

Public Service Staff  
Relations Act



Before the Public Service  
Staff Relations Board

BETWEEN

**PAUL A.A. LATHAM**

Grievor

and

**TREASURY BOARD  
(Solicitor General – Correctional Service Canada)**

Employer

***Before:*** Colin Taylor, Q.C., Board Member

***For the Grievor:*** Paul A.A. Latham

***For the Employer:*** Kathryn A. Hucal, Counsel

Heard in Vancouver, British Columbia,  
November 17, 18, 19, 1999

At the commencement of this hearing, Mr. Latham made application to adjourn the proceedings on two main grounds:

1. To enable the Grievor to retain and instruct counsel; and
2. To enable the Grievor to consider the videotaped testimony of Warden Wiebe which the Employer seeks to admit into evidence.

This matter first came on for hearing in November 1998. The Grievor was then represented by the bargaining agent. At that time, the Employer led evidence from 7 of 8 anticipated witnesses. The proceedings then adjourned by consent of counsel.

The adjudication was scheduled to resume on May 3, 1999 but it was adjourned and new dates were set for November 17, 18, and 19, 1999.

The Grievor is no longer represented by the bargaining agent and has asked the Board to provide him with legal counsel. The Board does not retain or instruct counsel on behalf of the parties. The Grievor now says he needs time to retain and instruct counsel.

In considering this application for adjournment, it is of some concern that the Grievor has not retained counsel in

the six months preceding the hearing date and now requests an adjournment for six months for that very purpose.

Keeping in mind that the Grievor is appearing without counsel, I wish to take all reasonable steps to ensure that the Grievor has an opportunity to instruct and retain counsel and to consider the videotaped evidence which the Employer seeks to admit and to fully prepare his case.

With this in mind, the adjournment is granted on the following terms:

1. This adjudication will be set down for hearing on a date to commence at least 6 months from the date of this Award.
2. The Grievor estimates he will require 5 days to present his case and 5 days will be set.
3. The new hearing dates will be pre-emptory.
4. No further applications for adjournment will be granted in the absence of extraordinary circumstances, such as illness.

5. In the event that the Grievor is, for an extraordinary reason, unable to attend at the next hearing, then his counsel must attend.

DATED at Vancouver, British Columbia, this 30<sup>th</sup> day of November, 1999.

---

Colin Taylor, Q.C.