

**Expedited Arbitration
Process to Set Arbitrator and Date
Community SubSector Health
Starting: April 15, 2013**

Process:

The following process applies to all matters suitable for expedited arbitration in community health.

1. All letters referring a matter to expedited arbitration should be sent with a copy of the grievance form to:

Esther.Ostrower@bcgeu.ca (Administrator),
MattP@heabc.bc.ca (Administrator),
RoseE@heabc.bc.ca, and
the Employer.

2. The Administrators will meet quarterly or more often if necessary to set dates.
3. The dates will be scheduled monthly or as otherwise agreed to by the Administrators.
4. Scheduling will be based on: 1) the date of referral; 2) the ability to group grievances from the same Employer together and 3) the ability to group grievances of the same location together. The Administrators will attempt to give urgent matters priority in scheduling.
5. The expedited arbitrators named in the Collective Agreement will be assigned per the rotation, unless they are unavailable for the next needed expedited arbitration date. All efforts will be made to give the expedited arbitrators on the list an equal share of the dates during the year. The expedited arbitrators are: Bob Pekeles, Judi Korbin, Chris Sullivan, Stan Lanyon, David McPhillips, Joan Gordon, Mark Brown, Vince Ready, Joan McEwen and Ron Keras.
6. Following each scheduling meeting, the HEABC Administrative Assistant will publish the updated Roster and send an email notification with a link to the updated Roster to:

esther.ostrower@bcgeu.ca (Administrator),
MattP@heabc.bc.ca (Administrator),
the Union Representative who referred each grievance scheduled
for expedited arbitration,
each Expedited Arbitrator,
each HEABC Industry Lead.

There are new rules in the 2012-2014 C/A for expedited arbitration hearings.

Disclosure: (Clause 9.8(c))

1. The party that bears the onus for the grievance must provide all facts and documents in their possession 30 days prior to the expedited arbitration date to the opposing party, unless there is mutual agreement to waive the disclosure date.
2. The responding party must provide all disclosure in their possession to the opposing party 20 days prior to the expedited arbitration date unless there is mutual agreement to waive the disclosure date.
3. The parties may still provide further disclosure of facts and documents up to and including on expedited arbitration date, subject to the normal arbitral principles concerning admissibility.

Removing a Grievance From Expedited Arbitration: (Clause 9.8(d))

4. Either party may remove the matter from expedited arbitration and refer it to full arbitration after the expedited arbitration date has been set as long as it is not later than 15 days prior to the expedited arbitration date. Notification must be given to the opposing party and the administrators.

Confirmation Non-Precedential Decisions (Clause 9.8(k))

5. Expedited arbitrators will be informed to include the statement in their decision, that their decision is non-precedential and shall not be referred to by the parties in any other matter.

Note: the Administrators will meet quarterly to review the expedited arbitration process. Any concerns should be sent to them for review and discussion.

April 17, 2013
Matt Prescott
Esther Ostrower