

Public Servants
Disclosure Protection
Tribunal Canada



Tribunal de la protection
des fonctionnaires
divulgateurs du Canada

Citation: Dunn v. Indigenous and Northern Affairs Canada, 2017 PSDPT 2

Tribunal File No. T-2016-01

Date: 20170213

Ottawa, Ontario, February 13, 2017

**The Honourable Mr. Peter Annis,
Public Servants Disclosure Protection Tribunal Disclosure Protection Tribunal**

BETWEEN:

**Office of the Public Sector Integrity Commissioner
Applicant**

and

**Chantal Dunn
Complainant**

and

**Indigenous and Northern Affairs Canada
Employer**

and

**Sylvie Lecompte
Respondent**

ADJOURNMENT ORDER

CONSIDERING a second motion for the adjournment of the hearing in this matter, presented orally via teleconference, on February 2, 2017, and brought under Rules 13 and following of the *Public Servants Disclosure Protection Tribunal Rules of Procedure*;

CONSIDERING that a previous *Adjournment Order* dated January 5, 2017, adjourned the hearing scheduled to be held on January 9, 2017, for “20 days from the date of this Order, after which, should the matter not be resolved through a settlement agreement, a new hearing date be scheduled at the Tribunal’s earliest convenience”;

CONSIDERING a *Notice of Hearing* sent on January 26, 2017, at the expiry of the delay provided for in the first *Adjournment Order*, and scheduling a new hearing date for February 21, 2017;

CONSIDERING the argument delivered by counsel for the Complainant, on February 2, 2017, proposing to further delay the hearing based on the unavailability of two key witnesses that are away from the country during the week of February 21, 2017;

CONSIDERING the Tribunal’s *Adjournment Policy* that weighs, as a relevant factor to an adjournment motion: “the possible prejudice or harm to each party by proceeding in the absence of evidence and whether the adjournment is necessary to provide a fair opportunity to be heard”;

CONSIDERING that the Respondent, who has not taken part in the February 2, 2017 teleconference, previously expressed her strong opposition to any further adjournment of the hearing “because the case has been ongoing since 2011 and has had an adverse effect on the Respondent”;

CONSIDERING the respective positions of parties and requirements for procedural fairness;

CONSIDERING the need for this case to reach a conclusion and for parties to enjoy closure in this matter;

THE TRIBUNAL ORDERS that:

A new hearing date be scheduled for April 3rd, 2017, for a hearing of a duration not exceeding 4 days. Details on the hearing venue and accommodation will be provided in an upcoming *Notice of Hearing*.

“Peter Annis”

Member of the Tribunal