



August 11, 2009

Disputes Inquiry Board appointed for laboratory services labour dispute

Parties now have additional opportunity to resolve issues

Edmonton... The Alberta government has appointed a Disputes Inquiry Board to help DynaLIFED_x and Health Sciences Association of Alberta (HSAA) reach a collective agreement for 912 workers in central and northern Alberta.

The HSAA served notice for strike action to begin on Friday, August 14 at 6 a.m. Because the Disputes Inquiry Board was established before strike/lockout action began, the union cannot strike and the employer cannot lock out employees until this inquiry process concludes. Negotiations between the parties can continue even while a Disputes Inquiry Board is in place.

"This independent, third-party perspective provides opportunity to resolve the outstanding issues and result in an agreement suitable to both parties," said Employment and Immigration Minister Hector Goudreau. "Meanwhile, Albertans can be assured that their access to medical laboratory services will not be compromised."

Goudreau appointed John Moreau to the one-person Board. Moreau is a seasoned labour arbitrator with extensive experience dealing in union/management matters.

Under the *Labour Relations Code*, a Disputes Inquiry Board can be established to investigate the matters in dispute and to help the parties reach a settlement without resorting to a strike or lockout. If a settlement cannot be reached by September 25, the board will make recommendations for settlement to the Minister. The recommendations are then forwarded to both parties. If the parties accept the recommendations, they are binding.

Members of the union voted in favour of strike action earlier this month.

Since 1981, Alberta has appointed only 13 Disputes Inquiry Boards, most recently in 2008.

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Backgrounder: Disputes Inquiry Board

Media inquiries may be directed to:

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To call toll free within Alberta dial 310-0000.

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Disputes Inquiry Board

A Disputes Inquiry Board can be established by the Minister when parties need neutral third-party assistance to resolve a dispute. Establishing a Disputes Inquiry Board may also provide the parties with a cooling off period to further address the issues without resorting to a strike or lockout.

If a Disputes Inquiry Board is established before a strike or lockout begins, neither the union nor the employer can take these actions until the board process is complete. If a strike or lockout is underway, establishing a Disputes Inquiry Board does not stop these actions.

How the Disputes Inquiry Board process works:

- The Minister of Employment and Immigration has the discretion, under the *Labour Relations Code*, to establish a Disputes Inquiry Board for parties that have the right to strike or lockout, by issuing a Ministerial Order.
- Both parties to the dispute are notified that a Disputes Inquiry Board has been established.
- The Minister appoints a board member (or members) and designates a chair if there is more than one member.
- If the board is unable to help the parties reach a settlement within 20 days of being established - or a longer time fixed by the Minister or agreed to by the parties - the board makes recommendations to the Minister which are then forwarded to both parties.
- The parties will have a set amount of time to review the recommendations before they are posted publicly. They have 10 days to notify the Minister of their acceptance of the recommendations. If both parties accept the recommendations, they are binding.
- If one or both of the parties does not indicate acceptance of the recommendations, the Labour Relations Board conducts a vote or poll of the party (or parties) that did not accept them.
- If the recommendations are rejected after the vote, the parties can continue negotiating a settlement on their own, or give a 72-hour notice to strike or lockout.
- Government pays the costs associated with establishing a Disputes Inquiry Board.

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