

UNITED STEELWORKERS OF AMERICA, LOCAL 5917, Applicant v LYLE BRADY, Respondent

LYLE BRADY, Applicant v UNITED STEELWORKERS OF AMERICA, LOCAL 5917, Respondent and EVRAZ RECYCLING, Respondent

LRB File Nos. 144-23, 145-23, 030-23, and 053-23; December 12, 2023

Vice-Chairperson, Barbara Mysko (sitting alone pursuant to subsection 6-95(3) of *The Saskatchewan Employment Act*)

Counsel for the Applicant, United Steelworkers of America, Local 5917:

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For the Respondent, Lyle Brady:

Self Represented

Counsel for the Respondent, Evraz Recycling:

Mathias Link

Application for Pre-Hearing Production – Employee-Union Dispute – Clause 6-111(1)(b) of *The Saskatchewan Employment Act* – Air Canada Principles – First Production Application Granted – Second Production Application Largely Dismissed.

REASONS FOR DECISION

Introduction:

[1] Barbara Mysko, Vice-Chairperson: These are the Board's Reasons for Decision in relation to two applications for pre-hearing production. On February 14, 2023, Lyle Brady filed an employee-union dispute pursuant to section 6-59 of *The Saskatchewan Employment Act* [Act] in relation to United Steelworkers, Local 5917 [Union].¹ During the material times, Brady was an employee of Evraz Recycling and a member of the Union. The production applications arise in relation to the Union's application for summary dismissal of the employee-union dispute.

[2] Brady says that he was injured in the workplace, took time off for medical treatment, and then was denied re-entry to the workplace. He claims that the Union's representative declined to file an Occupational Health and Safety complaint and that the only option was short-term disability. Believing that by returning to the workplace he would be further injured, Brady resigned. In its

¹ LRB File No. 030-23.

reply, the Union states that Brady resigned from the workplace on August 23, 2021. Brady contests this submission, stating that he was forced to resign on August 25.²

[3] On March 30, 2023, the Union filed an application for summary dismissal. Attached to the application was the Union's reply to the employee-union dispute application.³ In the reply, the Union alleged that Brady was aware of the circumstances giving rise to the allegations since at least August 2021, but did not file his application for another 18 months, on February 14, 2023. The Union alleged that the delay was excessive and had not been explained. In the covering letter to its application, the Union requested, in the alternative to total dismissal, a preliminary hearing on the issue of delay.

[4] In *United Steelworkers, Local 5917 v Lyle Brady*, 2023 CanLII 68839 (SK LRB), the Board ordered a preliminary hearing to determine whether the underlying application should be dismissed because of undue delay. Dates for the preliminary hearing have been set for March 7 and 8, 2024.

[5] On August 23, 2023, the Union wrote to Brady seeking a number of documents be provided to it by September 22, 2023. The Union says that Brady did not provide the documents or provide a reason for not doing so.

[6] On September 27, 2023, the Board held a case management conference (CMC) to assist the parties. During the CMC, Brady mentioned a 152-page document package containing medical documents which would help to explain why the matter was delayed. That same day, the Union sent Brady a letter requesting that document and repeating its earlier request. It provided a deadline of October 4, 2023.

[7] Following a discussion about document production at the CMC, the Board set a deadline for the filing of production applications by both the Union and Brady, being October 10, 2022. Both the Union and Brady filed their respective applications on that date.

[8] In its application, the Union seeks documents which relate to Brady's interactions with this Board and other organizations. It also states that Brady's reliance on medical issues is a "new and unrelated argument as to delay, different from that made in the reply submissions of the respondent". A full list of the documents requested by the Union is provided at Appendix A.

² Reply to summary dismissal application, April 21, 2023, at 17.

³ LRB File No. 053-23.

[9] In Brady's application, he requests a variety of documents, notes, and communications related to medical records, job steward training, previous work accidents, a work stand down, and matters apparently related to workplace safety. A full list of the documents requested by Brady is provided at Appendix B.

