

IN THE SUPREME COURT OF NOVA SCOTIA

Citation: International Union Bricklayers & Allied Craft Workers, Local 2 v. Halifax Caulking Company , 2005NSSC54

Date: 20050311

Docket: SN No. 225807

Registry: Sydney, N.S.

Between:

The International Union of Bricklayers & Allied Craft Workers, Local 2
Applicant

v.

Halifax Caulking Co. Ltd.

Respondent

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Judge: The Honourable Justice Donald M. Hall

Heard: December 8, 2004 in Sydney, Nova Scotia

Subject: Judicial review - *certiorari* and *mandamus*

Summary: A union local sought to have the decision of an arbitrator appointed pursuant to s. 107 of the **Trade Union Act** set aside on the ground that the arbitrator's refusal to grant an adjournment to enable it to call further witnesses constituted a denial of natural justice.

Issue: What was the appropriate standard of review.

Result: The application was denied. The appropriate standard of review was "reasonableness". In the circumstances it could not be said that the reasons of the adjudicator were not tenable, **Voice Construction v. Construction & General Workers Union, Local 92** (2004), 1 S.C.R. 609.

***THIS INFORMATION SHEET DOES NOT FORM PART OF THE COURT'S DECISION.
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