



Form 1 (Rule 3-1 (1))

S = 256771
Court File No. _____
Registry: Vancouver

FORCE FILED

In the Supreme Court of British Columbia

Between:

Jessie Bains
Applicant

And:

**Hospital Employees Union,
Barb Nederpel, and
Betty Valenzuela**
Respondents

Notice of Civil Claim

This action has been started by the plaintiff for the relief set out in Part 2 below.

If you intend to respond to this action, you or your lawyer must

- (a) file a response to civil claim in Form 2 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim on the plaintiff.

If you intend to make a counterclaim, you or your lawyer must

- (a) file a response to civil claim in Form 2 and a counterclaim in Form 3 in the above-named registry of this court within the time for response to civil claim described below, and
- (b) serve a copy of the filed response to civil claim and counterclaim on the plaintiff and on any new parties named in the counterclaim.

JUDGMENT MAY BE PRONOUNCED AGAINST YOU IF YOU FAIL to file the response to civil claim within the time for response to civil claim described below.

Time for response to civil claim

A response to civil claim must be filed and served on the plaintiff,

- (a) if you were served with the notice of civil claim anywhere in Canada, within 21 days after that service,
- (b) if you were served with the notice of civil claim anywhere in the United States of America, within 35 days after that service,
- (c) if you were served with the notice of civil claim anywhere else, within 49 days after that service, or
- (d) if the time for response to civil claim has been set by order of the court, within that time.

Claim of the Applicant

PART 1: STATEMENT OF FACTS

1. The Applicant, Jessie Bains, is a former member of the Hospital Employees' Union ("HEU"), residing at 5961 129 Street, Surrey, British Columbia.
2. The Respondent, Hospital Employees' Union (HEU), is a trade union incorporated under the laws of British Columbia, with its head office at 5000 North Fraser Way, Burnaby, British Columbia.
3. The Respondent, Barb Nederpel, is the President of HEU and, at all material times, responsible for the governance and operations of HEU.
4. The Respondent, Betty Valenzuela, is the Financial Secretary of HEU and, at all material times, responsible for the financial management and reporting of HEU.
5. The HEU Constitution contains a strict spending cap: Article 2, Section A limits political education and action spending between conventions to \$375,000.
6. The Applicant was a member of HEU during the relevant period, including October 2024.
7. Between October 20, 2022, and October 20, 2024, the Respondents were bound by this constitutional spending limit.
8. On October 19, 2024, a provincial election was held in British Columbia.
9. On January 10, 2025, Respondent Valenzuela signed and submitted an Elections BC Third Party Sponsor Disclosure Report on behalf of HEU.
10. That report disclosed that HEU spent \$470,401.04 on election advertising for the 2024 BC provincial election.
11. This amount exceeded the constitutional limit by at least \$95,401.04, more than 25% above the permitted cap.

12. The 2024 HEU Convention began on October 20, 2024, after the excessive spending had already occurred.
 13. At no time did the Respondents seek approval from members or delegates to exceed the constitutional spending limit.
 14. The Respondents did not disclose the constitutional breach to the membership or provide any opportunity for approval or ratification.
 15. The Applicant filed a complaint with the BC Labour Relations Board (BCLRB). In its decision (2025 BCLRB 96), the Board declined jurisdiction, stating: "It is outside the jurisdiction of the Board to adjudicate whether the Union's political advertising spending breached the limits imposed by the membership."
 16. The HEU Constitution forms a binding contract between the Union and its members.
 17. The Respondents breached this contract by knowingly exceeding the \$375,000 spending limit.
 18. The Respondents failed to obtain authorization before or after the excess spending.
 19. Their actions constitute a fundamental breach of both the Constitution and their fiduciary duties.
 20. As HEU officers, Nederpel and Valenzuela owed fiduciary duties to members, including the Applicant.
 21. These duties required them to comply with the Constitution, manage union funds responsibly, and be transparent with members.
 22. By exceeding the constitutional limit without authorization and failing to disclose the breach, the Respondents violated their fiduciary duties.
 23. As a result of the Respondents' breaches, the Applicant and HEU members have suffered damages, including:
 - a. Unauthorized expenditure of union dues;
 - b. Diminished value of membership due to undermined constitutional governance;
 - c. Loss of democratic rights within the union; and
 - d. Mental distress from betrayal of trust by leadership.
-

PART 2: RELIEF SOUGHT

The Applicant claims against the Respondents:

- a. A declaration that the Respondents breached the HEU Constitution by exceeding the \$375,000 spending limit;
 - b. A declaration that Nederpel and Valenzuela breached their fiduciary duties;
 - c. Damages of \$95,401.04, representing unauthorized spending;
 - d. Punitive damages of \$100,000 for the deliberate breach;
 - e. An order removing Nederpel and Valenzuela from office;
 - f. An order prohibiting them from holding future office within HEU;
 - g. Pre- and post-judgment interest under the *Court Order Interest Act*, R.S.B.C. 1996, c. 79;
 - h. Costs; and
 - i. Such further relief as this Honourable Court deems just.
-

PART 3: LEGAL BASIS

The Applicant relies on:

- a. The common law of contract;
- b. The common law of fiduciary duty;
- c. The *Society Act*, R.S.B.C. 1996, c. 433;
- d. The *Labour Relations Code*, R.S.B.C. 1996, c. 244; and
- e. Such further legal basis as counsel may advise and the Court may allow.

The HEU Constitution is a binding contract between the Union and members. The Respondents' actions in exceeding the spending cap without authorization breached this contract and their fiduciary duties.

Applicant's Address for Service

Jessie Bains
5961 129 Street,
Surrey, BC V3X 0B9
Email: bainsj@gmail.com
Phone: (604) 365-3400

Place of Trial: Vancouver, British Columbia

Registry Address: 800 Smithe Street, Vancouver, BC V6Z 2E1

Date: September 10, 2025



Signature of Jessie Bains
Applicant

Rule 7-1 (1) of the Supreme Court Civil Rules states:

- (1) Unless all parties of record consent or the court otherwise orders, each party of record to an action must, within 35 days after the end of the pleading period,
- (a) prepare a list of documents in Form 22 that lists
 - (i) all documents that are or have been in the party's possession or control and that could, if available, be used by any party at trial to prove or disprove a material fact, and
 - (ii) all other documents to which the party intends to refer at trial, and
 - (b) serve the list on all parties of record.



S-256771

No. _____
Vancouver Registry

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In the Supreme Court of British Columbia

Between:

Jessie Bains
Applicant

And:

**Hospital Employees Union,
Barb Nederpel, and
Betty Valenzuela**
Respondent

Affidavit of Jessie Bains

I, **Jessie Bains**, of 5961 129 Street, Surrey, British Columbia, V3X 0B9, **MAKE OATH AND SAY AS FOLLOWS:**

1. I am the Applicant in this matter and as such have personal knowledge of the facts and matters hereinafter deposed to, save and except where stated to be on information and belief, and where so stated, I verily believe the same to be true.
2. I was a member of the Hospital Employees' Union ("HEU") in October 2024 and had standing at the time the violation described herein occurred.
3. Between October 20, 2022, and October 20, 2024, the HEU Constitution imposed a strict limit of \$375,000 on political education and action spending by the Provincial Executive in the period between biannual conventions, as defined in Article 2 – Section A of the HEU Constitution.
4. Article 2, Section A of the HEU Constitution states:

"POLITICAL EDUCATION & POLITICAL ACTION FUND: Between one Biennial Convention and another, the Provincial Executive shall be authorized to allocate an amount up to, but not exceeding, Three Hundred and Seventy-Five Thousand Dollars

(\$375,000) for member education and mobilization for the purpose of engaging in election campaigns in support of politicians who support the aims and objectives of the Hospital Employees' Union..."

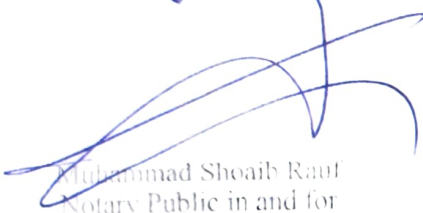
5. A true copy of the relevant excerpt from the HEU Constitution is attached as Exhibit "A" to this Affidavit. The complete HEU Constitution is voluminous (126 pages) and is not attached in full, but I am prepared to provide complete copies to the Court upon request. As the Respondents are officers of the HEU, they have access to the complete Constitution.
6. Despite this constitutional limit, the official Elections BC Third Party Sponsor Disclosure Report for the 2024 BC election (dated January 10, 2025, and signed by Financial Secretary Betty Valenzuela) shows that HEU spent \$470,401.04 on political advertising. A true copy of this report is attached as Exhibit "B."
7. This represents an overage of at least \$95,401.04, not including other associated costs such as internal staff time, third-party services, or campaign organizing expenses.
8. This spending took place primarily during the pre-campaign and campaign period for the provincial election, held on October 19, 2024 — before the start of the 2024 HEU Convention on October 20, 2024.
9. There was no opportunity for delegates to authorize or retroactively approve the overage, which makes this a direct breach of the Union's Constitution.
10. This financial decision was carried out by the HEU leadership under President Barb Nederpel and Financial Secretary Betty Valenzuela, without any known consultation, motion, vote, or ratification by the membership or delegates, as required for any action that exceeds constitutional spending limits.
11. I filed a complaint with the BC Labour Relations Board ("BCLRB") regarding this breach, but the BCLRB declined jurisdiction, stating in its decision (2025 BCLRB 96):