Arguments:

Arguments on LRB File No. 144-23:

Union:

[10] Brady litigated an unrelated employee-union dispute and as a result of that dispute is aware of the need for timeliness.⁴

[11] Brady claims that he filed or tried to file a complaint with Occupational Health and Safety following his resignation. He also claims that he spoke with someone at this Board who directed him to file a complaint with the Saskatchewan Human Rights Commission (SHRC). He states that he communicated with the SHRC and submitted an intake questionnaire. He also states that he contacted the Workers' Compensation Board (WCB).

[12] He claims that his interactions with all of these bodies explained his own delay in filing an application with this Board. The documents requested are those which relate to his explanation.

[13] Furthermore, Brady also relies on the 152-page package to excuse his delay. The Union is entitled to review this package to prepare for the hearing. If there is any privacy interest in relation to that document, it is attenuated by the fact that Brady intends to introduce it at the hearing. The Union also states that, if necessary, it is willing to comply with a confidentiality protocol such as that which arises from the implied undertaking rule or another protocol as appropriate (provided that it does not prejudice the Union's ability to conduct the hearing or its internal administration).

[14] The Union argues that the documents requested comply with the *Air Canada*⁵ principles. Its requests are targeted and limited, sufficiently particularized, would allow the Union to meaningfully prepare for the hearing, and would ensure that the Board's resources are used efficiently. The Union is not engaged in a fishing expedition.

⁴ *Lyle Brady v International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers, Local Union 771*, 2017 CanLII 68781 (SK LRB).

⁵ *Re Air Canada*, 1999 CanLII 18511 (CIRB) (CanLII).

[15] In addition to *Air Canada*, the Union relies on *Service Employees International Union (West) v Saskatchewan Association of Health Organizations*, 2012 CanLII 18139 (SK LRB) [SAHO]; *Saskatoon Co-operative Association Limited v United Food and Commercial Workers*, 2019 CanLII 76933 (SK LRB); and *Amalgamated Transit Union, Local 615 v Battlefords Transit System*, 2022 CanLII 23037 (SK LRB).

Brady:

[16] Brady argues that the Union and the Employer have denied his requests for documents. He asks that the parties produce certain documents - their medical documents and documents outlining the decisions that he was not injured - before he provides his health records. He also reiterates the importance of the various interactions he had with different organizations before filing the employee-union dispute, and he states:

....I have communicated to both the company and the union that the Occupational Health and Safety (OHS) files and Human Rights files provide the most accurate and comprehensive record of the timeline and documented history of my complaints. It is noteworthy that, in response to this proposal, the union explicitly expressed disinterest in those documents. This response raises questions about their reluctance to present what could be crucial evidence in court, suggesting a possible awareness of the content within these files. I believe a fair examination of these documents is vital to establishing the context, timeline, and the legitimacy of my grievances.

[17] Brady does not explain the apparently contradictory position expressed in the foregoing passage.

[18] Brady also requests that three conditions be placed on the provision of his medical records:

- 1) The Union and the Employer should first provide their medical records used to conclude that Brady was not injured or that his injuries were not pre-existing.
- 2) A confidentiality agreement should be concluded with respect to the use and dissemination of his records.
- 3) A compensation agreement should be concluded, outlining financial penalties for a breach of confidentiality.

[19] At some point during his oral argument, Brady indicated that he had no problem sharing any of the documents he has in his possession as long as he receives the opposing parties' documents first.

Arguments on LRB File No. 145-23:

Brady:

[20] Brady argues that the injuries he suffered make the delay issue inseparable from the merits. He explains that he warned the Employer about his safety concerns, and that after his injury occurred, the Employer denied that there had been any accident and denied that he suffered any injuries. Brady had asked to see a doctor but was denied the opportunity. He was offered short-term disability citing pre-existing conditions. He still doesn't know what the evidence is to support a pre-existing condition. The Employer has a health care-related program and has denied him the documents associated with his care under that program.

[21] The Union failed to assist Brady in relation to the work accident. His health was put at risk. It is not the injured worker who creates the accident report. It is the Union and the Employer.

