

PETER CHAUVIN

— ARBITRATOR / MEDIATOR —
CHAUVIN DISPUTE RESOLUTION INC

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MEDIATION AND ADJUDICATION EXPERIENCE

2004 – Present Mediator and Arbitrator

- Wrongful Dismissal Mediator
- Mediator and/or Arbitrator of Employment Disputes
- Grievance Mediator and/or Arbitrator
- Vice-Chair – Ontario Labour Relations Board
- Interest Arbitration Mediator and/or Adjudicator

2004 – 2007 Full-time Vice-Chair, Ontario Labour Relations Board

2007 – Present Part-time Vice-Chair, Ontario Labour Relations Board

- Mediated and/or adjudicated hundreds of disputes regarding employment law, labour relations, human rights, harassment, and employment standards
- Both Construction Panel and Non-Construction Panel

LEGAL EXPERIENCE

1983 – 2004 Miller Thomson, LLP

1983-1985

Articles – Called to the Bar

1985-1990

Associate Lawyer

1990-2004

Partner

2001-2004

Co-chair, Labour and
Employment Law Group

1999 – 2001 and Ontario Bar Association – Employment and Labour Section

2005 – 2007

- Executive Committee Member

2005 – Present Ontario Bar Association – ADR Subsection Member

- Executive Committee Member
- Editor of the ADR Newsletter

1982 Research Assistant – Professor Earl Palmer

- Assisted in writing *Collective Agreement Arbitration in Canada* – a leading text in employment law

BOOKS, PUBLICATIONS, PAPERS AND CONFERENCES

- Co-author, *Canadian Employment Law Factbook*, Carswell/Thomson Professional Publishing Canada (updated quarterly). This book summarizes the law across all of Canada regarding the employment relationship, including Employment Law, Employment Standards, Human Rights, Labour Relations, Occupational Health and Safety and Pay Equity. The law in this book has been updated on a quarterly basis since 1990 to present, and continues to be updated each quarter year.
- Editor of the Newsletter for the Alternative Dispute Resolution (ADR) section of the Ontario Bar Association from 2007 to present, and continuing. Articles pertain to the mediation of employment law disputes and other related topics.
- Acted as a Judge in the Mathews Dinsdale Labour Law Arbitration competition for University Law Schools across Canada in February 2009.
- Convened a conference workshop regarding employment law and the use and admissibility of medical evidence in legal proceedings in November 2007
- Convened a workshop entitled “How to Conduct a Fair Hearing of an Employment Law Dispute” at a Canadian Institute Conference in November 2006
- Acted as an Adjudicator in a mock Hearing of a labour law dispute at a Lancaster House Conference in November 2006
- Convened a workshop on dealing fairly with difficult situations in Hearings of employment law disputes at a Lancaster Conference in May 2006
- Author of three articles in 2005 and 2006 on employment law issues pertaining to the jurisdiction of Arbitrators, interim relief, and termination pay published in the Ontario Bar Association (OBA) Employment and Labour Relations Section Newsletter
- Toronto Construction Association – Lecturer from 1990 to 2003 – Employment Law, Labour Relations, Human Rights, Employment Standards, Occupational Health and Safety and Workplace Safety and Insurance

- Ontario Trucking Association – Conference Speaker in 2002 – “Employment Law issues regarding Independent Contractors and Employees”
- InfoNex – Conference Speaker in 2000 - “Employment Law Issues Regarding Attendance Management Programs”
- Canadian Bar Association (Ontario) – Chaired program in 2000 – Changes in Employment Law and Human Rights jurisprudence arising from recent SCC Decisions
- Ontario Association of Optometrists – Speaker at 1998 Annual Symposium - “Employment Law and Wrongful Dismissal”
- MEDS – Medical Education Services Inc. – Conference speaker in 1995, 1996 and 1997 - Employment Law and the Confidentiality of Employee Health Records
- University of Toronto, Faculty of Engineering – Lecturer – Legal Issues Pertaining to Employment Law and Professional Engineers
- University of Toronto, Faculty of Engineering – Conference Speaker – Employment Law and Occupational Health and Safety
- Prepared and presented numerous other seminars on topics including Employment Law, Human Rights, Employment Standards, Workplace Safety and Insurance, Pay Equity, Positive Employee Relations, Plant Closures, Attendance Management Programs and Progressive Discipline, Negotiation and Administration of Collective Agreements and Workplace Restructuring
- Author of articles on Employment Law, Pay Equity, Human Rights and Workplace Safety and Insurance

