.

Signed this 26th day of April, in Oakville, Ontario.

A handwritten signature in black ink that reads "Kim S. Bernhardt". The signature is written in a cursive, slightly slanted style.

Kim S. Bernhardt, Arbitrator