Union:

[22] The Union opposes all of the requests. It is not in possession of the medical documents. Other documents relate to the merits of the employee-union dispute, if at all.

[23] Furthermore, examples of situations with other workers or specific collective agreement articles are not appropriately the subject of an application for production of documents.

[24] The Union also states that it is willing to agree to a confidentiality protocol with respect to medical information:

...provided that it does not prejudice its ability to conduct the hearing into this matter, including both the delay hearing, the merits, or any other related hearing or proceeding which may arise. This must specifically include the ability of the Union to review the documents with staff and officials internally, including at the level of the Local and national union administrations, its legal counsel, and any witnesses, potential witnesses, or consulting experts which are necessary to consult to conduct the hearing in this matter.

Employer:

[25] The Employer objects to all of Brady's requests except for his request for "medical documents related to Mr. Brady's medical absence from work in its possession commencing on

or about August 7, 2021.” The Employer attaches to its reply two medical documents in its possession - without prejudice to its position with respect to any other medical documents.

[26] As for all of the remaining requests, the Employer states that they are irrelevant, broad, vague, and lacking in particulars. Other medical documents are more appropriately obtained by Brady; otherwise he would have to provide the Employer with a signed consent to release.

Analysis:

[27] In a production application, the Board considers the principles outlined in *Re Air Canada*, [the *Air Canada* principles]:⁶

1. *Requests for production are not automatic and must be assessed in each case.*
2. *The information requested must be arguably relevant to the issue to be decided.*
3. *The request must be sufficiently particularized so that the person on whom it is served can readily determine the nature of the request, the documents sought, the relevant time-frame and the content.*
4. *The production must not be in the nature of a fishing expedition; that is, the production must assist a complainant in uncovering something to support its existing case.*
5. *The applicant must demonstrate a probative nexus between its positions in the dispute and the material being requested.*
6. *The prejudicial aspect of introducing the evidence must not outweigh the probative value of the evidence itself, regardless of any possible “confidential” aspect of the document.*

[28] Two other principles or practices are commonly relied upon by this Board:

- *“[I]t has not been the practice of this Board to grant broad-spectrum, non-specific or infinite production Orders to in essence, compel the kind of pre-hearing discovery of documents that occurs in civil courts.”⁷*
- *“[T]he greater the number of documents sought, the stronger the probative nexus expected by the Board’s Executive Officer, particularly so if considerable expense, time and effort is required to locate and produce the desired documents.”⁸*

⁶ *Re Air Canada*, 1999 CanLII 18511 (CIRB) (CanLII); *Service Employees International Union (West) v Saskatchewan Association of Health Organizations*, 2012 CanLII 18139 (SK LRB) [SAHO], at para 45.

⁷ SAHO, at para 37.

⁸ SAHO, at para 37.

[29] Recently, the Board has found that the considerations underlying the proportionality principle are relevant.⁹

[23] The considerations which underlie the proportionality principle employed by the Court of King's Bench are equally relevant to proceedings before the Board. Proceedings before the Board should be timely and cost-effective, and be focused on the real issues in dispute. These considerations are able to be taken into account under the Air Canada framework.

[30] The Board will consider each of the applications, in turn.

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[31] In any application for production, it is necessary to consider the requests with reference to the underlying application. In this case, the underlying application is not the employee-union dispute, but the application for summary dismissal based on delay.

[32] The Board starts with the premise that requests for production are not automatic and must be assessed in each case. The information requested must be arguably relevant to the issue to be decided.

[33] The Board will consider, first, the request for documents related to Brady's interactions with various organizations. The Union explains why the documents it has requested are relevant:

All of the above, Mr. Brady claims, explain and excuse the reasons for the substantial delay in filing his case with the Labour Relations Board, and therefore documents that outline what was being claimed, why the matters were dismissed, the recommended redirection from one adjudicative body to another, and if the matters being claimed do in fact relate [to] the alleged employee-union dispute are highly relevant to a hearing.¹⁰

[34] The Board agrees that the documents, in general, are relevant.

