



Tribunals Ontario

Human Rights Tribunal of Ontario

15 Grosvenor St., Ground Floor
Toronto ON M7A 2G6
Tel: 416-326-1312 or 1-866-598-0322
Fax: 416-326-2199 or 1-866-355-6099
TTY : 416-326-2027 or 1-866-607-1240
E-mail: hrto.registrar@ontario.ca
Website: www.tribunalsontario.ca/hrto

Tribunaux décisionnels Ontario

Tribunal des droits de la personne de l'Ontario

15 rue Grosvenor, rez-de-chaussée
Toronto ON M7A 2G6
Tél.: 416-326-1312 ou 1-866-598-0322
Télééc.: 416-326-2199 ou 1-866-355-6099
TTY: 416-326-2027 ou 1-866-607-1240
Courriel: hrto.registrar@ontario.ca
Site Web: www.tribunalsontario.ca/hrto

April 8, 2022

Kelly Donovan

Via email: kelly@fit4duty.ca

Filion Wakely Thorup Angeletti LLP
c/o Donald Jarvis

Via email: djarvis@filion.on.ca

Waterloo Regional Police Association

Via email: nini.jones@jonespearce.com

Re: Donovan v. The Regional Municipality of Waterloo Police Services Board
HRTO File Numbers: 2018-33237-S; 2018-33503-S

Please find enclosed a Case Assessment Direction of the Tribunal in this matter, dated April 08, 2022.

[1] This Case Assessment Direction (“CAD”) provides important directions to the parties about next steps in these Contravention of Settlement (“COS”) Applications that are being processed and heard together.

[2] The Tribunal acknowledges receipt of the Court of Appeal for Ontario’s Reasons for Decision released on March 10, 2022, which stayed the motion judge’s order dismissing Ms. Donovan’s civil action pending the outcome of any proceeding taken by Ms. Donovan pursuant to the collective agreement and before the HRTO.

[3] Further to paragraphs 31 and 41 of the Reasons for Decision, it is not clear to the Tribunal whether the parties have or intend to invoke the statutory labour arbitration regime to pursue the remedies sought in their COS Applications. It is also not clear to the Tribunal whether the parties are required to do so based on the Reasons for Decision of the Court of Appeal for Ontario. Before determining next steps in this proceeding, the Tribunal will discuss these issues with the parties at a Case Management Conference Call (“CMCC”) as directed below.

DIRECTIONS

[4] The Tribunal directs the Registrar to schedule a one-hour Video CMCC on May 10, 2022 at 9:30 am to 10:30 am to discuss the issues set out above. Following the CMCC, the Tribunal will determine next steps in the proceeding.

Dated at Toronto, this 8th day of April , 2022.



Marla Burstyn
Member