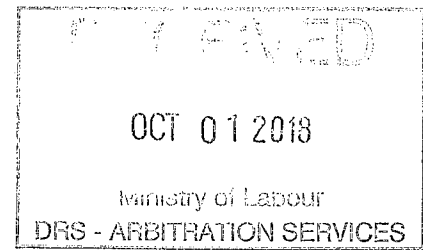


In the matter of an Arbitration

Between:



Canadian Union of Public Employees, Local 109

and

Kingston & Frontenac Housing Corporation

Policy Grievance

Andrew Tremayne, arbitrator

Appearances:

Jessica Greenwood for the union

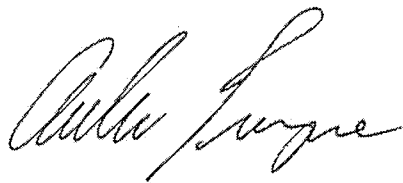
Carol Mackillop for the Corporation

Hearing held on September 17, 2018 by teleconference

Award issued on September 17, 2018 at Ottawa, Ontario

1. The hearing of this matter is scheduled to proceed on September 19, 2018. This is a brief, bottom line decision on the employer's motion to adjourn the hearing.
2. The grievance before me was referred to arbitration and I was appointed to hear and determine it under s 49(4) of the *Ontario Labour Relations Act, 1995*.
3. In an award dated August 28, 2018, I dismissed a preliminary objection by the employer that I am without jurisdiction to hear this grievance. That preliminary objection was heard on August 13, 2018, at which time the parties agreed that if I found that I have jurisdiction to hear the grievance, the matter would proceed on the merits on September 19, 2018.
4. In a letter dated September 14, 2018, the employer says that it has received instructions to proceed with an Application for Judicial Review of my August 28, 2018 preliminary award. The employer requests that the hearing on the merits be adjourned pending the outcome of its Application. The union resists the employer's motion.
5. I have considered the parties' submissions and reviewed the authorities that they have cited. In particular, I have considered the appropriate factors that should be weighed when a request for an adjournment is made. On a balancing of the parties' respective interests, and for reasons that will be set out in the final award, the employer's request to adjourn the hearing is dismissed.
6. The matter will proceed on September 19, 2018 as previously scheduled. The parties have already been informed of the time and location of the hearing. I remain seized.

Signed at Ottawa, Ontario on September 17, 2018

A handwritten signature in black ink, appearing to read 'Andrew Tremayne', written in a cursive style.

Andrew Tremayne