[35] Brady has suggested that any delay was caused, at least in part, by what happened when he interacted with these organizations. His explanation, to this effect, can be found in the amended reply to the application for summary dismissal, dated May 18, 2023.¹¹ There, he stated that he took his complaint to Occupational Health and Safety in September 2021, then this Board, was redirected to SRHC, and was also dealing with Employment Insurance (EI). He was not

⁹ *Chau Ha v Saskatchewan Polytechnic Faculty Association and Saskatchewan Polytechnic*, 2023 CanLII 93027 (SK LRB).

¹⁰ *Union Argument*, at para 34.

¹¹ At 1, 2.

approved for EI until December 2021. He states that he was asked by SHRC to fill out an intake questionnaire in January 2022.

[36] He states that he reported his injury to WCB after the end of April 2022, but then they closed the file when they didn't receive sufficient documentation. Eventually, SHRC suggested he go back to OHS and Employment Standards. In mid-February, he was told by SHRC that they could not accept his complaint; they suggested he return to OHS and Employment Standards. When he did, he received an explanation that persuaded him that the appropriate forum was this Board. He filed his employee-union dispute on February 14, 2023.

[37] In his submission, dated June 13, 2023, Brady again describes some of these interactions.¹²

[38] Brady points to these interactions and suggests that they explain his circuitous route to filing an application with this Board. He suggests that he was directed away from this Board, was caught up with these various organizations, and did not understand that the proper approach was an employee-union dispute.

[39] Similarly, any documents which reveal the nature of Brady's complaints to these organizations are potentially probative. Such documents will indicate whether there is a nexus between Brady's explanation for the delay and the interactions he had in alternative forums. Similarly, any correspondence from an organization redirecting Brady to another forum is potentially probative.

[40] Furthermore, at any point during these interactions, Brady may have been redirected to this Board, or may have abandoned an aspect of the complaint that would undermine his reliance on the alternative forum as a reason for the delay. In particular, the Board notes that the SHRC complaint was rejected in November 2022. It would be arbitrary and unfair to order only a portion of the correspondence be produced; the correspondence exists on a continuum, which if interrupted may present an incomplete picture and result in gaps that would lead to further requests for production.

[41] Next, the correspondence dated March 29, 2023 arose after Brady filed his employee-union dispute. However, the materials suggest that this correspondence may have confirmed the

¹² At 2, 3, 4.

SHRC's earlier conversation with Brady, which apparently took place before he filed his application with the Board. As such, it is relevant and potentially probative.

[42] To be sure, with respect to EI, Brady does not appear to be suggesting that EI was an alternative potential forum for addressing the current dispute. Rather, he seems to be suggesting that his request for EI was yet another matter occupying his time and energy, which may have interfered with his ability to proceed to file an application with the Board. Although different than his other interactions, he relies on his interactions with EI; the related documents are arguably relevant and potentially probative.

[43] The next issue is whether the requests are sufficiently particularized so that Brady can readily determine the nature of the request, the documents sought, the relevant timeframe and the content. The Board has no concerns with the particularization of the requests. The requests are specific and clear as to the documents sought, the timeframe, and the content.

[44] The second request relates to the 152-page package referred to during the CMC. Brady has indicated that he plans to rely on this package in relation to the delay. If Brady intends to rely upon this package, it should be produced to allow the Union to prepare. By indicating his reliance, Brady is asserting that the report is relevant and has probative value. There is no issue of particularization. Nor is there any concern that the Union's request is in the nature of a fishing expedition. This document arises directly from Brady's explanation for the delay. On the other hand, if Brady does not intend to rely on this document, he will not be required to produce it.

[45] To be clear, the Board's order will apply whether or not Brady's description of "152-pages" was accurate. Furthermore, the Board has not reviewed the package. It is unclear precisely what timeframe it covers. When the hearing occurs, the Board will have to make a determination as to whether Brady's reliance on the package as containing relevant evidence is appropriate.

