

**CALL/ACAMS Conference May 2006**  
**List of case referred to in standard of review update**

<b>1. The law is not settled</b>
<i>Voice Construction Ltd. v. Construction &amp; General Workers' Union, Local 92</i> , [2004] 1 S.C.R. 609
<i>Alberta Union of Provincial Employees v. Lethbridge Community College</i> , [2004] 1 S.C.R. 727
<i>Dr. Q. v. College of Physicians and Surgeons of British Columbia</i> , [2003] 1 S.C.R. 226
<i>Law Society of New Brunswick v. Ryan</i> , [2003] 1 S.C.R. 247
<b>Alberta</b>
<i>Alberta (Workers' Compensation Board) v. Appeals Commission</i> , [2005] A.J. No. 1012 (C.A.)
<i>United Nurses of Alberta, Local 33 v. Capital Health Authority</i> , [2004] A.J. No. 1471 (C.A.), leave to appeal to S.C.C. dismissed [2005] S.C.C.A. No. 73
<i>Navrot v. Alberta (Occupational Health and Safety Council)</i> , [2005] A.J. No. 1569 (C.A.)
<i>Amalgamated Transit Union, Local 583 v. Calgary (City)</i> , [2005] A.J. No. 356 (Q.B.)
<i>Calgary Health Region v. Alberta (Human Rights and Citizenship Commission)</i> , [2005] A.J. No. 615 (Q.B.)
<i>Thompson v. Burnco Rock Products Ltd.</i> , [2005] A.J. No. 114 (C.A.)
<i>A.U.P.E. v. Provincial Health Authorities of Alberta</i> , [2004] A.J. No. 901 (Q.B.)
<i>International Association of Machinists and Aerospace Workers, Local Lodge No. 99 v. Finning International Inc.</i> , [2005] A.J. No. 1856 (Q.B.)
<b>Manitoba</b>
<i>National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada) v. Bristol Aerospace Ltd.</i> , [2005] M.J. No. 306 (Q.B.)
<i>Moore North America (a division of Moore Corp.) v. Communications, Energy and Paperworkers Union of Canada – Local 341</i> , [2005] M.J. 292 (Q.B.)
<i>National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada) v. Bristol Aerospace Ltd.</i> , [2006] M.J. No. 87 (Q.B.)
<i>Flin Flon School Division No. 46 v. Flin Flon Teachers' Assn. of the Manitoba Teachers' Society</i> , [2006] M.J. No. 71 (Q.B.)
<b>Saskatchewan</b>
<i>Canada Safeway Ltd. v. Retail, Wholesale and Department Store Union, Local 454</i> , [2005] S.J. No. 119 (C.A.), leave to appeal refused [2005] S.C.C.A. No. 173
<b>Ontario</b>
<i>Teamsters Union, Local 938 v. Lakeport Beverages</i> , [2005] O.J. No. 3488 (C.A.)
<i>National Automobile, Aerospace Transportation and General Workers Union of Canada (CAW-Canada), Local No. 27 v. London Machinery Inc.</i> , [2006] O.J. No. 1087 (C.A.)
<i>Ontario Public Service Employees Union v. Seneca College of Applied Arts &amp; Technology</i> , [2006] O.J. No. 1756 (C.A.)