"It is outside the jurisdiction of the Board to adjudicate whether the Union's political advertising spending breached the limits imposed by the membership."
12. A true copy of the relevant excerpt from the BCLRB decision is attached as Exhibit "C."
13. The BCLRB's decision (paragraphs 133–135) specifically states:

"The Union's internal decisions respecting political advertising are not a matter that falls within the purview of Section 12 of the Code. The Seventh Application also does not raise matters of natural justice under Section 10 of the Code. Rather, what the Applicant raises is a concern with the Union's compliance with its spending restrictions."

14. I have no internal appeal process available to me for this type of constitutional violation. The matter concerns political spending decisions by the Provincial Executive that fall outside grievance or member complaint processes.
15. The Union has not provided any avenue for members to appeal financial decisions made between conventions. Moreover, the very individuals who would be responsible for investigating the matter are the same leadership that breached the Constitution.
16. I make this Affidavit in support of my application for a declaration that the HEU Provincial Executive acted in bad faith by violating the HEU Constitution, and for other remedies as outlined in my application.

AFFIRMED BEFORE ME in the City of
Surrey in the Province of, British Columbia
on this 8th day of September, 2025


Muhammad Shoaib Rauf
Notary Public in and for
the Province of British Columbia
220 - 13711 72 Avenue
Surrey, British Columbia
V3W 2P2, Canada
Tel: 604 596 1861



Jessie Bains



ARTICLE 1

Order of Business

This is Exhibit "A" referred to in the affidavit of

JESSE BAINS

Sworn before me at Surrey, British Columbia, this
8 day of SEPTEMBER, 2025

1. Call to Order
2. Indigenous Land Acknowledgment
3. Roll Call of Officers
4. Equity Statement
5. Initiation of Members
6. Reading of Minutes
7. Correspondence
8. Treasurer's Report (Revenues and Expenses)
9. Trustees' Report
10. Report of Delegates and Committees
11. Unfinished Business
12. Elections and Installation of Officers
13. New Business
14. Good and Welfare
15. Question Period
16. Adjournment

A Notary Public in and for the
Province of British Columbia
Muhammad Shoaib Raut
Notary Public in and for
the Province of British Columbia
220 - 13711 72 Avenue
Surrey, British Columbia
V3W 2P2, Canada
Tel: 604 596 1861

ARTICLE 2

Initiation Fees, Dues & Temporary Dues Increases

Section A

INITIATION FEE: The Initiation Fee for the admittance of all new and former Members shall be Five Dollars (\$5.00) per Member and shall be deducted from the new Member's pay cheque at the time of the first deduction for Union Dues.

DUES: Union Dues shall be 2.1% of the gross salary except that dues shall not be collected on overtime pay.

Permanent full-time non-active Members of the Union who are also Members of the Hospital Employees' Staff Union on Unpaid Leave of Absence shall not have voice, vote, or eligibility to run for office.

STRIKE/JOB ACTION FUND: This Fund shall be used for all pre-strike/job action and strike/job action related activities, including mobilization around ratification votes. All interest earned on these Funds shall remain in the Strike/Job Action Fund.

The Provincial Executive shall be authorized access to the fund for the purpose of investments in HEU offices. Any funds accessed must have a term which provides for a repayment on demand at current interest rates within a reasonable period of time if the Strike/Job Action Fund requires the funds. Funds accessed will not exceed sixty-five per cent (65%) of the Strike/Job Action Fund.