[46] As far as prejudice is concerned, Brady suggests that he wants an undertaking from the parties similar to what he would receive through the implied undertaking rule. This is entirely reasonable. An indemnity clause is not. It would not be appropriate for the Board to predetermine how any breach would be disposed of, whether within the Board's jurisdiction or otherwise.

[47] In *Woodland*, the Board provided a detailed order outlining "who would be able to view the documents, what use could be made of them, and their return or destruction at the conclusion of

the proceedings”.¹³ The Board finds that a similar approach, with modifications based on the Union’s submissions, is appropriate in this case.

[48] As a result of these findings, the Board will grant an order for production of the documents requested by the Union, and in that order, will clarify who will be able to view them and what use could be made of them, and will provide direction as to their return or destruction at the conclusion of the proceedings.

[49] As for Brady’s request for reciprocal document production, the Board will address this issue in the next section.

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[50] Again, the underlying matter is the preliminary hearing. The issue is whether the underlying application should be dismissed for undue delay - not whether the Union failed in its duty as the employee’s representative. Given this, the question as to whether any documents are arguably relevant is considered in reference to the issue of delay, and not in relation to the merits of the employee-union dispute.

[51] To be sure, Brady suggests that the merits of the employee-union dispute and the delay are interrelated. However, he has provided no reason as to why this is the case, other than to suggest that his poor health was caused by workplace safety issues, and in turn, his poor health impeded his progress in pursuing the employee-union dispute. However, the cause of his poor health is not in issue on the delay hearing. What is in issue are his reasons for any delay. If his health impeded his progress (leaving aside whether it can justify delay), that fact is what is relevant. In other words, the fact of his poor health during the delay period is relevant, not the cause of his poor health at any other time.

[52] Bearing in mind the foregoing, the Board has come to the conclusion that none of the documents requested by Brady are relevant.

[53] The first request is for the Humanicare records. The Humanicare records pertain to the time period prior to his resignation. By making this request, Brady appears to be linking the alleged cause of his poor health with the fact of the delay. At the same time, he has mapped out a subsequent series of appointments and consultations that took place during the timeframe that

¹³ *Saskatchewan Building Trades Council v Woodland Constructors Ltd.*, 2023 CanLII 82026 (SK LRB), at para 32.

mattered – the timeframe after his resignation and during which he was making decisions about which avenues to pursue.

[54] Moreover, this request appears to be designed to obtain documentation that relates to either the merits of his dispute with the Union or the merits of his allegations against the Employer. If Brady is seeking the basis for any denial of benefits, this is not the avenue to do so. If the denial of benefits is relevant to any related matter, it is relevant to the application on the merits.

[55] The second request seeks proof of the job stewards' training and practice. Implied by this request is an inquiry into the competency of the job stewards for purposes of proving the merits of the underlying application. These documents are not relevant to delay.

[56] The third request includes “documentation, notes and communications that they claimed support of medical care”. This request suffers from the same relevance issues as the Humanicare request. It has no relevance to the issue of delay. Furthermore, it is not clear what documents are being sought. The lack of particularization is fatal.

[57] The third request also includes “any documents referring to the Collective Agreement”. Again, this request relates to Brady’s “right to access medical care after a workplace accident”. It is not related to the issue of delay. The Union, however, has agreed to provide a copy of the collective agreement, and to facilitate this agreement, the Board will make an order for its production.

[58] Finally, the request for “[e]xamples of past practices where workers were denied the right to see a doctor after a work accident” is not relevant to delay.

[59] The fourth request is for “documentation, notes and communications regarding previous work accidents”. Again, this request relates to documents that predate the resignation and relate to workplace accidents – not delay. The documents requested have no relevance to the delay issue.

[60] The fifth, sixth, and seventh requests – documents pertaining to the stand down, the removal of the water truck, and stockpile content – are not relevant to delay. Again, these requests pertain to matters that predate Brady’s resignation and relate to his concerns with the workplace.

