



Canadian Forces  
Grievance Board

Comité des griefs des  
Forces canadiennes

# 2006

## Annual Report

### Canadian Forces Grievance Board

**Mission** To review grievances in order to render fair and impartial findings and recommendations in a timely and informal manner to the Chief of the Defence Staff and the grievor. **Vision** The Board's grievance review skills and expertise will be recognized through the quality of its findings and recommendations. This will be realized when:

- The principles of integrity and fairness guiding the Board create a climate of confidence in members of the Canadian Forces
- Members of the Canadian Forces are confident that the Board's findings and recommendations are objective, timely, fair and impartial
- The work of the Board has a positive impact on the conditions of work for military personnel and contributes to a better understanding and application of regulations, policies, and guidelines
- Other public agencies, in Canada and abroad, consult the Board regarding their own grievance management and review processes.

Canadian Forces Grievance Board 2007

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March 31, 2007

The Honourable Gordon O'Connor  
Minister of National Defence  
National Defence Headquarters  
MGen Georges R. Pearkes Building  
101 Colonel By Drive  
Ottawa, Ontario  
K1A 0K2

Dear Minister:

Pursuant to section 29.28(1) of the *National Defence Act*, I hereby submit the 2006 annual report on the activities of the Canadian Forces Grievance Board for tabling in Parliament.

Yours truly,

A handwritten signature in black ink, reading "Diane Laurin". The signature is written in a cursive, flowing style.

Diane Laurin  
Chair

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# Message from the Chair & CEO

*Diane Laurin*

The year 2006 marked the beginning of a new direction for the Grievance Board in that we began to actively contribute towards improving the Canadian Forces grievance system as a whole and not just the role we play in it. The findings and recommendations we produced for the Chief of the Defence Staff (CDS) over the course of our first five years (2000 – 2005) afforded us insights into areas where the system's efficiency and effectiveness could be improved—a vision also shared by the other key players in the Forces.

In the spring of 2006 the Board took part in a series of consultations and meetings with the Director General Canadian Forces Grievance Authority (DGCFGA), the purpose of which was to find ways to make the process more efficient (at the Final Authority level in particular), while maintaining quality analyses and reviews. Some of these meetings also included the CF Ombudsman and the Director General Alternative Dispute Resolution (DGADR).



This ongoing review yielded concrete results which were shared with the Vice-Chief of the Defence Staff (VCDS) and other senior officials at a meeting in November 2006. This led to the implementation of a Pilot Project, the objective of which is to validate an approach that would eliminate a duplication of analysis and reduce delays at the CDS level. We expect to report on the results of the project in June 2007.

Process changes aside, the Board is also hopeful that its mandate will be expanded. From its inception, the mandate has been limited to reviewing those military grievances referred to it by the CDS, as stipulated by the *National Defence Act* and Chapter 7.12 of the *Queen's Regulations & Orders*. Under these provisions, the CDS is required to send to the Board approximately 40% of the grievances arriving at the Final Authority level. However, the Board firmly believes that all Canadian Forces members, regardless of the type of grievance, should have access to a review by the Board. During the Pilot Project, the Board will review files not ordinarily within its mandate to assess our capacity and expertise in these areas.

One of our priorities in 2006 was to continue our progress in improving the Board's efficiency. We met our objective to complete grievance reviews in six months or less from the time they are received at the Board; 81.5% of the files received and completed in 2006 were done so within this time frame. We also made significant progress in reducing our inventory of previously unresolved grievance files; at year-end a total of 69 grievances remained active. And, as in previous years, the CDS continued to agree with our recommendations in the majority of cases. In 2006, he fully or partially endorsed 88% of our recommendations.

In conclusion, I would say that the year 2006 was marked by the productive collaboration between the Board and DGCFGA, along with the encouragement and support of both the CDS and the VCDS. There were also real improvements in the operation of the grievance system at the highest decision level. Charged with the excitement of pursuing our conviction that the CF grievance system can still be improved, and the satisfaction of collaborating in discussions with key CF decision-makers, the prospects for further positive developments are very high.

A handwritten signature in black ink, reading "David Lammie". The signature is written in a cursive, flowing style.

# The Canadian Forces Grievance Board

## Mission

To review grievances in order to render fair and impartial findings and recommendations in a timely and informal manner to the Chief of the Defence Staff and the grievor.

**"If any person in the fleet shall find just cause of complaint of the unwholesomeness of the victual, or upon other just ground, he shall quietly make the same known to his superior, or captain, or commander in chief, as the occasion may deserve, that such present remedy may be had as the matter may require; and the said superior, captain, or commander in chief, shall, as far as he is able, cause the same to be presently remedied..."**

Excerpt from  
*Royal Navy, Articles of War 1757*

## The Grievance Context

The concept of military personnel having the right to grieve and receive redress is not new.

Canada's introduction, in the year 2000, of an *extra-military* component to the Canadian Forces grievance system represented a major innovation in the handling of military grievances. That innovation was the creation of the Canadian Forces Grievance Board.

As stipulated in the *National Defence Act* (NDA) and Chapter 7.12 of the *Queen's Regulations and Orders for the Canadian Forces* (QR&O), the Board's mandate is to review all military grievances referred to it by the Chief of the Defence Staff (CDS). Following its review, the Board submits its findings and recommendations (F&Rs) to the CDS, simultaneously forwarding a copy to the grievor. It is the CDS, however, who is the final adjudicator on the grievance.

The Board, which has quasi-judicial powers, can summon witnesses and compel them to give oral or written evidence. The Board can also order the production of documents or things. Although hearings would normally be held in private, the Chair can deem that a public hearing would benefit the participants and serve the public's interest.

Chapter 7.12 of the QR&O sets out the types of grievances that can be referred to the Board. Specifically:

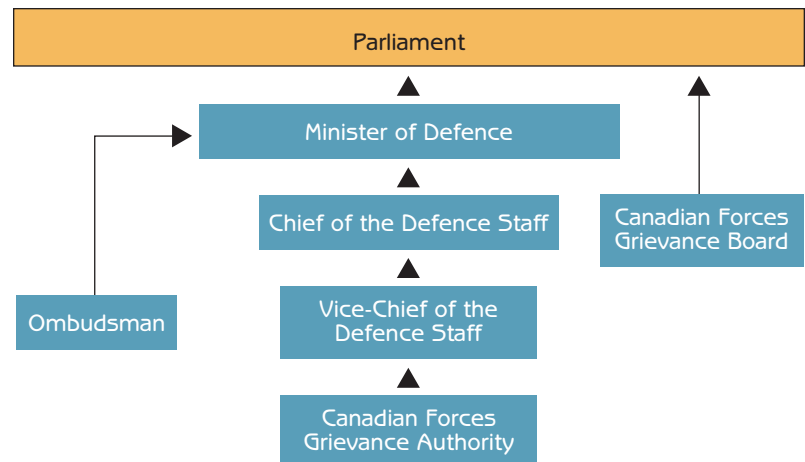
- (1) The Chief of the Defence Staff shall refer to the Grievance Board any grievance relating to the following matters:
  - (a) Administrative action resulting in the forfeiture of, or deductions from, pay and allowances, reversion to a lower rank or release from the Canadian Forces;



- (b) Application or interpretation of Canadian Forces policies relating to expression of personal opinions, political activities and candidature for office, civil employment, conflict of interest and post-employment compliance measures, harassment or racist conduct;
  - (c) Pay, allowances and other financial benefits; and
  - (d) Entitlement to medical care or dental treatment.
- (2) The Chief of the Defence Staff shall refer every grievance concerning a decision or an act of the Chief of the Defence Staff in respect of a particular officer or non-commissioned member to the Grievance Board for its findings and recommendations.

Section 29.12 of the NDA stipulates that the CDS may also refer any other grievance to the Board.

