

**THE THUNDER BAY POLICE SERVICES BOARD  
LABOUR RELATIONS COMMITTEE**

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**DATE:** JULY 21, 2023  
**TIME:** 9:31 A.M.  
**PLACE:** VIRTUAL VIA ZOOM  
**CHAIR:** COUNCILLOR S. CH'NG

**PRESENT:**

Councillor S. Ch'ng  
Mr. J. Gilbert  
Ms. K. Machado

**OFFICIALS:**

Mr. M. Mercer, Administrator  
Ms. L. Douglas, Assistant to the Secretary

**LEGAL COUNSEL:**

Mr. D. Jarvis, Filion Wakely Thorup Angeletti LLP

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1. DISCLOSURES OF INTEREST

There were no disclosures of interest declared at this time.

2. CONFIRMATION OF AGENDA

MOVED BY: Ms. K. Machado  
SECONDED BY: Mr. J. Gilbert

With respect to the meeting of the Labour Relations Committee being held on July 21, 2023, we recommend that the agenda as printed, including any additional information and new business, be confirmed.

CARRIED

3. GRIEVANCE SETTLEMENT

An ongoing grievance with Constable Amanda Zappitelli was scheduled to go to arbitration on Wednesday, July 26, 2023. The grievance is relative to a failure to accommodate a return to work in 2021. The Association is seeking \$10,000 in damages for pain, suffering and other minor elements. The Board has capped a monetary settlement at \$5,000. The Board's legal counsel was seeking direction to offer more.

Mr. Don Jarvis, Filion Wakely Thorup Angeletti LLP, provided a high level overview of the grievance; he was seeking direction to settle this grievance prior to next week's arbitration. He noted that he had discussed this matter with Chief D. Fleury prior to this meeting.

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Mr. Jarvis also provided an overview of what was offered to Constable Zappitelli at the December 2022 reconciliation meeting. Reconciliation broke down at that meeting and the parties did not settle. Accordingly, the matter is now going to arbitration.

Discussion was held relative to possibly setting a precedent with this case by offering more than the original offer.

Discussion followed about offering more versus paying additional legal costs. However, it was noted that the Board will not settle solely on a cost basis.

Mr. Jarvis noted that the settlement will include a non-disclosure clause for the final amount of the settlement. He will also be seeking to include a clause that “matters were amicably settled”.

MOVED BY:           Mr. J. Gilbert  
SECONDED BY:       Ms. K. Machado

With respect to the grievance between Constable Amanda Zappitelli and the Thunder Bay Police Services Board, as presented at the July 21, 2023 meeting of the Labour Relations Committee,

THAT the Labour Relations Committee authorize a settlement up to \$8,000.00.

CARRIED

4. NEW BUSINESS

There was no New Business presented.

5. NEXT MEETING

The next meeting of the Labour Relations Committee has been scheduled as follows:

Date:            Tuesday, July 25, 2023  
Time:            12:00 noon  
Location:       Police Headquarters – Senior Officers Boardroom

6. ADJOURNMENT

The meeting adjourned at 10:05 a.m.