

**IN THE MATTER OF AN ARBITRATION
BETWEEN:**

SYSCO-FRESHPOINT

(the “Employer”)

-and-

TEAMSTERS LOCAL 419

(the “Union”)

**AND IN THE MATTER OF THE GRIEVANCES OF NALINEE SAMAROO -# 7370A
AND 7371A**

Louisa M. Davie

Sole Arbitrator

Appearances

For the Union:

Lauren Tarasuk

For the Employer:

John Bruce

Award

In my award dated September 10, 2019, I granted the Union's request to adjourn the hearing subject to terms which were designed to enable the grievor to provide satisfactory reasons why she failed to attend the September 10, 2019 scheduled hearing date. In that award I made it clear that if the grievor failed to comply with my orders and directions her grievances would be dismissed.

I am satisfied that the grievor was aware of my award and the consequences of her failure to comply. Union counsel has advised that a copy of the award was sent to the grievor via courier and via regular mail. It was also sent to the legal counsel who represents her in another legal proceeding involving the grievor and her Employer. Despite this the grievor has failed to comply with my order to explain why she did not attend the September 10, 2019 hearing. She has failed to contact the Union, or the Employer or the Arbitrator. As set out in my September 10, 2019 award, the only conclusion to be drawn from her conduct is that the grievor is no longer interested in the grievances because she is not cooperating with the arbitration process established in the collective agreement to deal with those grievances.

In these circumstances, and for the reasons set out in my September 10, 2019 award, the grievances are dismissed.

Dated at Mississauga this 1st day of October 2019.

Louisa Davie
Louisa M. Davie

