

NOVA SCOTIA COURT OF APPEAL

Citation: *Nova Scotia Government and General Employees Union v. Metro Community Living Support Services Ltd.*, 2017 NSCA 15

Date: 20170208

Docket: CA 452460

Registry: Halifax

Between:

Nova Scotia Government and General Employees Union

Appellant

v.

Metro Community Living Support Services Ltd. and
Labour Board (Nova Scotia)

Respondents

Judge: The Honourable Chief Justice J. Michael MacDonald

Appeal Heard: December 6, 2016, in Halifax, Nova Scotia

Subject: Administrative law; standard of review; Nova Scotia Labour Board; S. 28(1) *Trade Union Act*, (1989) R.S.N.S. 475; application to amend certification order;

Summary: For over a decade now, the respondent employer has been operating under various collective agreements with the appellant union. The union convinced the Labour Board to add a new employee classification to the bargaining unit. The employer then convinced the Supreme Court of Nova Scotia to quash that decision. The union now seeks to restore the Board's order.

Issues: Did the reviewing judge err in setting aside the Board's order?

Result: Appeal allowed. The Board's original order was reasonable in the circumstances and the reviewing judge erred in concluding otherwise.

This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 17 pages.