

Manitoba **Fax**DATE: Nov 16/ 11

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME:

- Ms. B. Smith, Brandon University – 1-(204) 726-1957
- Mr. Grant Mitchell, Taylor McCaffrey LLP – 953-7199
- Ms. K. McIlroy, Myers Weinberg LLP – 956-0625
- Mr. J. Dolecki, President, Brandon University Faculty Association – 1-(204) 725-3231

FROM:

Name: Ms. Janet Duff
Office: Manitoba Labour Board
Fax No.: 945-1296
Phone No.: 945-4276

Total number of pages (including this one): 3

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**MANITOBA LABOUR BOARD**Suite 500, 5th Floor - 175 Hargrave Street, Winnipeg, Manitoba, Canada R3C 3R8

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www.manitoba.ca/labour/labbrd**FAXED**

November 16, 2011

Ms. K. Mellroy
Myers Weinberg ^{LLP}
724-240 Graham Avenue
Winnipeg MB R3C 0J7

-and-

Mr. G. Mitchell, Q.C.
Taylor McCaffrey ^{LLP}
9th Floor - 400 St. Mary Avenue
Winnipeg MB R3C 4K5

Dear Sir/Madam:

Re: Brandon University Faculty Association
- and -
BRANDON UNIVERSITY
Application Seeking Remedy for Alleged Unfair Labour Practice
Case No. 327/11/LRA

This is further to the Application Seeking Remedy for Alleged Unfair Labour Practice filed by the Applicant on October 18th, 2011.

Please be advised that the following documentation has been placed before the Board for its consideration:

- Application Seeking Remedy for Alleged Unfair Labour Practice file October 18, 2011;
- Particulars filed October 31, 2011, by Counsel for the Applicant, with a request seeking leave to amend its Application, together with an amended copy of the Application; and
- Reply of the Employer/Respondent filed through Counsel on November 9, 2011, following an extension of time, together with a request for an expedited hearing on the matter if the complaint is not dismissed summarily.

I am directed to inform the parties that the Board grants leave to the Applicant to amend its Application.

I am further directed to inform the parties that the Board, following consideration of material filed, has determined that the matter shall proceed to hearing on a preemptory basis.

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Case No. 327/11/LRA

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TAKE NOTICE that the hearing into this matter shall proceed on:

Monday, November 28, 2011

at 9:30 a.m.

in Salon '2'

to continue, if necessary

Tuesday, November 29th, 2011

at 9:30 a.m.

in Salon '3'

Victoria Inn, 3550 Victoria Avenue West, Brandon, Manitoba

Please note that the Board will not entertain any request(s) for an adjournment of the proceedings.

Yours truly,



Janet Duff
REGISTRAR

JD/lo

Faxed to:

- Ms. B. Smith, Director of Human Resources, Brandon University, 270-18th Street, Brandon MB R7A 6A9
- Mr. J. Dolecki, President, Brandon University Faculty Association, 270-18th Street, Brandon MB R7A 6A9

Note: At the hearing the first responsibility is upon the Parties to attend and give evidence. The Parties are subject to cross examination and questioning by the Board. Documentary evidence, if any, is to be produced by the Parties and witnesses at the time evidence is being given. In the event of either of the Parties failing to appear, the Board will deal with the case at the time above fixed unless an adjournment has been applied for and granted. Any request for an adjournment must be made immediately when a Party becomes aware of its inability to attend and proper consideration must be given to the Board's operations and to the other Parties. Last minute adjournments can only be expected when unforeseeable situations suddenly occur.

It is to be clearly understood that the scheduling of this hearing should not be construed as the Board waiving its right to dispose of the application, complaint, request or referral without the holding of a hearing. The Board will determine the issue of whether a formal hearing is necessary after the Replies have been received.