POLITICAL EDUCATION & POLITICAL ACTION FUND: Between one Biennial Convention and another, the Provincial Executive shall be authorized to allocate an amount up to, but not exceeding, Three Hundred and Seventy-Five Thousand Dollars (\$375,000) for member education and mobilization for the purpose of engaging in election campaigns in support of politicians who support the aims and objectives of the Hospital Employees' Union, for example:

1. To fight anti-union campaigns and legislation;
2. To defend against attacks on Medicare;
3. To prevent the erosion of health and social services;
4. To protect against the exploitation of workers.

The Provincial Executive shall report at each Conven-

tion as to where these monies have been spent.

A Political Action Fund will be established for Locals to access for the purpose of political action; and this Fund will be accessible by application to the Provincial Executive.

Section B

REBATES & LOCAL PROJECT FUND: Dues rebates shall be payable to Locals on the following basis:

Local Members	Rebates Per Month
less than 50 Members	\$100.00
between 51 - 79 Members	\$150.00
between 80 - 119 Members	\$225.00
between 120 - 150 Members	\$275.00
greater than 150 Members	\$1.85 per dues paying Member

The Provincial Executive will establish each fiscal year an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) to fund Local projects, campaigns and Local Membership building.

Locals may make application to the Provincial Executive for access to this Fund.

The Provincial Executive will monitor the use of the Fund and the Local shall be accountable for such usage.

The Provincial Executive shall report the expenditures from the Fund on the annual audited financial statements.

Section C

TEMPORARY DUES INCREASES: Temporary Dues Increases may be approved by the Provincial Executive or

This is Exhibit "B" referred to in the affidavit of
THIRD PARTY SPONSOR JESSIE BAENS **F-TPS**
Sworn before me at Surrey, British Columbia, (24/08)
day of SEPTEMBER 2025
DISCLOSURE REPORT
ELECTION

A Notary Public in and for the
Province of ~~British Columbia~~

FINAL VOTING DAY (YYYY / MM / DD) 2024/10/19		ELECTORAL DISTRICT (FOR BY-ELECTION ONLY) Muhammad Shoaib Raul	
SPONSOR'S FULL NAME Hospital Employees' Union		Notary Public in and for The Province of British Columbia	
MAILING ADDRESS 5000 North Fraser Way		220 - 13711 72 Avenue Surrey, British Columbia V3W 2P2, Canada Tel: 604 596 1861	
CITY / TOWN Burnaby	POSTAL CODE V5J5M3	PHONE NO. 604-438-5000	
EMAIL members@heu.org			

This disclosure report includes the following forms:

FORMS
CHECKLIST
X

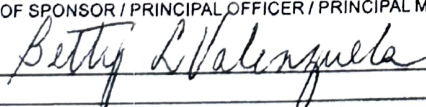
Summary of Advertising by Class	Form Sm-E(b)	<input checked="" type="checkbox"/>
Summary of Sponsorship Contributions	Form Sm-C(b)	<input type="checkbox"/>
Sponsorship Contributions with a Total Value Greater than \$250	Form S-A1(b)	<input type="checkbox"/>
Anonymous Contributions	Form S-A2(b)	<input type="checkbox"/>

OR

☐ Election advertising sponsored did not have a total value of greater than \$500
and no additional forms are required.

I, the undersigned, declare that:

- (a) this report and appropriate forms have been prepared in accordance with the *Election Act*; and
(b) to the best of my knowledge, information and belief, all the information contained in this report is complete and accurate.

SIGNATURE OF SPONSOR / PRINCIPAL OFFICER / PRINCIPAL MEMBER 	DATE (YYYY / MM / DD) 2025/01/10
PRINTED NAME OF PERSON SIGNING DECLARATION Betty Valenzuela	

WARNING: Signing a false statement is a serious offence and is subject to significant penalties.

Please submit completed report to: electoral.finance@elections.bc.ca

INDEPENDENT AUDITORS' REPORT

To Betty Valenzuela, Principal Officer for Hospital Employees Union

Qualified Opinion

We have audited the accompanying third party sponsor disclosure report of Hospital Employee's Union (the "Union") relating to the British Columbia election held on October 19, 2024.

In our opinion, except for the possible effects of the matter described in the *Basis for Qualified Opinion* section of our report, the accompanying third party sponsor disclosure report of the Union relating to the British Columbia election held on October 19, 2024 is prepared, in all material respects, in accordance with the financial reporting provisions of Part 11 of the *Election Act* (British Columbia).