As an administrative tribunal, the Board is independent of the Department of National Defence (DND), although DND has overall responsibility for the grievance process in which it operates. The Board reports directly to Parliament through the Minister of National Defence, who tables the Board's Annual Report.



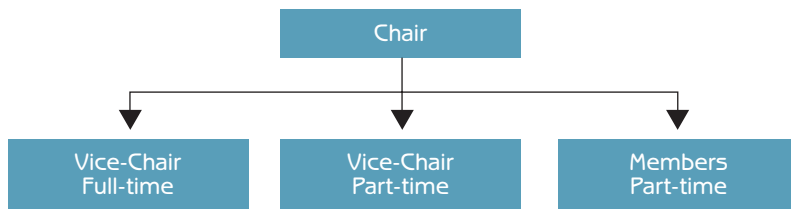
## Board Structure

The Board consists of Governor in Council appointees who decide, alone or in panel, on any given case. Board Members are responsible for reviewing grievances and issuing findings and recommendations to the CDS.

Under the NDA, the Governor in Council may appoint a full-time Chair, at least one full-time Vice-Chair, and one part-time Vice-Chair. In addition, the Governor in Council may appoint any other full- or part-time Members the Board needs to carry out its functions. Appointments may be for up to four years and may be renewed. The Governor in Council may also remove Members for cause.

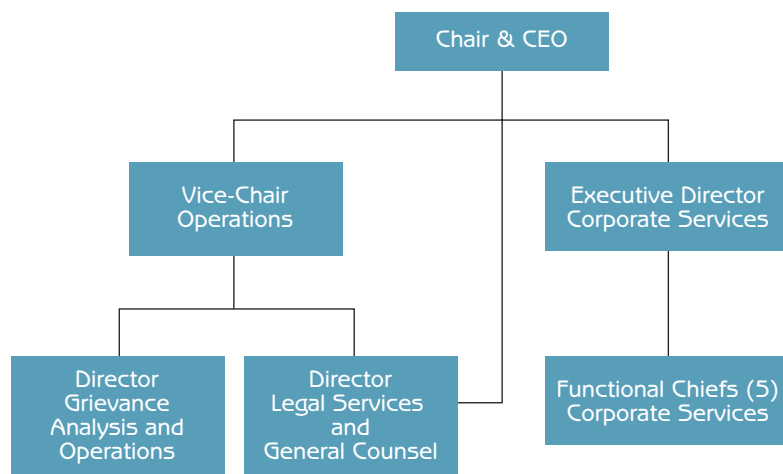
Although Board Members and staff are civilians, they include former military personnel. This mix ensures the range of knowledge and experience necessary for the Board's work.

## Board Members



The role of Board employees is to support the work of the Board Members. Grievance officers and legal counsel work particularly closely with Board Members to provide analyses and legal opinions on a wide range of issues. The Board's Corporate Services Group's responsibilities include strategic planning, performance reporting, human resources, finance, IMIT and communications.

## The Management Team



## The CF Grievance System: a two-level process

### Level I: Review by the Initial Authority (within the Canadian Forces)

A common misconception about the Canadian Forces grievance procedure is that a grievor can submit a grievance directly to the Board. In fact, the process begins not with the Board, but with the grievor's Commanding Officer (CO).

- Step 1:  
The grievor submits the grievance to his or her CO.
- Step 2:  
If the CO cannot act as the Initial Authority (IA), the grievance will be submitted to someone who can, such as the next superior officer invested with the responsibility for dealing with the issue. If the grievor is satisfied with the IA's decision, the grievance process ends there.

## Level II: Review by the CDS

Grievors who are dissatisfied with the IA's decision may ask to have their grievance reviewed at the Final Authority (FA) level, that is, by the CDS, whose decision is the final stage in the grievance process.

Grievors initiate this second level of review as follows:

- **Step 1:**  
They submit their request for a second level of review.
- **Step 2:**  
If the grievance falls within the Board's mandate, the DGCFGA forwards the grievor's file, on behalf of the CDS, to the Board.

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*"This process is outstanding, notwithstanding the result, I achieved my aim—an unbiased outside the chain of command analysis of my situation, and a verdict rooted in analysis of current Canadian law, morals and norms."*

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Source: Comments from CFGB Survey to grievors

## The Board's Procedure

1. When the Board's registrar receives the grievor's file from the DGCFGA, the Board sends a letter of acknowledgement to the grievor, and in accordance with the rules of procedural fairness, also discloses to the grievor the information the file contains.
  - The Board invites the grievor to submit any additional information related to the case.
  - Should the Board acquire new information, it will be disclosed to the grievor.
2. A grievance officer conducts an in-depth analysis, which also involves Legal Services. Thereafter, the Board Member assigned by the Chair, develops the final findings and recommendations. These are subsequently forwarded to the CDS, with a copy to the grievor.

- **Grievances mandatorily referred to the Board must be decided by the CDS personally.**
- **The CDS is not bound by any findings and recommendations of the Board. However, the CDS must provide reasons, in writing, in any case where the Board's findings and recommendations are not accepted.**



# 2006: The Year in Review

## Part I Significant Events

### A More Effective, Efficient Grievance System — Laying the Groundwork

Following an intense examination of the grievance process at the FA level, the Board participated in highly productive ongoing discussions with the DGCFGA and senior staff from National Defence Headquarters (NDHQ). The review and discussions enabled the participants to collaboratively identify problem areas and agree on potential approaches to address them. As a result, the Board and the DGCFGA together devised and implemented a Pilot Project to test the proposed changes. These process changes are designed to significantly reduce the time required to analyze grievances and present the CD5 with recommendations.

Preliminary assessment of the Pilot Project is scheduled for June 2007.

### Efficiency Behind Case Reviews Continues to Improve

Meanwhile, the Board continued to streamline its own internal processes. In 2006, it reduced its remaining inventory of grievance files carried over from previous years. For example, in 2005, the average turn-around time for completing its steady-state cases (those received from 2004 on) was 138 business days. In 2006, the turn-around time averaged 120 business days.

In terms of cases referred to and completed by the Board in 2006 alone, the Board was able to review more than 80% of those cases in less than six months.

### New Board Members

At present, the Board consists of two full-time Members, the Chair and Vice-Chair, and five part-time Members. In early 2006, the terms of three part-time Members came to an end; Ms. Wendy Wadden, Ms. Gwen Hatch and Mr. Michel Crowe left the Board after serving between three and six years, and Mr. Marc Tremblay resigned his post. A few months later, the Board welcomed three new part-time Members: Mr. Denis Brazeau (appointed as part-time Vice-Chair on February 9, 2007), Mr. Fred Blair and Mr. Michel Auger.

Board Members are responsible for formulating and issuing F&Rs on grievance files sent to the Board by the CDS. As can be seen by their biographies (see Appendices), the Board Members bring with them years of diverse professional experience that contributes to their expertise in evaluating grievances in the military context. Some of them at one time themselves served in the CF.

## **Presentations and Tours**

The Board has always recognized that it must deliberately reach out to its primary stakeholders—the members of the CF—to familiarize them with the work it is doing. This outreach strengthens the members' understanding of the role the Board plays in improving the quality of Canadian military life. In addition to pursuing all opportunities to interact and communicate with senior military leaders through established communications channels, Board Members and senior management visit CF bases (CFB) and facilities, attend conferences and make presentations on key issues.

Visits to CF bases across Canada are particularly valuable because they ensure that the Board has the opportunity to meet the members of the CF directly. During these visits, Town Hall meetings have proven to be an effective approach for exchanging views and experiences. The meetings are usually well attended, with lively dialogue between the Board's Members and the audience.

