

IN THE MATTER OF AN ARBITRATION
Pursuant to the *Labour Relations Act*, R.S. 1995

BETWEEN:

CITY OF TORONTO

("Employer")

- and -

TORONTO CIVIC EMPLOYEES' UNION, LOCAL 416

("Union")

(Grievance of G. Harris-Saunders)

SOLE ARBITRATOR:

Jasbir Parmar

On Behalf of the Employer:

Kerri Kitchura, Solicitor
Joanne Nijmeh, H.R. Consultant, Employee & Labour Relations Division
Tony Iscara, Financial Analys, Pension, Payroll & Employee Benefits Division

On Behalf of the Union:

Christine Davies, Counsel, Goldblatt Partners LLP
R. J. Seelen, Student-at-Law, Goldblatt Partners LLP
Gregory Harris-Saunders, Grievor
Pat Lenathen, TCEU, Local 416
Paul Page, TCEU, Local 416

This matter was heard on January 2, 2019, in Toronto, ON

1. I was appointed by the parties to serve as arbitrator in respect of this grievance, which alleges an improper denial of long-term disability benefits.
2. In the course of the Union's opening statement, I learned that during at least part of the relevant time period Dr. Sekhon was the Grievor's family physician. Dr. Sekhon will not be a witness in this case, because the Union has not been able to locate him. The Union still intends to seek to rely on Dr. Sekhon's clinical notes and records in support of the grievance.
3. I immediately advised the parties that my husband knew Dr. Sekhon on a personal basis, although he has not communicated with him for over twenty years. I also advised that I had once met Dr. Sekhon through my husband, again over twenty years ago.
4. The parties considered this information, and jointly asked that I recuse myself.
5. In respect of this joint request, I recuse myself and decline to hear and determine this grievance.

Dated this 2nd day of January, 2019.

"Jasbir Parmar"

JASBIR PARMAR