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**CLARKE'S CANADA INDUSTRIAL
RELATIONS BOARD**

Graham J. Clarke

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What's New in this Update:

- In *Canadian Union of Postal Workers v. Lang*, 2017 FCA 233 (F.C.A.), the Federal Court of Appeal confirmed that the Board's reconsideration process is not an adequate, alternative remedy which precludes a party from judicially reviewing the Board's initial decision.
- In its reasons, a labour board need not address each argument advanced by a party: *Garda Security Screening Inc. v. General Teamsters, Local Union 979*, 2018 FCA 71 (F.C.A.).
- The Board has no jurisdiction to order that an employee repay an employer the wages and benefits he received when he engaged in a

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vexatious and improper refusal to work: *VIA Rail Canada Inc.*, 2018
CIRB 874.