[61] Finally, the Union has agreed to produce two medical documents (from August 2021) which it has in its possession on the basis that medical evidence has been put in issue. The Union

suggests that it agrees to do so based on reciprocal production. While such a condition is unusual, there is a chance that Brady will decide not to rely on his medical evidence. Given this, the Board will order that the Union produce these medical documents if Brady produces his 152-page medical document.

[62] To be sure, this aspect of the Board's order is based on agreement. Neither the Union's agreement to produce these medical documents nor the Employer's without prejudice agreement can be found to prejudice the Employer's position opposing Brady's requests for medical documents.

[63] Given that Brady's requests have been denied, there will be no additional Order related to the order in which production is to take place.

[64] For the foregoing reasons, the remaining requests made in the production application in LRB File No. 145-23 are dismissed.

[65] The hearing on the preliminary matter is scheduled to be heard on March 7 and 8, 2024. It is necessary to set a deadline for the receipt of the documents to ensure that this proceeding stays on track and to provide the parties with sufficient time to prepare for that hearing. All documents, except the Union's two medical documents from August 2021, are to be provided by the end of the day, February 9, 2024. Those latter documents, if required to be produced, are to be provided by February 13, 2024.

[66] To maintain fairness in the proceedings, all documents should be produced equally to all parties.

[67] An appropriate Order will accompany these Reasons.

DATED at Regina, Saskatchewan, this **12th** day of **December, 2023**.

LABOUR RELATIONS BOARD

Barbara Mysko
Vice-Chairperson

Appendix A

1. The following documents referred to in the respondent's materials entitled "Re: My defense against Summary Dismissal of United Steelworkers local Union 5917" dated June 13th, 2023:
 - a. Any correspondence, applications, or submissions made to Occupational Health & Safety Saskatchewan in September 2021. Also any notes from attendances on Occupational Health & Safety Saskatchewan in connection with the above.
 - b. Any correspondence in relation to the respondent's discussions with the Saskatchewan Labour Relations Board in relation to the initial application, following which the respondent alleges they were redirected to the Human Rights Commission. Also request any notes in the respondent's possession from attendances on the Labour Relations Board in connection with the above.
 - c. Any correspondence, applications, or submissions made to the Human Rights Commission in pursuit of a claim in relation to the events and circumstances alleged in this Labour Relations Board application, including specifically:
 - i. Any and all correspondence with the Human Rights Commission when the respondent took their complaint there after they were initially redirected there by the Saskatchewan Labour Relations Board;
 - ii. Any and all correspondence, beginning in December 2021, with the Human Rights Commission;
 - iii. The intake questionnaire filed with the Human Rights Commission;
 - iv. The completed submissions from April 29, 2022;
 - v. The November 16, 2022, letter from the Deputy Director of Resolution rejecting the respondent's complaint;
 - vi. The November 18, 2022, respondent response to the Deputy Director of Resolution;
 - vii. The correspondence to, and from, the respondent related to the requests the Human Rights Commission was making for more information;
 - viii. The correspondence with the Human Rights Commission where they closed the complaint, and then told the respondent to go back to OH&S and to Employment Standards;
 - ix. The further submissions made to the Human Rights Commission on February 2, 2023;
 - x. The March 29, 2023, email explaining why the case would not be heard.
 - d. Any notes from attendances on the Human Rights Commission in connection with the above.
 - e. Documents relating to the complaint to the Workers Compensation Board, including any originating documents, submissions, reasons for rejection, or correspondence in relation to this complaint now before the Saskatchewan Labour Relations Board.