The following is a summary of the Board's 2006 visits and presentations:

- In January, employees from the Board's Operations and Grievance Analysis Sector visited CFB Winnipeg, Manitoba.
- In February, Diane Laurin, Chair and Jim Price, Vice-Chair, made joint presentations at Town Hall meetings at CFB Greenwood, Nova Scotia and CFB Gagetown, New Brunswick.
- In June, Jim Price spoke at two bases in Newfoundland: CFB Gander and CFB Goose Bay.
- In October, Diane Laurin made a presentation in Cornwall, Ontario at a conference hosted by the Director General Military Careers.
- Also in October, Denis Brazeau, part-time Board Member, visited CFB Esquimalt, B.C., and the Chair and Vice-Chair made a joint presentation at a Town Hall while visiting CFB Comox, B.C.
- In December, Jim Price made a presentation to the CF School of Administration and Logistics at CFB Borden, Ontario.

## New Communications Initiatives

Another important aspect of the Board's outreach is to maximize the effectiveness of its communications vehicles, including: updating its website with regular postings of case summaries and other related information, brochure mail-outs to key audiences, and contributing articles about the Board to military newsletters. In 2006, articles about the Board were featured in four such newsletters: *The Totem Times*, *Voxair*, *The Aurora* and *The Sword and Scale*.

The Board's newest communications endeavour, developed this year, is an electronic newsletter—the *eBulletin*—designed for a subscriber list of key audiences. Experience has shown that CF members want to know more about the grievance system, the specific grievances the Board receives, and their outcomes. Each issue will highlight the most current and interesting cases that have been referred to the Board and for which a CDS decision was received. In addition to these summaries, the newsletter will also include updates on key grievance statistics and Board activities. The newsletter will be sent out in early 2007, and every three months thereafter.

Anyone who would like to receive the newsletter can subscribe through the Board's Website: [www.cfqb-cgfc.gc.ca](http://www.cfqb-cgfc.gc.ca)

## Part II Operational Statistics

### A Timely Review

In 2005, the CFGB increased its efficiency by 28% in terms of production time, with an average 138 business days taken to complete its steady-state<sup>1</sup> cases. In 2006, the Board continued to improve on the time it takes to complete a grievance review, completing 136 cases and delivering an additional 11% increase in overall production efficiency from the previous year.

Presently, the average turnaround time is six months (120 business days) from the time the case is received at the Board, until it is sent to the CDS for a final decision. Not all cases, however, are equal in terms of the time it takes to complete a review. Several factors outside the Board's control can affect a review's time, including the timeliness with which a grievance is referred to the Board, its complexity, delays in obtaining relevant information, and in some instances, the number of Board Members available to review grievances.

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<sup>1</sup> Cases received at the Board after January 1<sup>st</sup>, 2004

**Table I** shows the percentage of cases completed (according to the year received) that were within timeframes of more than one year, six months to a year, and less than six months. Of all the 2006 files completed by the Board this year, 81.5% were dealt with in less than six months.

**Table I**

Timeline to complete cases according to the year referred to the Board

Year Cases Referred to CFGB	Less than 6 months	6 months to 1 year	More than 1 year
2000	7.3%	9.5%	83.2%
2001	9.5%	24.8%	65.7%
2002	6.9%	13.8%	79.3%
2003	6.2%	11.6%	82.2%
2004	6.2%	28.9%	64.9%
2005	14.8%	33.3%	51.9%
2006	81.5%	18.5%	0.0%

Data as of December 31, 2006

## CFGB Workload Overview

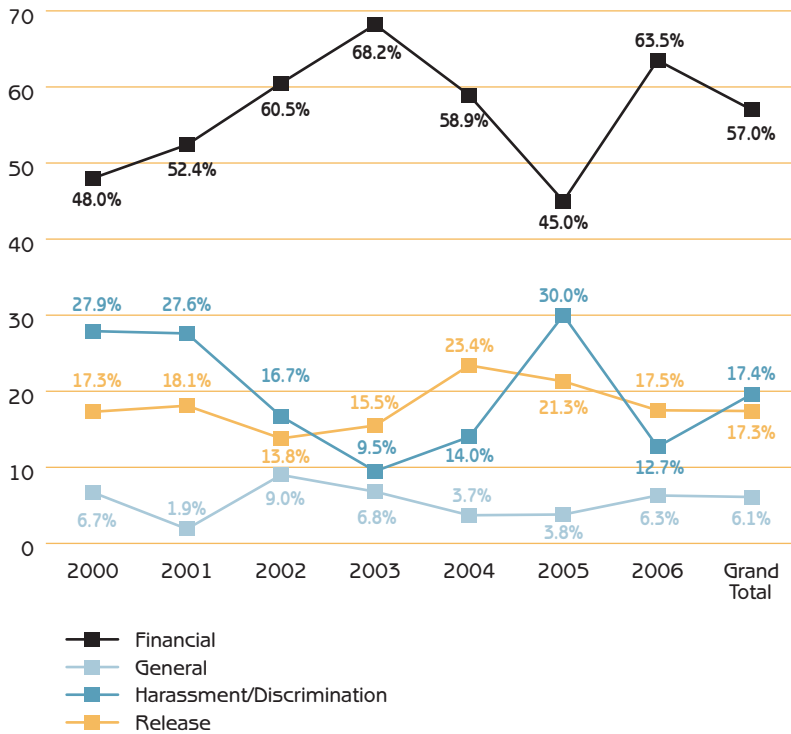
In early 2006, an important additional step was added to the Board's grievance review process. It involves a preliminary evaluation of all files to identify important legal matters or issues requiring full research. This process allows the Board to expedite those grievance files that can be reviewed more quickly—in particular those relating to simple issues or those whose subject matter had been handled previously by the Board.

**Table II**

CFGB Workload Overview	2000	2001	2002	2003	2004	2005	2006
Cases in the process at beginning of the year	0	165	170	255	274	206	142
Cases received for the year	179	105	210	148	107	80	63
Cases returned to DGCFGA for re-evaluation	0	0	-5	-2	-5	0	0
Cases completed for the year	14	100	120	127	170	144	136
Cases remaining in the process at the end of the year	165	170	255	274	206	142	69

**Table III**

Categories of grievances

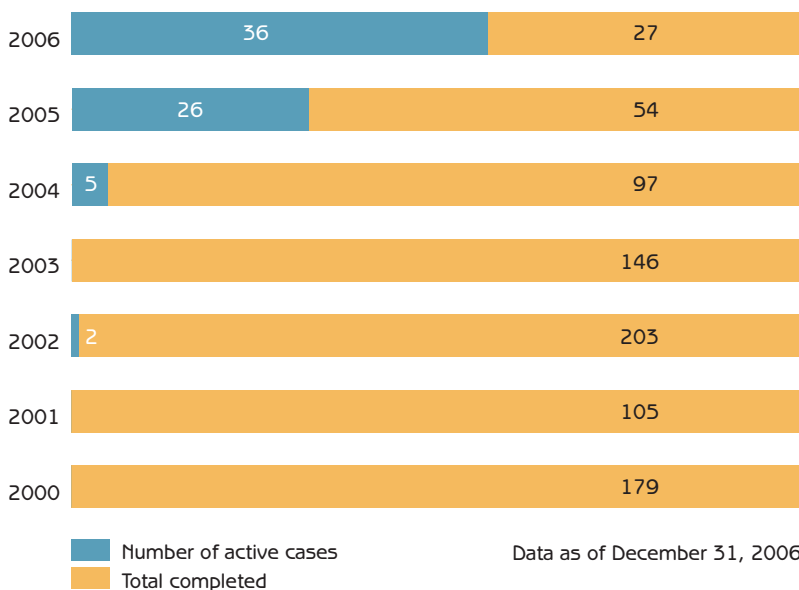


## Distribution of Category of Cases by Year Referred

Over the last six years, the percentage of grievances received according to four categories (financial, general, harassment/discrimination and release) have remained relatively consistent. Financial grievances continue to dominate the workload, followed by harassment/discrimination and release cases.

