Public Service
Staff Relations Act

Before an adjudicator

BETWEEN

CHANDER P. GROVER

Grievor

and

NATIONAL RESEARCH COUNCIL OF CANADA

Employer

Indexed as
Grover v. National Research Council of Canada

In the matter of a grievance referred to adjudication pursuant to section 92 of the
Public Service Staff Relations Act

REASONS FOR DECISION

Before: Mary Ellen Cummings, adjudicator

For the Grievor: Paul Champ, counsel

For the Employer: Ronald M. Snyder, counsel

Heard at Ottawa, Ontario
December 14, 2005.

[1]   The grievor, Dr. Chander Grover has referred to adjudication a three-day suspension. This decision deals only with a preliminary issue raised by both counsel regarding the necessity of certain witnesses in the course of the hearing of his grievance.

[2]   Prior to the scheduled hearing, counsel for Dr. Grover requested that the Public Service Labour Relations Board issue summonses to: Dr. Carl Ross, Dr. Zhiyi F. Zhang (Frank), and to Dr. Costel Flueraru, to appear as witnesses in this proceeding. These summonses were issued.

[3]   At the outset of the hearing, the parties agreed that it made practical sense to address the witnesses' need to attend each day of the hearing, before their presence was actually required. Based on the submissions of the parties, I have determined that Dr. Ross, Dr. Zhang and Dr. Flueraru need not present themselves as witnesses at the hearings dates scheduled for the week of December 12 to 16, 2005. A summary of the submissions of the parties on this issue, as well as my reasons, will be included in the decision on the merits of the grievance.

[4]   At the end of the evidence of the employer, and after Dr. Grover has testified, the need for these witnesses will be re-canvassed. Although the witnesses need not attend this week, I have not released them from those summonses.   If their attendance is required in the future, they will be advised by the party that summoned them.

December 15, 2005.

**Mary Ellen Cummings,
adjudicator**