Basis for Qualified Opinion

Due to the nature of the transactions inherent in any election campaign, the completeness of sponsorship expenses in relation to election advertising is not susceptible to satisfactory audit verification. Accordingly, our verification of these expenses was limited to the amounts recorded in the third party sponsor records. Therefore, we were not able to determine whether any adjustments might be necessary to the total sponsorship expenses in the third party sponsor disclosure report.

We conducted our audit in accordance with Canadian generally accepted auditing standards as required by Section 214 and 245.01 of the *Election Act* (British Columbia). Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Third Party Sponsor Disclosure Report* section of our report. We are independent of the third party sponsor in accordance with the ethical requirements that are relevant to our audit of the third party sponsor disclosure report in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified opinion.

Emphasis of Matter – Restriction on Use

This third party sponsor disclosure report is prepared to assist the third party sponsor to comply with the financial reporting provisions of the *Election Act* (British Columbia) referred to above. As a result, the third party sponsor disclosure report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

VANCOUVER

1700-475 Howe St
Vancouver, BC V6C 2B3
T: 604 687 1231
F: 604 688 4675

LANGLEY

600-19933 88 Ave
Langley, BC V2Y 4K5
T: 604 282 3600
F: 604 357 1376

NANAIMO

201-1825 Bowen Rd
Nanaimo, BC V9S 1H1
T: 250 755 2111
F: 250 984 0886



Responsibilities of the Principal Officer for the Third Party Sponsor Disclosure Report

The principal officer of the third party sponsor is responsible for the preparation of the third party sponsor disclosure report in accordance with the financial reporting provisions of Part 11 of the *Election Act* (British Columbia) and for such internal control as the principal officer determines is necessary to enable the preparation of a third party sponsor disclosure report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibilities for the Audit of the Third Party Sponsor Disclosure Report

Our objectives are to obtain reasonable assurance about whether the third party sponsor disclosure report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this third party sponsor disclosure report. As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the third party sponsor disclosure report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Union's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the principal officer.

We communicate with the principal officer of the Union regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Smythe LLP

Chartered Professional Accountants

Vancouver, British Columbia
January 16, 2025

VANCOUVER

1700-475 Howe St
Vancouver, BC V6C 2B3
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F: 604 357 1376

NANAIMO

201-1825 Bowen Rd
Nanaimo, BC V9S 1H1
T: 250 755 2111
F: 250 984 0886

SUMMARY OF ADVERTISING BY CLASS

Sm-E(b)
(24/05)

THIRD PARTY SPONSOR

NAME OF FILING ENTITY

Hospital Employees' Union

Value of sponsored election advertising by class:
(including value of preparing and conducting)

	Pre-campaign Period Election Advertising	Campaign Period Election Advertising
Commercial canvassing in person or by telephone or other means of electronic communication		
Printed newspapers and periodicals		
Promotional materials, including newsletters, brochures, buttons and novelty items		
Radio and podcasts	\$ 154,453.99	
New signs		
Reused signs		
Social media	\$ 125,051.32	\$ 10,276.30
Television and video	\$ 180,619.43	
Online other than social media		
Other forms of advertising (describe)		
Total value of election advertising	\$ 460,124.74 A	\$ 10,276.30 B

Amount of sponsor's own assets used to pay for election advertising:
(does not include contributions of any kind)

\$ 470,401.04 C

the Union Convention but no action was taken. He states the Ethics Commissioner has a clear conflict of interest as she was appointed by the very individuals involved in the election tampering. He states that instead of accepting his complaint, the Union claimed he was no longer a Union member and so he could not file a complaint.

130 He further states that at the Convention, there was a coordinated attempt by certain persons to manipulate the election process. He states this included blocking microphone access, spreading misinformation regarding legal expenses, manipulating the voting process, engaging in advocacy based on identity politics, and engaging in prohibited campaigning.

131 I find the Applicant's complaint about the Union's internal election procedures has no relation to any statutory obligation on the part of the Union to represent its members with respect to a specific collective bargaining relationship. It is entirely a matter related to internal Union governance. It is therefore a matter outside the jurisdiction of the Board under Section 12 of the Code.