**Table IV**

Inventory Status



Data as of December 31, 2006

## Status of the Inventory of Cases by Year Referred

The adjacent table represents an overview of the active inventory of cases by the year they were referred to the Board. As of December 31, 2006, a total of 69 grievances remained active, two of which are from a backlog<sup>2</sup>. At the time of publication, one remains in abeyance and the other is on hold until comments from the grievor are received.

<sup>2</sup> Grievances received at the Board prior to 2004



## CDS Decisions Received in 2006

In 2006, the Board received CDS decisions on 82 grievances, whereby he fully or partially endorsed 88% of them following the Board's findings and recommendations.

**Table V**

CFGB's Findings and Recommendations (F&Rs)	CDS Decisions Received in 2006			
	CDS endorses CFGB's F&Rs	CDS partially endorses CFGB's F&Rs	CDS does not endorse CFGB's F&Rs	Total
To uphold the grievance	9	3	5	17
To partially uphold the grievance	7	7	4	18
To deny the grievance	42	4	1	47
<b>Total</b>	<b>58</b>	<b>14</b>	<b>10</b>	<b>82</b>

## Informal Resolutions and Withdrawals in 2006

Seven additional cases reviewed by the Board were resolved by the CF through informal resolution, and eight additional ones were withdrawn by the grievor subsequent to the issuance of the Board's findings and recommendations, but prior to the CDS decision.

These informal resolutions came about after the Board had submitted its findings and recommendations to the CDS for a final decision, which in turn may have influenced the move to an informal resolution.

**Table VI**

CFGB's Findings and Recommendations	Informal Resolutions and Withdrawals in 2006 (Subsequent to CFGB's issuing Findings and Recommendations)		
	Informal Resolutions by the CF	Cases withdrawn at the CDS Level	Total
To uphold the grievance	5	4	9
To partially uphold the grievance	1		1
To deny the grievance	1	4	5
<b>Total</b>	<b>7</b>	<b>8</b>	<b>15</b>

In the other grievance cases, the grievors chose to withdraw their grievances at the CDS level because:

- They declared themselves satisfied with the explanations found in the Board's findings and recommendations, despite the recommendation to deny the grievance;
- Administrative measures were taken, either before or following receipt of the Board's findings and recommendations, that allowed for the grievance to be resolved to the satisfaction of the grievor.

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*"The entire process, and the access it affords, is an excellent tool for those who feel that they have been wronged. Its very existence forces all of us to do the right thing because we know that our position on a matter may eventually be scrutinized by an independent body."*

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Source: Comments from CFGB Survey to grievors

## Conclusion

2006 proved to be a busy and productive one for the Board. It welcomed new Board Members and senior staff, it increased its outreach activities and it made solid progress in reducing the inventory of grievance files.

The Board is ever mindful that careful planning of its resources goes a long way towards ensuring that the quality of its work is not compromised. This includes the continuity and renewal of its specialized workforce in keeping with changes flowing from the *Public Service Modernization Act*. The Board will also continue to cultivate its management practices using the Government's own blueprint for sound management, the Management Accountability Framework.

Moving beyond 2006, the Board has set ambitious goals for itself, building on the priority of operational performance, which remains the cornerstone of its *raison d'être*. Six years after its inception, the Board has proven its value-added and it will carry on towards ensuring that the Canadian Forces continue to regard this organization as playing an essential, impartial and fair role in the grievance system.

# Claims Against the Crown, a First Hearing and Case Summaries



## An Issue of Claims Authority

An issue that has been identified previously but remains a recurring problem within the current grievance system is that neither the Initial Authority nor the CDS (the Final Authority), have claims adjudication authority. The authority to settle claims against the Crown or to give *ex gratia* payments to members of the CF has been delegated to the Director Claims and Civil Litigation (DCCL) from the Legal Advisor to the Department of National Defence and the Canadian Forces. Accordingly, in cases where the Board has recommended that grievors receive financial compensation as one of the remedies to the resolution of their grievances, the CDS has been limited to referring the cases to the DCCL for his review and determination of the merit of such compensation. While the Board and the CDS have often shared the view that some grievors had a valid claim or that the circumstances of their cases deserved to be considered for an *ex gratia* payment, the DCCL may not necessarily agree.

In December 2006, the Board met with the DCCL specifically to discuss the position of his office with respect to the resolution of claims contained in grievance files. The DCCL has informed the Board that in almost all grievances referred to his office, it was felt that administrative payments or other administrative remedies could be made instead of seeking claims adjudication. As such, almost every grievance referred to the DCCL to date by the CDS has been rejected on the premise that the grievance process could sufficiently provide a remedy with respect to wrongdoing, and only a very small percentage of grievances were considered potential claims against the Crown (i.e. damages resulting from tort or negligence).

While the Board acknowledges that the CF grievance system provides a broad range of remedies, such as retroactive promotion, the Board is of the view that administrative remedies are not always sufficient. An administrative payment can be made only when there is an entitlement (i.e. under the Compensation and Benefits Instructions). However, for those cases where grievors suffer a wrongdoing for which an entitlement or a change of status cannot be ordered, administrative remedies are of little assistance.

For example, the Board has reviewed many harassment grievances where either the complainant or the respondent has suffered serious emotional and career-related damages. In those cases, possible remedies are very limited and while the CF may not be liable

for what has happened, in several cases, the Board and the CDS have agreed that there is a moral obligation to compensate these grievors.

Having to wait for the DCCL's review and determination with respect to possible claim settlements or *ex gratia* payments delays the ultimate outcome of the grievance process. Considering that the CDS is the final authority, the Board strongly believes that he should be given the authority to settle claims and to award *ex gratia* payments when he determines that the circumstances warrant such payments. This authority was identified as an important tool to a prompt resolution of grievances by Chief Justice Lamer in his *National Defence Act Review and Recommendations* dated September 2003 (the "Lamer Report"). Justice Lamer had recommended that such authority be obtained, however, it has yet to be implemented.

## A First Hearing

In December 2006, the Board received the CDS's decision with respect to its findings and recommendations, following its first hearing on a grievance.

The grievance in question related to an investigation and report prepared following a harassment complaint against the grievor. At the hearing, the Board heard testimony from both the grievor and the harassment complaint investigator. The Board concluded that the investigation report contained serious deficiencies in the analysis of the collected evidence and the weight given to certain evidence. Consequently, the Board deemed it unwise to rely on this investigation to justify the imposition of administrative measures. For these reasons, along with the passing of time since the events, the Board concluded that it would be futile to order a new investigation into the harassment allegations.

The Board recommended that the CDS cancel any measures taken as a result of the investigation and remove any references to it from the grievor's personnel files. Finally, besides recommending that the grievor receive an apology, the Board recommended that the CF consider the implementation of a quality control process before acceptance of harassment or other similar investigations that have the potential to cause prejudice to a CF member.

The CDS accepted the Board's findings. He partially agreed with the Board's recommendations, determining, however, that the addition of a further step to control the quality of harassment investigations is not necessary, and that, in any case, it would not eliminate potential errors. He noted that any CF member who believes that he or she has been wronged can make use of the existing grievance process to request a review of an investigation.

The CDS added that it was regrettable the responsible officer in charge had accepted the findings of the investigation report, which found that there was harassment, despite the obvious irregularities. Finally, the CDS concluded that the grievor did not provide any evidence supporting his claim for financial compensation on the basis that his career had suffered as a result of the complaint (this was not an issue before the Board). The CDS also noted that the grievor had been promoted since the allegations had been made against him.

