

From: The Munroes
Sent: June 25, 2007 11:00 AM
To: O'Brien, Jan
Subject: constructive dismissal

Hello Jan,

I would like to request that the arbitrator be given important information before delivering a decision on my case.

There are several issues that he should be aware of, including:

- 1) I did dispute the dismissal for just cause on time (May 2, 2006). You had agreed with me on this prior to the preliminary hearing, but at the hearing you made it sound like I had no grievance in on May 10, 2006.
- 2) My refusal to attend the meeting on February 15, 2006 was not the first time I refused to do something that the manager and my co-worker's wanted me to do...I had refused to arbitrarily take people out of some areas and put them in others. Instead I showed how statistical methods and proper database management techniques could be used to improve the quality of the work while reducing time and cost significantly.
- 3) I had been making improvements on the work being done at BC Stats. Indeed, one portion of one of my programs has one several awards from the provincial government, including the premier's award.
- 4) It should have been noted that Statistics Canada has a warning at the beginning of its Annual Demographics publication that BC's numbers do not add up. It should be noted that by finding out why, Mr. Munroe contends that he was subjected to a constructive dismissal.
- 5) It should have been noted that Mr. Munroe has initiated a human rights complaint and is pursuing discrimination on the bases of ancestry, age, and sex, and also for being innovative. Indeed, it appears that information from a government run survey may have been used against me.
- 6) It should have been noted that I insisted that I would only pursue the dismissal grievance process if you were sure that this could result in an honest effort being made to work towards creating a positive work environment. Instead, the arbitrator was left with an impression that I am a despicable person who only wants to cause trouble.

7) It should have been noted that if an effort were made to focus on the goals of the Government (to be accountable), the Ministry (to be results oriented, creative, innovative, and a team player), and the Division (to provide reliable information) this whole negative process would have been circumvented, and that it was not wrong for me to have tried to get help to do this.

8) It should have been noted that the efforts made by my two female co-workers were motivated by my efforts to work towards creating a positive work environment. Unfortunately, we were told to focus on negative characteristics which concerned my co-workers. Also, my co-workers were given responsibility over my work and work habits while I was removed from meetings, both formal and informal. It was not right for me to be treated as less than a person (Canadian Charter of Rights and Freedoms Section 15 Subsection 1 and 2).

These issues, among others need to be made clear to the arbitrator, for it would not be fair to him to make a ruling with the information conveyed at the preliminary hearing. Indeed, I feel it was unfair that the Employer's representative characterized me as a despicable person for approximately an hour and this was not rebutted except that Mr. Munroe is a construction worker who returned to university in mid life to get a degree an Undergraduate and Masters Geography.

Thank you for your efforts to ensure that the arbitrator not make a decision until he has better information.

Warren