132 Further, as has been made apparent in this decision, the Board is not a body with broad statutory authority to investigate and regulate internal union affairs. The Applicant, at a time when he was no longer a Union member, attempted to file a complaint with the Union Ethics Commissioner about election interference. He states the Union rejected his complaint for the reason he had no standing to bring it as he was no longer a Union member. Even if I construed the Sixth Application as concerning a dispute relating to the matters in the Constitution of the Union under Section 10(1) of the Code, I am unable to find a breach of the principles of natural justice through the act of the Union not accepting a complaint from a non-member. The fundamental issue is that, as with the Article 19 charges, the Union takes the substantive position that the Applicant is not entitled to pursue his complaint as he is not a Union member. If the Applicant believes the Union's interpretation of the Constitution in this regard is incorrect then his recourse is with the courts, not with the Board.

The Seventh Application

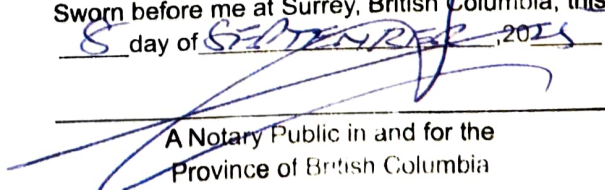
133 The Seventh Application alleges "a broader breach" of the Union Constitution by the Union's Provincial Executive. The Applicant states this matter concerns political spending decisions by the Provincial Executive that fall outside the grievance or member complaint process.

134 The specific issue raised by the Applicant is that the Union spent more than the limit specified in the Constitution on political advertising. He states there was no opportunity for delegates to authorize or retroactively approve the overage. He says the Union has not provided any avenue for members to appeal financial decisions made between Conventions though he was a member and "had standing" during the period the breach occurred. He says that the individuals responsible for investigating such matters are also the same leadership that breached the Constitution.

Muhammad Shoaib Rauf
Notary Public in and for
the Province of British Columbia
220 - 13711 72 Avenue
Surrey, British Columbia
V3W 2P2, Canada
Tel: 604 596 1861

This is Exhibit "C" referred to in the affidavit of

JESSIE BARNES
Sworn before me at Surrey, British Columbia, this
8 day of SEPTEMBER, 2025


A Notary Public in and for the
Province of British Columbia

135 The Union's internal decisions respecting political advertising are not a matter that falls within the purview of Section 12 of the Code. The Seventh Application also does not raise matters of natural justice under Section 10 of the Code. Rather, what the Applicant raises is a concern with the Union's compliance with its spending restrictions. As already noted, the Board does not involve itself in the internal affairs of unions outside of the focused grounds provided for in the Code. In this case, it is outside the jurisdiction of the Board to adjudicate whether the Union's political advertising spending breached the limits imposed by the membership.

V. APPLICATION FOR RECUSAL

136 As noted in the introduction to this decision, a different panel of the Board was initially seized with the first five applications. Following the initial panel's departure from the Board, I reassigned the first five applications to myself pursuant to my delegated authority as Associate Chair. I assigned the Sixth and Seventh Applications to myself for the purpose of adjudicative efficiency because they are part of a sequence of events that gave rise to multiple issues the Applicant had with the Union and they raise common issues of the effect of the Applicant's membership status on his ability to pursue concerns about internal Union matters. I have consolidated all these applications together (the "Applications").

137 On March 11, 2025, the Applicant wrote to the Board Registrar following the reassignment of the First through Fifth Applications to this panel asking that the matters be reassigned because this panel articulated with a public sector union ending approximately thirteen and a half years ago. The Applicant states he has been actively lobbying the Provincial Government to introduce legislation mandating financial transparency and accountability from public sector unions. He states the Union is one of the largest donors to the NDP and there is a strong public interest in ensuring his case is reviewed by an impartial panel member with no prior affiliation with a public sector union. I responded to the parties stating I had treated the Applicant's letter to the Registrar as an application for me to recuse myself due to a reasonable apprehension of bias. I advised by way of a bottom-line decision on March 12, 2025 that I dismissed the recusal application and would provide written reasons in any final decision.

138 The Applicant filed a second application seeking my recusal on April 8, 2025, after receiving notification that I was established as the panel for the Sixth Application and that the Sixth Application had been consolidated with the earlier applications. In addition to the reasons already stated, the Applicant asserted it was procedurally irregular and troubling that the First through Sixth Applications were assigned to the same panel. He stated that this consolidation, without transparency or explanation, raises legitimate concerns regarding the fairness of the Board's administrative process and the potential for undue influence or predisposition.

139 The Applicant also stated that because my current term is scheduled to conclude on April 30, 2030, legitimate concerns are raised about the long-term capacity for impartial oversight and institutional bias, particularly because unresolved issues may