## Case Summaries

### Treasury Board Travel Directives – Meal Allowance

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#### Board Findings and Recommendations

The grievor alleged that a faulty interpretation of the regulations deprived him from receiving the full meal allowance to which he was entitled during Operation BOXTOP 2/01, and that confusing and conflicting information concerning the appropriate meal allowance disadvantaged him financially. As remedy, he requested reimbursement of the difference between the daily rate he received and the Treasury Board (TB) rate for "overseas" travel when residing in government quarters (i.e. 80% of the applicable TB meal allowance). He also requested payment of 6% interest on the amount owing to him, computed from the date of submission of his grievance.

The IA ruled that the grievor was entitled only to reimbursement for his actual meal charges in a military establishment. The IA concluded that the only military establishment in Thule was the Dundas Hall dining facility. The IA therefore denied the grievance because the grievor had already been reimbursed for the cost of his meals at that facility.

The Board found that the grievor was entitled to the actual amounts he was charged for meals in a military establishment, not 80% of the daily meal allowance prescribed by TB for "overseas" travel. The Board found insufficient evidence to conclude that misinformation negatively affected the grievor in this instance.

The Board also found that, in addition to the main dining facility (Dundas Hall), both the Top of the World (TOW) Club and the TOW Dining Hall were considered to be military establishments. As such, the Board found that the grievor was entitled to claim reimbursement for actual meal charges, based on receipts or an itemized list certified by the grievor and not to exceed the daily meal allowance specified by TB. The Board recommended that the CDS partially uphold the grievance, by amending the grievor's travel claim in this respect.

### **CDS Decision**

The CDS agrees with the Board's recommendation to partially uphold the grievance. The CDS notes that there was some ambiguity as to which part of the TB Travel Directive applies to the grievor's situation. For example, Part IV of the TB Travel Directive (Meals, Incidentals, and Other Expenses) provides in part that public employees travelling in Canada and the continental US, who are visiting or residing in government or institutional accommodation, shall be reimbursed actual meal charges up to the appropriate limits based on receipts. However, Part VI of the TB Travel Directive (Overseas Travel), provides in part that public employees travelling outside of Canada and the continental US, who are visiting or residing in government or institutional accommodation in a location for which an authorized meal allowance has been established, shall be reimbursed 80% of that allowance.

In reviewing the grievance, it was found that QR&O 209.30 clearly states that the TB Travel Directive pertaining to travel in the United States applies to personnel who travel outside of Canada. The CDS also finds, in the absence of any further limitations, that CFAO 209-4 expressly limits the amount of meal reimbursement to actual expenses. The CDS is, therefore, satisfied that the grievor should be reimbursed in an amount not to exceed the rate found in Part IV of the TB Travel Directive for actual meal expenditures incurred at an authorized eating establishment.

Although the CDS agrees with the Board's finding that the grievor should be reimbursed his actual meal expenditures at either establishment, he finds that the TOW Club is not a military dining establishment but rather a non-public licensed restaurant operating on a military base. In reviewing the BOXTOP 2/01 Administrative Order, the CDS finds that it expressly authorized personnel to purchase any meal at the Dundas dining facility on a 24-hour basis and that evening meals would be available at the TOW Club. The CDS is satisfied that both facilities were authorized eating establishments for the duration of Op BOXTOP 2/01 and that the grievor was entitled to be reimbursed for his actual meal expenditures incurred at either of these establishments in an amount not to exceed the applicable TB rate for travel in the US. The grievor will be paid the difference between what he received on his original Op BOXTOP 2/01 travel claim and the amount he actually spent for meals while he was deployed on Op BOXTOP 2/01. Should actual receipts be unavailable to support his claim, the grievor is to provide an itemized list and a supporting statutory declaration of his actual expenditures endorsed by his Op BOXTOP 2/01 aircraft captain (if available) and his present commanding officer.

The review of this grievance by the Board revealed that there were no specific meal arrangements in place at the time of the exercise, thus leading to confusion regarding the application of TB policy. Given the high cost associated with grievance resolution at the CDS level, and the possibility that other members who participated in the same or similar operations might submit grievances pertaining to this issue, the Director General CF Grievance Authority suggested that those claims could be settled in the same fashion. Furthermore, he recommended that the Administrative and/or Operational Instructions/Orders regarding future BOXTOP exercises and/or other out-of-country exercises clearly indicate the applicable TB rates for the reimbursements of Meals and Incidentals during Temporary Duty.

## Definition of Dependants – Reimbursement of Purchase Costs for Principal Residence

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### Board Findings and Recommendations

The grievor was living in married quarters (MQ) with his spouse and two special needs children when his mother and step-father both became too ill to continue living on their own. As a result, the grievor's mother and step-father moved into the grievor's MQ. The grievor applied to have his parents listed as his dependants at that time. After his parents lived with him and his family for some months, he purchased a house where he stayed with his parents while his wife stayed with their children in the MQ. The grievor received reimbursement of the purchase costs for the house from the CF. He affirmed that he spent 50% of his time in the house with his parents.

When the grievor was posted, he was told he was not entitled to benefits associated with the sale of the house because it was not his principal residence. The grievor was also told he should not have received reimbursement for purchase costs and the funds he received for the purchase of the house would be recovered. The grievor filed a grievance.

The grievor was supported in his grievance by the chain of command, which agreed that, while outside the norm, the grievor's parents were his dependants and the house he bought was his principal residence.

The IA for the grievance, the Director General Compensation and Benefits (DGCB), found that, for the purposes of relocation, a member cannot have two principal residences and the MQ was his principal residence. The IA noted that the grievor's furniture and effects had last been moved to the MQ at public expense, and that is where his "primary dependants" continued to live. The IA also found that the grievor's parents were not his dependants. As a result, the IA confirmed the recovery of the purchase reimbursement costs and the denial of the sale costs.

The Board found that the regulations relied upon by the IA were misunderstood. In fact, the purchased house did meet the requirements for a principal residence and the grievor's parents also met the criteria for dependants.

The Board recommended that the grievance be upheld.

### CDS Decision

The CDS agrees with the Board's findings and recommendation to uphold the grievance. The CDS determined that the grievor's principal residence at the time of his relocation was the home he bought and lived in with his parents and that he was entitled to reimbursement of the fees associated with both the purchase and sale of that residence. The CDS also determined that the grievor's parents were his dependants while they were living with him at his residence. However, they are not entitled to any relocation expenses to Kingston because they did not take up residence with the grievor at the time of his relocation but rather occupied their own residence.



## Wrongful Release – Lack of Medical Limitations

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### Board Findings and Recommendations

The grievor was released from the Canadian Forces on the basis that he suffered from medical limitations that placed him in violation of the universality of service principle (USP). The grievor's chain of command supported his grievance and strongly recommended that the grievor be retained.

No IA decision was issued, and after granting one extension, the grievor requested that the matter be forwarded to the CDS.

The Board found that the grievor's employment limitations did not place him in violation of the USP.

The Board recommended that the CDS arrange for the grievor to be offered the opportunity to re-enrol and that his pay, pension and benefits be adjusted accordingly. The Board also recommended that the matter be referred to the DCCL for consideration of payment of potential damages arising from the release, if any financial entitlement could be dealt with via internal adjustments. As an alternative, the Board recommended that the CDS cancel the release and adjust the grievor's pay, pension and benefits accordingly.

### CDS Decision

The CDS agrees with the Board's findings and recommendation to uphold the grievance. The CDS is satisfied that the grievor has been incorrectly released as a result of medical employment limitations that were not evidentiary-based. The grievor should have been allowed to continue his service to his intermediate engagement point. However, the CDS is of the opinion that he did not have the authority to grant the redress seeking compensation for the remainder of the grievor's intermediate engagement. Accordingly, an adjustment of his pension lies within the purview of the DCCL. Therefore, the CDS has referred the grievance to DCCL for consideration, and a copy of the decision has also been sent to the Assistant Deputy Minister (Human Resources) (ADM (HR-Mil)) for his review.