<i>Hamilton Police Assn. v. Hamilton (City) Police Services Board</i> , [2005] O.J. No. 2357 (Div. Ct.)
<i>Ontario Nurses' Association v. St. Joseph's Health Centre</i> , [2005] O.J. No. 2874 (Div. Ct.)
<i>Ontario Secondary School Teachers' Federation v. Upper Canada District School Board</i> , [2005] O.J. No. 4057 (Div. Ct.)
<b>Québec</b>
<i>Groupe TVA inc. c. Syndicat canadien de la fonction publique, section local 687</i> , [2005] J.Q. no. 8454 (C.A.), leave to appeal to S.C.C. refused [2005] C.S.C.R. no. 411
<i>Syndicat des cols bleus regroupés de Montréal (SCFP-301) c. Lavoie</i> , [2006] J.Q. no. 594 (C.A.), leave to appeal to S.C.C. filed [2006] C.S.C.R. no 106
<b>New Brunswick</b>
<i>Canadian Union of Public Employees, Local 1773 v. Shediac (Town)</i> , [2005] N.B.J. No. 63 (C.A.)
<i>United Food and Commercial Workers Union, Local 1288P v. B &amp; N Hospitalities Inc.</i> , [2006] N.B.J. No. 130 (C.A.)
<i>Jones v. New Brunswick (Board of Management)</i> , [2004] N.B.J. No. 345 (C.A.)
<i>Bainbridge v. New Brunswick (Board of Management)</i> , [2005] N.B.J. No. 114 (C.A.)
<i>New Brunswick (Board of Management) v. Dunsmuir</i> , [2006] N.B.J. No. 118 (C.A.)
<b>Nova Scotia</b>
<i>Nova Scotia Government and General Employees Union v. Capital District Health Authority</i> , [2006] N.S.J. No. 153 (C.A.)
<i>Nova Scotia Teacher Union v. Nova Scotia Community College</i> , [2006] N.S.J. No. 64 (C.A.)
<b>2. What is the difference between reasonableness and patent unreasonableness?</b>
<i>Toronto (City) v. CUPE, Local 79</i> , [2003] 3 S.C.R. 77
<i>Alberta (Workers' Compensation Board) v. Alberta (Workers' Compensation Appeals Commission)</i> , [2005] A.J. No. 825 (C.A.), aff'g [2004], A.J. No. 918 (Q.B.)
<i>Granite Environmental Inc. v. Nova Scotia (Labour Relations Board)</i> , [2005] N.S.J. No. 441 (C.A.)
<i>Flin Flon School Division No. 46 v. Flin Flon Teachers' Assn. of the Manitoba Teachers' Society</i> , [2006] M.J. No. 71 (Q.B.)
<b>3. Standard of appellate review</b>
<i>Westfair Foods Ltd. v. Untied Food and Commercial Workers, Local 1400</i> , [2006] S.J. No. 23 (C.A.)
<i>Alliance Pipeline Ltd. v. Alberta (Minister of Municipal Affairs)</i> , [2006] A.J. No. 15 (C.A.), leave to appeal to S.C.C. filed [2006] S.C.C.A. No. 81
<i>Castle-Crown Wilderness Coalition v. Alberta (Director of Regulatory Assurance Division, Alberta Environment)</i> , [2005] A.J. No. 1150 (C.A.)
<i>Alberta (Workers' Compensation Board) v. Alberta (Workers' Compensation Appeals Commission)</i> , [2005] A.J. No. 825 (C.A.)

<b>4. Standard of review applicable to jurisdiction</b>
<i>Isidore Garon Itée v. Tremblay</i> , 2006 SCC 2
<i>Ontario Public Service Employees Union v. Seneca College of Applied Arts &amp; Technology</i> , [2006] O.J. No. 1756 (C.A.)
<b>5. Mandamus and fairness/natural justice</b>
<i>Jones v. British Columbia (Workers' Compensation Board)</i> , [2005] B.C.J. No. 2005 (C.A.), leave to appeal to S.C.C. refused [2005] S.C.C.A. No. 470
<i>Baker v. Canada (Minister of Citizenship and Immigration)</i> , [1999] 2 S.C.R. 817
<i>C.U.P.E., Local 3911 v. Athabasca University Governing Council</i> , [2005] A.J. No. 1767 (Q.B.)
D.J.M. Brown, Q.C., and The Hon. John M. Evans <i>Judicial Review of Administrative Action in Canada</i> (Toronto: Canvasback Publishing, looseleaf) at 14:2300