REPORTED DECISIONS

I have over 200 employment and labour law Decisions reported in several law reporting services, including the CanLII Reporting Service, Quicklaw, the Canadian Bankruptcy Reports at 14 C.B.R. (5th) 141, the Ontario Labour Relations Board Reports (O.L.R.B. Rep.) and the Ontario Labour Relations Digest (OLRD).

APPOINTMENTS

In 2004 I was selected to act as a Mediator and Arbitrator to mediate and adjudicate essential services agreements and other issues pertaining to the negotiations between the Province of Ontario and OPSEU for the renewal of the province-wide Ontario Public Service Collective Agreement. A new Collective Agreement between the Province and OPSEU was achieved without a province-wide strike.

I have been consensually appointed by private parties as a Mediator and/or Arbitrator to resolve disputes regarding the following Collective Agreements: (1) the Province Wide Collective Agreement between Serco Des Inc. (the provincial driving examiners) and the United Steelworkers; (2) Toyota Canada and the CAW, and; (3) Remco Transport and UNITE HERE.

I have been appointed under the *Colleges Collective Bargaining Act* as a Workload Resolution Arbitrator to mediate and/or adjudicate disputes between College Professors and the Colleges of Ontario

EDUCATION

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| 2006 | Completed the Advanced Mediation and Advocacy Skills Training Program jointly chaired by the Alternative Dispute Resolution (ADR) Sections of the American Bar Association and the Canadian Bar Association |
| 1983 | LL.B., University of Western Ontario <ul style="list-style-type: none">• Class standing – 5th and 8th in first and second years respectively• Margaret McNulty Award and Bursary |
| 1985 | Called to the Bar, Law Society of Upper Canada |

SUMMARY

For 19 years, from 1985 to 2004, I practiced law exclusively in the specialty areas of employment law and labour relations, including the areas of: the law pertaining to employment contracts, wrongful dismissal, employment standards, human rights, health and safety, pay equity and workplace safety and insurance.

I practiced in and am experienced in all areas of the employment spectrum, including the private, the public, the health, the municipal, the industrial, and the construction sectors.

I was counsel in various forms of litigation. I acted as advisor and spokesperson in connection with various employment law and labour relations matters. I also acted as lead spokesperson in negotiations and in collective bargaining.

In 2004 I accepted an appointment to the Ontario Labour Relations Board as a full-time Vice-Chair to pursue a career as a neutral mediator, arbitrator and adjudicator, sitting on both the construction and non-construction panels.

At this time I also commenced accepting requests to act as a consensually and privately appointed mediator and/or arbitrator to resolve disputes regarding all aspects of the employment relationship, including wrongful dismissals, construction and non-construction grievances, interest arbitrations and other labour and employment law matters.

In 2007, due to the demands of my private arbitration and mediation practice, I relinquished my full-time appointment as a Vice-Chair of the Labour Board and accepted an appointment as a part-time Vice-Chair of the Labour Board. I sit as a part-time Vice-Chair of the Labour Board as my private mediation and arbitration schedule permits.

In my capacities as an arbitrator, mediator and Vice-Chair, I have mediated, adjudicated and/or arbitrated hundreds of disputes, and written over 200 decisions.

Over the course of my career, I have acquired a sound understanding of the issues that arise in the workplace. I have completed mediation training. I understand the mediation processes that will assist the parties in resolving their disputes, and I have developed effective mediation skills. I understand the interests of employees and management and the law regarding the employment relationship. In view of this, I am able to assist the parties in resolving complex employment law disputes in an efficient and productive manner.