## Recruitment Allowance – Negligent Misrepresentation

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### Board Findings and Recommendations

The grievor argued that he was entitled to a \$10,000 recruitment allowance (RA) and a promotion to the rank of acting corporal with a retroactive salary increase, in light of the information he received at the Recruiting Centre. The grievor maintained that his decision to sign a contract with the Forces instead of continuing his career as a civilian was largely based on obtaining the RA and a promotion.

On the basis of the conclusions of the Canadian Forces School of Communications and Electronics (CFSCCE), the acting commander of the Canadian Forces Recruiting Group (CFRG), who was the IA in this case, dismissed the grievance. The IA indicated that an analysis of his education and previous experience showed that he was neither qualified for the RA, nor a promotion to the rank of acting corporal.

The Board found that the grievor did not meet the prerequisites for the RA and was not entitled to it under the regulations. The Board also found that the grievor was not entitled to a promotion to the rank of acting corporal. However, the Board did find that the CFRG's representations were inaccurate and that the job offer that appeared on the "Jobboom" Internet site for a position as a computer specialist was misleading, since the required qualifications did not pertain to informatics but to electronics. Nonetheless, the Board found that based on an analysis of the five conditions determined by the Supreme Court in the Cognos Decision, the grievor was the victim of negligent misrepresentation on the part of CF personnel and suffered damages by relying on inaccurate information.



The Board recommended that the CDS allow the grievance in part and refer the matter to the DCCL so that the grievor could obtain financial compensation in the amount of the RA, (i.e. \$10,000), as well as financial compensation for the loss of earnings incurred until obtaining his rank of corporal.

### **CDS Decision**

The CDS supports the Board's conclusions and its recommendation that the grievance be partially upheld through referral of the case to the DCCL. The CDS specifies that this does not mean that he supports the grievor's retroactive promotion to the rank of cpl (i), as the grievor requested, but that consideration should be given to compensation for the financial hardship that resulted from his decision to enroll on the basis of inaccurate statements. The diploma he needed had to correspond in large part with the technical training of the Military Occupation Code—now called MOS ID—military occupational structure identification, that is, "electronics," and not "computer technology," as the information given the grievor and the offer of employment would have had him believe.

## **Reimbursement of Reservist Relocation Expenses**

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### **Board Findings and Recommendations**

The grievor was a reservist originally posted in Saskatchewan who voluntarily accepted an attached posting in Ontario. Subsequently, the grievor received numerous posting messages, which indicated that he was being posted to other positions within the same unit in Ontario. After three years in this province, the grievor was again posted to Saskatchewan. However, as the grievor had been posted from Saskatchewan to Ontario, the CF treated the move to Saskatchewan as a return to his former place of residence (FPOR) and not as a posting.

The grievor contended that he was unfairly denied relocation expenses because his move to Saskatchewan had been improperly treated as a return posting. He argued that the applicable regulations for his move were found in the Compensation and Benefit Instruction (CBI) 209.971- CF Integrated Relocation Program (IRP) and not in the applied Travel and Relocation Policy (TR/POL) 009/95. As such, the grievor argued that he was entitled to relocation expenses for his move from Ontario to Saskatchewan and to a commuting allowance. The grievor also requested that he be issued an apology.

As IA, the DGCB took the position that the grievor knew he was being attached posted to Ontario but that he would be returned to his employment unit in Saskatchewan, under TR/POL 009/95.

The IA further argued that the grievor was not eligible for commuting assistance because he chose to live outside the normal commuting distance for his workplace. The IA added that the grievor moved his family for purely personal reasons not service needs, which disqualified him from any assistance. The IA, however, did find that the grievor was entitled to be reimbursed for a house hunting trip and directed the grievor to submit a claim.

The Board found that the grievor was no longer filling a position in Saskatchewan and, therefore, no longer fit the definition of an "attached posting". Therefore, the grievor was not being returned to his FPOR but was being posted into a position.

The Board found that, in 2003, the grievor's place of residence was in Ontario, not Saskatchewan, and that the grievor was moved under the incorrect policy instead of in accordance with CF Integrated Relocation Program (CFIRP).

The Board found that the grievor was not entitled to commuting assistance and that the IA had adequately addressed the issue of the requested apology in his decision.

The Board recommended to the CDS that the grievance be partially upheld.

### **CDS Decision**

The CDS agrees with the Board's recommendation and partially upholds the grievance in that the grievor be reimbursed his expenses for his relocation from Ontario to Saskatchewan, not because it was a "posting" but because the grievor met the criteria contained in CFIRP 2003 Addendum 10 (Primary Reserve Force Relocation - Full-Time Class B and C Employment) for a move from a place of ordinary residence (POR) to an Employment Unit (EU). In addition, the CDS finds that the grievor should have been on duty travel status for his House Hunting Trip (HHT) and decided that the grievor's leave account would be credited with five days annual leave.

The CDS finds that, although reservists had been authorized reimbursement of their relocation expenses under both TR Pol 009/95 and CFIRP when moved from one EU to another, this type of move is not reflected in published CFIRP policy. Accordingly, the CDS requests that the Assistant Deputy Minister (Human Resource - Military) review CFIRP policy regarding reimbursement of Reserve relocation expenses for moves to subsequent EUs.

## **Attached Posting – Temporary Duty**

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### **Board Findings and Recommendations**

The grievor, a member of the Supplementary Holding Reserve, was attached posted to a cadet summer training center (CSTC) in 2003. As a result of the attached posting, the grievor did not receive incidental benefits. However, members of the Primary Reserves sent to the same cadet summer camp were placed on Temporary Duty (TD) and did receive such benefits. The grievor felt this practice was unfair, and lodged a grievance.

The IA stated that since the grievor was attached posted, he was not on travel status, and therefore, not entitled to incidental benefits. The IA also noted that the grievor was not ordered to attend the cadet summer camp, and that he was aware of the benefits to which he was entitled when he accepted the position. The IA denied the grievance.

The Board considered precedent cases, and although the Board found that there was no discrimination against the grievor, the practice of affording differential treatment to sub-components of the Reserve Force was inequitable. Furthermore, the Board found that the primary reason for the differential treatment was based solely upon CF budgetary concerns.

The Board recommended that the CDS uphold the grievance.

## CDS Decision

The CDS partially agrees with the Board's finding but disagrees with the Board's recommendation to grant the grievance. The CDS agrees that the grievor was attached posted and not on Temporary Duty (TD). The CDS disagrees with the Board's finding that the decision to place the grievor on an attached posting was an improper application of regulations. Therefore, the CDS is satisfied that the grievor was not entitled to incidental expenses, beyond the two prescribed travel days for which he was reimbursed.

However, like the Board, the CDS is concerned that certain policies have resulted in personnel who belong to different sub-components of the Reserve Force being treated differently. The CDS insists that this different treatment is not illegal, unethical or discriminatory, but he acknowledges that the current policy framework, which causes variations in treatment of personnel employed at CSTCs, is a major dissatisfier and needs to be addressed. As such, the Vice-Chief of the Defence Staff is conducting a review to address the question of differences in employment of Reservists at CSTCs. A working group began deliberations on 20 October 2005 with the direction to examine the applicable policies regarding the use of attached postings and TD.

## Medical – CF Spectrum of Care

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### Board Findings and Recommendations

The grievor's infant son was diagnosed with a form of eye cancer necessitating the removal of an eye. The attending civilian cancer specialist recommended that the grievor undergo genetic testing to determine whether she carried a genetic mutation that would place any future children at 50% risk of retinoblastoma. The specialist also stated that for the test to be carried out on the grievor, they would have to first test the removed eye to determine the specific genetic mutation. The tests were carried out off-base; the grievor acknowledged that she did not seek the required prior approval from CF medical authorities at the time because of the tension and stress she was under due to her son's operation. When the grievor was subsequently refused her request for reimbursement for the costs of the tests, she contended that genetic testing done on her son was an integral part of the genetic testing required for her, and was therefore a covered service under the CF Spectrum of Care.

