

*Case Name:*

**Curtis v. All Rig Towing Service Ltd.**

**IN THE MATTER OF a Complaint of Alleged Unjust  
Dismissal - Adjudication under Division XIV - Part III  
of the Canada Labour Code**

**Between**

**Gordon Curtis, employee, and**

**All Rig Towing Service Ltd., employer**

**Human Resources Development Canada File No. YM2707-6095**

[2004] C.L.A.D. No. 95

Canada

Labour Arbitration

**B.P. Schwartz, Adjudicator**

Heard: Winnipeg, Manitoba, October 29, 2003; February 11,  
2004, by teleconference.

Decision: February 18, 2004.

(4 paras.)

**Appearances:**

Gordon Curtis, the employee, for himself.

Doug Stratyчук, President, for the employer.

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**AWARD RE: COMPENSATION**

**1** I issued an earlier Award in this case on the 16th day of January, 2004, finding that Mr. Curtis was unjustly dismissed. I invited the parties to agree on the amount of damages and if they could not come to an agreement, then they were to contact me. As the parties reached an impasse, I convened a teleconference hearing. As matters emerged, the parties were actually quite far apart. At the conclusion of the teleconference, however, both parties agreed on the following resolution of the entire matter:

- the amount of compensation would be in the total gross amount of \$2,500;
- a formal order would be prepared directing the payment of that amount;
- the compensation would be paid promptly, and certainly within a week of receiving this formal Award.

**2** The parties, understandably, have different interpretations of past events and continue to have differing personal opinions on whether Mr. Curtis was unjustly dismissed and what the theoretical appropriate measure of compensation should be. They agreed, however, to settle all of their differences in this appeal as outlined above and thereby bring their dispute to a close.

**3** I appreciate the civility and common sense of the parties in being able to overcome past differences and frustrations and reach what appears to me to be a sensible conclusion to this matter. Having presided over many disputes in the trucking industry, I realize that all involved - both management and employees - often work long hours at difficult tasks and often without great material reward. In such a difficult and competitive industry even capable and dedicated people such as Mr. Curtis and Mr. Stratyckuk can find themselves frustrated with each other's approach to the challenges involved, and it is admirable when they can reach an amicable settlement after a final split in the working relationship.

**4** I hereby direct that All Rig Towing Service Ltd. make a payment to Gordon Curtis in the total gross amount of \$2,500.

qp/d/qlaim