

Case Name:

**Amalgamated Transit Union, Local 1374 v. Greyhound
Canada Transportation Corp.**

Between

**Amalgamated Transit Union, Local 1374, Applicant, and
Certain Employees of Greyhound Canada Transportation
Corporation represented by Orville Riley, Respondents**

[2010] F.C.J. No. 339

[2010] A.C.F. no 339

2010 FCA 11

Docket A-563-08

Federal Court of Appeal
Calgary, Alberta

Blais C.J., Sharlow and Pelletier JJ.A

Heard: January 14, 2010.

Oral judgment: January 14, 2010.

(2 paras.)

An application for judicial review of CIRB/CCRI decision No. 419.

Counsel:

William J. Johnson, Q.C., for the Applicant.

Shasta Desbarats, for the Respondents.

The judgment of the Court was delivered by

1 PELLETIER J.A. (orally):-- Despite Mr. Johnson's able argument we are not persuaded that the Canada Industrial Relations Board (the "Board") erred in coming to the decision it did. While Mr. Johnson is correct to say that none of the factors mentioned by the Board could necessarily justify a conclusion that the union had breached its duty of fair representation, it does not follow that the combination of those factors on the facts of this case does not provide a reasonable basis for the Board's decision.

2 In the result, the application for judicial review will be dismissed with costs.

PELLETIER J.A.

cp/e/qlccl/qlpxm

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