The Board found that these diagnostic services are covered under the CF Spectrum of Care, that the genetic testing was specifically prescribed for the grievor, and there is no impediment to the retroactive approval for the reimbursement of the genetic testing expenses.

The Board further found that the genetic testing performed meets the criteria for Principle no. 1 (under the Spectrum of Care) and that the funding for this specific genetic testing in Quebec and Alberta, as well as in three other provinces on a case-by-case basis, meets the criteria of Principle no. 5.

The Board also found that the expense claimed was part of a medical testing process for the grievor and, ergo, should be reimbursed.

The Board recommended that the CDS uphold the grievance.

## CDS Decision

The CDS agrees with the Board's findings and recommendation to uphold the grievance. The CDS is satisfied that under the circumstances, the testing conducted on the sample from her son's eye was an integral step in the tests mandated for her. The CDS further agrees that the tests were to determine whether the grievor also carried the genetic mutation related to retinoblastoma as it was connected to the purpose of maintaining her health and mental well-being, preventing disease, and/or diagnosing an illness or disease consistent with the CF Spectrum of Care. The fact that the initial results eliminated the need for further testing on the grievor does not alter this and speaks to a prudent diagnostic approach.

Both the grievor and her doctor have acknowledged that they did not obtain the appropriate approval in advance for the testing expenses. The CDS, however, believes that this was an honest mistake and should not bar the grievor's reimbursement for the costs of off-base treatment along with the limited associated interest costs.

## Election of Prior Service

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### Board Findings and Recommendations

Upon transfer from the Reserve Force to the Regular Force in 1986, the grievor was provided with a form entitled "Acknowledgement of Notification of Rights to Elect to Pay for Prior Service under the *Canadian Forces Superannuation Act*" (CFSA). The grievor signed the form but failed to indicate his prior service. Subsequently in 2001, the grievor elected his prior service (1985–1986) for CFSA purposes but at a much greater rate than had he made the election within one year of transfer to the Regular Force. The grievor submitted that in fact what he was signing had not been explained to him, and that he had signed the form under duress without knowledge of its importance or implications. As redress, the grievor requested that the cost of his election for prior pensionable service be calculated on a non-belated basis.

The DGCB, the IA in the matter, denied redress. The IA explained that, in accordance with the CFSA and, as indicated on the acknowledgement form, elections for prior service must be made within one year of enrolment or transfer to the Regular Force. While failure to do so does not void the member's right to elect at any time while a member of the Regular Force, it does result in a higher cost to the member. The IA concluded that the late election was administered properly and that there were no grounds to revoke it.

The Board found that the failure of the grievor to elect his past service within one year of his transfer to the Regular Force was his responsibility. An examination of the form in question indicated that the title of the document was clear as to its purpose and that the content was in plain language.

The Board recommended to the CDS that the grievance be denied.

## CDS Decision

The CDS agrees with the Board's findings and recommendation to deny the grievance. The CDS agrees that the grievor's failure to elect to pay for previous full-time paid service within one year of his transfer to the Regular force was his responsibility.

The CDS is satisfied that the document signed by the grievor clearly stated his obligation and that he was properly advised that failure to elect to pay for previous service within one year of his transfer to the Regular Force might be less favourable, resulting in a higher cost to buy back prior service at a later date. The grievor has been treated fairly and in accordance with the relevant law and policy.

## Definition of "Working" – Daycare Assistance

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### Board Findings and Recommendations

The grievor was posted to the United States and applied for daycare assistance. In his request, the grievor cited Military Foreign Service Instructions (MFSI) Section 11, that provides daycare assistance when the member's spouse is working full-time. The grievor indicated that his spouse was working full-time as a student, and he stated that the Canada Revenue Agency included studying in its definition of the term "working" for income tax purposes.

The IA denied the grievance because the grievor's eligibility for daycare assistance rested to a significant degree upon the interpretation of the word "working," and that the grievor's definition was too broad. According to the IA, the term "working," as per MFSI Section 11, applies solely to the act of earning employment income and cannot be construed to mean full- or part-time enrolment in an education program, as specified in the *Income Tax Act* or otherwise.

In its review of the terminology at issue, the Board found that "working" must be ascribed its ordinary meaning and cannot be expanded to include situations where a spouse is enrolled in an education program.

The Board recommended that the CDS deny the grievance.

## **CDS Decision**

The CDS agrees with the Board's findings and recommendation to deny the grievance. The CDS finds that the intent of the allowances and benefits under the MFSI is to recognize and to facilitate a member's service outside Canada and to ensure that, as much as possible, members are neither better nor worse off than their counterparts serving in Canada.

Upon review of the MFSI and the Foreign Service Directives (FSD), the CDS finds that both policies have the same eligibility criteria, which restrict the benefit to single parents or those whose spouse or common-law partner is working while the member is posted outside of Canada. Notwithstanding the finding that the grievor was not entitled to daycare assistance, the CDS notes that the Director General Compensation and Benefits has agreed with the Board's suggestion that the scenario portrayed by this grievance be presented to the National Joint Council (NJC) for consideration when it commences its cyclical review of the federal government's FSDs in the fall of 2006.

The CDS is forwarding a copy of his decision to the Chief Military Personnel so that the NJC may consider daycare assistance to CF members serving outside of Canada whose spouses are attending school full-time.

# Appendices

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## *Diane Laurin*

### **Chair and Chief Executive Officer**

Diane Laurin was officially named Chair for the Canadian Forces Grievance Board on March 1, 2004. She had been acting in that role since June 2003, fulfilling both the duties of full-time Chair and full-time Vice-Chair, an appointment she had held since November 1999.

Ms. Laurin is co-founder of the Board, the first administrative tribunal mandated to review military grievances referred to it by the Chief of the Defence Staff. In this capacity, she has been instrumental in developing the Board's operational infrastructure and has played a key role in the establishment of an impartial and fair grievance resolution process for members of the Canadian Forces.

In June 2005 the Chief of the Defence Staff, General Rick Hillier, awarded Ms. Laurin the Canadian Forces Medallion for Distinguished Service. The Medallion is awarded to persons who are not members of the Canadian Forces who render service of an exceptionally high standard, and which is of great benefit to the CF as a whole. It represents the highest honor the Canadian Forces can bestow on a civilian.

Prior to joining the Board, Ms. Laurin worked at the Montreal Urban Community (MUC) as a member of senior management for eleven years, four of which were spent at the Montreal Urban Community Police Service (MUCPS).

From 1995 to 1998, Ms. Laurin was Assistant-Director and Chief of Staff to the Director of the Police Service. She participated in major files involving citizen security, public morality and criminal activity, as well as intercultural and race relations. Some examples are the ice storm, the Stanley Cup riots, the motorcycle gang wars and the Barnabé Case.

Ms. Laurin also took part in several projects touching upon collective agreement negotiations, work relations and professional ethics. She participated in a project called "Towards Neighborhood Policing" which necessitated the re-engineering of the MUCPS and led the department to thoroughly review its mission and work practices.

From 1987 to 1995, Ms. Laurin acted as Communications and Strategic Planning Advisor to the MUC President. In this capacity, she planned communications strategies that furthered the implementation of metropolitan policies in matters of public safety, public transit and economic development. She also participated in the preparation of many papers on issues such as prevention and law reform in the police environment.

Ms. Laurin began her career as a nurse, then obtained a Bachelor of Law degree from the University of Montreal (1982) and has been a member of the Quebec Bar Association since 1983. Ms. Laurin practiced immigration and civil law.

