

HUMAN RIGHTS TRIBUNAL OF ONTARIO

ONTARIO PUBLIC SERVICE EMPLOYEES UNION

(Applicant)

– and –

**LIQUOR CONTROL BOARD OF ONTARIO and
THE CROWN IN RIGHT OF ONTARIO (MINISTER OF FINANCE)**

(Respondents)

**SCHEDULE “B”
to the Ontario Public Service Employees Union Application**

Requested Relief by the Applicant

Given the profound and deeply-rooted discrimination and the circumstances outlined in Schedule “A”, OPSEU requests that the Tribunal make the following orders and give the parties the appropriate directions and orders to ensure compliance with the *Ontario Human Rights Code* in a timely way both now and in the future. In particular, the Union requests the following orders:

1. An order directing that, under s. 5 of the *Ontario Human Rights Code*, the Liquor Control Board of Ontario (“LCBO”) and the Crown in Right of Ontario (Minister of Finance) (“the Crown”) have the legal obligation to not discriminate on the basis of sex;
2. A declaration that the LCBO and the Crown have discriminated against employees who are employed in the female-dominated Casual Customer Service Representative classification at the LCBO;
3. An order directing that the wage grid that applies to Permanent Full-Time Customer Service Representatives applies equally to all Customer Service Representatives, including those with Permanent Part-Time, Casual and Fixed Term status so that there is a single wage structure and wage grid for all Customer Service Representatives;
4. An order directing that all Casual Customer Service Representatives who worked 780 hours or more, excluding overtime, in any 12 month period from 10 May 2012 to the date of the Tribunal’s Decision, be converted from Casual to Permanent Part-Time status;

5. An order directing the LCBO and the Crown to ensure that any Casual Customer Service Representative who works 780 hours or more, excluding overtime, in any 12 month period following the date of the Decision be converted to Permanent Part-Time status;
6. An order requiring that the LCBO and the Crown pay any and all compensation adjustments required to for all individual Casual Customer Service Representatives within 30 days of the decision;
7. An order requiring that the LCBO post the Decision and Orders of the Tribunal in all LCBO work locations for one year following the decision;
8. An order requiring the LCBO Executive Board members, the CEO, CFO and COO and any and all LCBO management to attend an anti-discrimination and human rights training program, at their own expense, that meets with the approval of the Ontario Human Rights Commission, which may be called upon for assistance in that regard, and such program to be conducted within six months of the date of the Decision. The materials will also include the Decision or a summary thereof, and a case study made from it for training purposes. Both the summary of the Decision and the case study to be used in the training must be reviewed and approved by OPSEU;
9. An order requiring a separate anti-discrimination and human rights training program to be given to every employee at the LCBO. The materials will also include the Decision or a summary thereof, and a case study made from it for training purposes. Both the summary of the Decision and the case study to be used in the training must be reviewed and approved by OPSEU;
10. An order requiring that a system-wide compliance audit shall be conducted twelve months following the Decision with the purpose of evaluating the LCBO hiring procedures (including but not limited to posting and filling of positions in the Customer Service Representative Classification) and the allocation of available hours to Casual employees; and
11. Such further and other relief as counsel may advise and the Tribunal may permit.