- f. The correspondence and documents in relation to the second attempt to file with Occupational Health and Safety, as alluded to in the reply, including their referral to Employment Standards.
 - g. Any correspondence with Employment Standards where they redirect the respondent to the Labour Relations Board prior to filing the complaints at issue.
 - h. Any correspondence with Service Canada/Employment Insurance regarding the adjudication of the respondent's claim for benefits, including any submissions made with respect to the respondent's claim for benefits, and any correspondence providing Employment Standard's position on the respondent's benefits, including the approval in December 2021, as described in the respondent's submissions of June 13, 2023.
 - i. Entries in the "notebook" that is referred to in the respondent's response of June 13, 2023, in the period of September 2021 and February 14, 2023, which record any attendances on or correspondence with:
 - i. Occupational Health & Safety Saskatchewan;
 - ii. Saskatchewan Labour Relations Board;
 - iii. Saskatchewan Human Rights Commission;
 - iv. Workers Compensation Board;
 - v. Employment Standards;
 - vi. Service Canada/Employment Insurance;
 - vii. The United Steelworkers or any of its employees or officials.
2. The following documents referred to by the respondent in the Labour Relations Board Case Management Conference on September 27th, 2023:
- a. The 152-page document package of medical documents which the respondent described as explaining the reason for delay in filing their application in LRB application #030-23.

Appendix B

- A. I respectfully request the following documents and information from United Steelworkers Local 5917 and Evraz Recycling Regina:
1. My File from Humanicare whom they provided and paid for that I engage to a Counselor for [medical] sessions and it lasted for six (6) sessions, a copy of the actual records in handwriting with specific dates duly signed by the Counselor.
 2. Proof of Job Stewards Training and Practice:
 - All documentation, notes and communication from the two (2) Job Stewards of the Union namely Scott and Justin to the Union Representative from the August 9, 2021 meeting and all other grievances and complaints or work accidents that these Job Stewards reported to Union Local 5917 Head Office concerning Mr. Brady.
 - Demonstrate the training and qualifications of the Job Stewards involved in Mr. Brady's case.
 - Any records or communication that outline the Job Steward's responsibilities and actions pertaining to Mr. Brady's situation.
 - All documents or documentation concerning the decision of why the Union did not go to mediation over unsafe work conditions, harassment for whistle-blowing of unsafe work practice. Harassment during August 9, 2021 meeting and the work accident grievance.
 3. Documentation, Notes and Communications Related to Medical Care if any:
 - All documents, notes, and communications that they claimed support of medical care.
 - Any documents referring to the Collective Agreement, including specific Article numbers, that pertain to Mr. Brady's right to access medical care after a workplace accident.
 - Examples of past practices where workers were denied the right to see a doctor after a work accident.
 4. Documentation, Notes and Communications Regarding Previous Work Accidents:
 - All relevant Documentation, Notes and Communications related to the work accidents including witness statements, incident reports, and actions taken by the company and union that occurred on the following dates: (Referenced on document submitted April 21, 2021 on Particulars).
 - February 2, 2021 – page 1, section B, number 1.
 - February 19, 2021 – page 2, number 3.
 - March 23, 2021 – page 2, number 7.

- March 29, 2021 – page 3, number 9.
 - April 7, 2021 – page 4, number 10.
5. Documentation, Notes and Communications of the July 15, 2021 Work Stand Down:
- All documents, notes and communications explaining the circumstances surrounding the July 15, 2021 work stand down, Mr. Brady's complaints about unsafe work conditions, and any disciplinary actions taken against him.
6. Information on Removal of the Water Truck stationed at the DSS (Down Stream Screening) stockpile:
- All documentation explaining why the company's water truck was removed from the work site and whether it was used to wet down the stockpile.
7. Documentation on Stockpile Content and Hazardous Materials:
- Comprehensive information regarding the content of the stockpile, including details of every product, chemical, and substance it contains.
 - Copies of WHMIS (Workplace Hazardous Materials Information System) and MSDS (Material Safety Data Sheet) documents for the stockpile.
 - All documents, notes, communications that prove all hazardous materials caused by the fire were removed from the work area DDS (Down Stream Sorting) before work continued and that all fire damage to machinery was repaired before work continued at the DSS work station.
 - Transportation of dangerous goods documents describing the stockpile and the handling and transport of the material.
 - Canadian Environmental Protection regulations that regulate this product. I kindly request that you provide these documents within reasonable time frame in 15 days, from the date of this letter. Please be advised that timely disclosure of these documents will allow us to prepare adequately for the upcoming proceedings and ensure a fair and transparent review of the case.