Ms. Laurin is also a member of the Canadian Bar Association and the Council of Canadian Administrative Tribunals, and sits on the board of directors for the Professional Development Centre for Members of Canadian Administrative Tribunals.



## *James Price*

### **Full-Time Vice-Chair**

James Price began with the Board in January 2004, as a team leader in the Operations Directorate, and was appointed as full-time Vice-Chair in December of that same year. He brings to the position extensive experience in all areas of military law, including the military justice system, international law and operational law.

Originally from Twillingate, Newfoundland, Mr. Price joined the University Naval Training Division in 1966 while attending Memorial University. After seven years of active service, he attended Dalhousie University, graduating with a masters of public administration in 1976 and a bachelor of laws in 1980, the same year he was called to the Bar of Newfoundland.

He engaged in private legal practice before joining the Canadian Forces (CF) in 1981, as a legal officer in the Office of the Judge Advocate General (JAG).

During his time with JAG, Mr. Price served as director of prosecutions and appeals, where, in addition to coordinating prosecutions and appeals in the CF, he guided the section through its transition to an independent prosecution service. He subsequently served as the deputy director of the new Independent Military Prosecution Service.

After serving as Assistant Judge Advocate General (Europe), Mr. Price was appointed a military judge by the Governor in Council in 2001, a position he held until 2003. During this time, he presided over cases involving both service offences and offences under the *Criminal Code of Canada*.





## *Denis Brazeau*

### **Part-Time Vice-Chair**

Denis Brazeau was appointed as part-time Member to the Board on June 27, 2006, and subsequently as part-time Vice-Chair on February 9, 2007. Mr. Brazeau was enrolled in the Regular Officer Training Plan in 1975, graduating from the Royal Military College in Kingston in 1980 with a Bachelors degree in history. First commissioned as an infantry officer, he was then posted to the 1<sup>st</sup> Battalion, Royal 22<sup>e</sup> Régiment in Lahr, Germany, where he served as a platoon commander and assistant-adjutant until his promotion to Captain in May 1983.

In 1985, Mr. Brazeau served as the executive assistant to the Commander of 5<sup>e</sup> Groupe-Brigade mécanisé du Canada and CFB Valcartier until his posting to the 2<sup>nd</sup> Battalion, Royal 22<sup>e</sup> Régiment in Québec City in 1987. Promoted to the rank of Major in May 1988, he commanded in succession A Company and the Administration Company of the 2<sup>nd</sup> Battalion.

Mr. Brazeau also attended the United States Army Command and General Staff College at Fort Leavenworth, Kansas, graduating in 1992. He then served as the chief of staff and head of operations for the 5<sup>e</sup> Groupe-Brigade mécanisé du Canada.

Promoted to the rank of Lieutenant-Colonel in 1994, he served at the G3 Planning and Resources in the Land Force Command Headquarters in St-Hubert. In February 1996, he took command of the Royal 22<sup>e</sup> Régiment Battle School until his nomination as Chief of Staff and then Deputy-Commander of the 5<sup>e</sup> Groupe de soutien du Secteur du Québec de la Force Terrestre in 1998.

Mr. Brazeau completed a Master's degree in War Studies from the Royal Military College of Canada in 1999. His overseas experience includes service in the Democratic Republic of Congo in 2000 and in Bosnia-Herzegovina in 2001 and 2002.

In 2002, Mr. Brazeau served as Chief of Staff of the Secteur du Québec de la Force terrestre. He was appointed as an Officer of the Order of Military Merit by the Governor-General in 2004.

In 2005, he completed the Advanced Military Science Course and the National Security Studies Course at the Canadian Forces College in Toronto. That same year, Mr. Brazeau retired from the Canadian Forces 2005 after thirty years of service.

Today, Mr. Brazeau is a sometime mentor to designated commanders of task forces as part of their pre-deployment training. He is currently working on a study for the Canadian Defence Academy.



*Naomi Z. Levine*

**Part-Time Member**

Naomi Z. Levine was appointed as a part-time Member to the Board on March 21, 2000. Ms. Levine, from Winnipeg, Manitoba, is a lawyer, ethicist, chartered mediator and workplace dispute consultant, with extensive experience in conducting inquiries. She has been a harassment consultant for several companies, universities and governments. As a lawyer, Ms. Levine has specialized in criminal, labour and corporate law, among others. She obtained a Bachelor of Arts from the University of Winnipeg and a Masters of Arts and a Bachelor of Laws from the University of Manitoba. She has a weekly radio program, "Levine's Law," on CBC Winnipeg.



*Gary Wiseman*

**Part-Time Member**

Gary Wiseman was appointed as a part-time Member to the Board on June 2, 2005. Mr. Wiseman is a Professional Engineer with advanced degrees in Civil, Mechanical, and Naval Architecture. His experience includes 25 years of "coming up through the ranks" in the Canadian Navy; four years in the Federal Public Service; and 17 years in private practice that included a wide range of technical and managerial responsibilities. Mr. Wiseman has served both in Canada and abroad and brings to the Board a spectrum of life experiences and a firm dedication to the Canadian Forces as an important element of the Canadian mosaic.



## *Mike Auger*

### **Part-Time Member**

Mike Auger was appointed as a part-time Member to the Board on September 15, 2006. Enrolled in the CF in 1970, Mr. Auger graduated from the Queen's University in 1973. Commissioned as an artillery officer, he was then posted to the Second Regiment Royal Canadian Horse Artillery (2RCHA) in Petawawa. Following postings to West Germany, Gagetown, NB and Oklahoma, he returned to 2RCHA as Adjutant in 1983.

Promoted to Major in 1985, he became Battery Commander of 'D' Battery 2RCHA. In 1988, he served with the 1st Canadian Division Headquarters in Kingston and in 1990, returned to the 2RCHA as Deputy Commanding Officer. In 1991, he was promoted to Lieutenant-Colonel and became head of the Military Occupation Structure Review until 1998 when he became EA to the Assistant Deputy Minister of Human Resources – Military. He was section head responsible for military education and training policy in Ottawa until his retirement from the Forces in May 2005.

Mr. Auger is a sometime mentor to junior officers attending the CF Land Staff College and provides exercise simulation during exercises including pre-deployment training for the Afghanistan mission.



## *Fred Blair*

### **Part-Time Member**

Fred Blair was appointed as a part-time Member to the Board on September 15, 2006. A native of Ottawa, Mr. Blair holds degrees in engineering (Queen's University, 1963) and law (University of Ottawa, 1968).

He was called to the bar of Ontario in 1970. After practicing law in Ottawa, he enrolled in the office of the Judge Advocate General of the Canadian Forces in 1972, and served in positions of increasing rank and responsibility until 1999. His service included tours of duty as Senior Legal Adviser for the CF in Europe, and as legal adviser to the Commander of the NATO Stabilization Force in Bosnia.

Since his release from the CF, Mr. Blair has continued in law as in-house counsel to a publicly traded company, and as part-time outside enforcement counsel to the Investment Dealers Association of Canada.

A resident of Wooler, Ontario, he is active in the community as a member of the Board of Directors of the CFB Trenton Military Family Resource Center, and as a member of the Protective Services Committee for the City of Quinte West.

## Financial Table

Planned Spending 2006-2007* (In dollars)	
Salaries, wages and other personnel costs	3,167,155
Contribution to employee benefit plans	601,760
<b>Subtotal</b>	<b>3,768,915</b>
Other operating expenditures	2,231,160
<b>Total planned expenditures</b>	<b>6,000,075</b>

\* January 31, 2007.

Actual expenditures will change from the planned spending



## Contact Us

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[www.cfgb-cgfc.gc.ca](http://www.cfgb-cgfc.gc.ca)



## Board Staff

Many of the Board's employees have personal connections to the military, but all are equally committed and proud to have the opportunity to support and contribute to better working conditions for the men and women of the Canadian Forces.