

Publisher's Note
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Gorsky
**Evidence and Procedure in
Canadian Labour Arbitration**

Evidence and Procedure in Canadian Labour Arbitration provides thorough coverage of all the procedural and evidentiary issues pertaining to labour arbitration in Canada. It is written to be used by labour and employment law lawyers representing both unions and management, union officers involved in arbitration, and human rights professionals.

This release features updates to Chapters 9 (Problems of Proof), 10 (The Presentation of Evidence), 12 (Ending the Case) and 13 (Arguing the Case).

Case Law Highlights

- **The Presentation of Evidence – Real Evidence – Electronic Evidence:** *Ontario (Treasury Board Secretariat) (Egesi)*, 2017 CarswellOnt 19508 held that evidence to establish the authenticity of email correspondence need not take any particular form, rejecting the argument that it had to be established through an independent third party.

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- **Arguing the Case – Assessing the Evidence:** *R. v. Black*, 2018 SCC 10, 419 D.L.R. (4th) 1, 2018 CarswellOnt 3967 (S.C.C.) held that the reasons given for deciding a particular issue must be sufficient to allow effective appellate review.
- **Arguing the Case – Assessing the Evidence – Circumstantial Evidence:** *Greyhound Canada Transportation ULC (Miller)* (2017), 282 L.A.C. (4th) 8 held that the “doctrine of recent possession” may raise an inference that a grievor in possession of recently stolen property has stolen it unless he has given a reasonable explanation.