



Jessie Bains <bainsj@gmail.com>

Re: NOTICE OF PERSONAL AND PROFESSIONAL LIABILITY

1 message

Jessie Bains <bainsj@gmail.com>

Fri, May 2, 2025 at 2:34 PM

To: "LRB Registry Mailbox LRB:EX" <registrar@lrb.bc.ca>

Cc: "Barker, Andres LRB:EX" <Andres.Barker@lrb.bc.ca>, "LRB Registry Mailbox LRB:EX" <registrar@lrb.bc.ca>, "Glougie, Jennifer A LRB:EX" <Jennifer.Glougie@lrb.bc.ca>, "Drake, Stephanie LRB:EX" <Stephanie.Drake@lrb.bc.ca>

To: Registrar, BC Labour Relations Board

Cc: Jennifer Glougie, Chair

Vice-Chair Andres Barker

Stephanie Drake, Registrar

Dear Registrar,

Thank you for acknowledging receipt of my **Notice of Personal and Professional Liability** dated May 1, 2025, and for confirming the waiver of the \$200 reconsideration application fee.

This will confirm that my communications of May 1, 2025—including the formal notice, supplemental notice, and detailed allegations of procedural and jurisdictional misconduct—are to be treated collectively as my **formal application for reconsideration** under Section 141 of the *Labour Relations Code*. These materials identify multiple reviewable errors, including:

- A clear denial of natural justice;
- Procedural bias and improper consolidation of separate applications;
- Factually and legally incorrect dismissal reasoning;
- Unauthorized adjudication by an individual operating outside the limits of lawful jurisdiction.

Further, I now formally request that the Board confirm whether Vice-Chair Andres Barker has placed his signed oath of office on the record, as previously demanded in my April 11th correspondence. This confirmation is not merely symbolic—it is a threshold requirement to lawfully exercise adjudicative authority. Any decision issued by an individual who has not lawfully assumed jurisdiction through a sworn and filed oath may be void ab initio.

Accordingly, I hereby give notice that, moving forward, no officer, Vice-Chair, or adjudicator may preside over or continue in any proceeding involving my applications without first confirming, on the record, the existence and lawful filing of their oath of office. This is a minimum requirement for jurisdiction and due process and will be enforced in any further challenges, appeals, or civil claims if ignored.

Please confirm receipt of this notice and clarify whether any additional procedural documentation is required to proceed with the reconsideration.

Sincerely,

Jessie Bainsbainsj@gmail.com

On Fri, May 2, 2025 at 1:03 PM LRB Registry Mailbox LRB:EX <registrar@lrb.bc.ca> wrote:

The Board acknowledges receipt of your emails dated May 1, 2025, titled Notice of Personal and Professional Liability and Supplemental Notice of Personal and Professional Liability.

Among other things, you have requested that the Board waive the \$200 reconsideration application fee in respect of the above-noted case files. I confirm those filing fees have been waived.

Please confirm if you would like us to treat these emails as your application for reconsideration or if you intend to file an application for reconsideration. Please note, the deadline to file an application for reconsideration is 15 days from the date on which the decision is issued. More information about the reconsideration process can be found here: [Reconsideration of Board decisions | Labour Relations Board of British Columbia](#).

Thank you!

From: Jessie Bains <bainsj@gmail.com>

Sent: May 1, 2025 8:18 PM

To: LRB Registry Mailbox LRB:EX <registrar@lrb.bc.ca>; Glougie, Jennifer A LRB:EX <Jennifer.Glougie@lrb.bc.ca>

Cc: Barker, Andres LRB:EX <Andres.Barker@lrb.bc.ca>

Subject: NOTICE OF PERSONAL AND PROFESSIONAL LIABILITY

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NOTICE OF PERSONAL AND PROFESSIONAL LIABILITY

Re: Section 12(1) Applications – Case Nos. 2024-001334, 2024-001437, 2024-001478, 2024-001491, 2024-001576, 2025-000359, and 2025-000464

To:

Jennifer Glougie, Chair
Registrar, BC Labour Relations Board

Cc:

Vice-Chair Andres Barker
All Parties on Record

From:

Jessie Bains
Email: bainsj@gmail.com

TAKE NOTICE that I, Jessie Bains, the applicant in the above-captioned proceedings, **formally provide you, Jennifer Glougie, with notice of personal and professional liability** arising from your failure to fulfill your statutory and fiduciary responsibilities as Chair of the British Columbia Labour Relations Board (the “Board”).

Your continued inaction in the face of serious procedural concerns has enabled Vice-Chair Andres Barker to exercise **unauthorized jurisdiction**, rendering decisions that contravene principles of **natural justice**, deny procedural fairness, and undermine the integrity of the Board.

I. Failure to Uphold Natural Justice and Remove a Compromised Decision-Maker

On April [insert date], 2025, I issued a **Notice of Formal Request for Recusal**, citing:

- Vice-Chair Barker’s prior affiliation with a respondent-aligned union (BCGEU);
- The lack of transparency and fairness in assigning all six applications to a single adjudicator;

That request was made in good faith and in accordance with the Board's duties under Sections 10 and 12 of the **Labour Relations Code**. I expressly requested that **no further procedural steps** be taken until the jurisdictional challenge was addressed. Your failure to respond or act enabled the continuation of unlawful adjudication.

II. Improper Refusal to Strike Prejudicial Material

In paragraph 5 of his decision, Vice-Chair Barker wrote:

"The Applicant asked for this panel to 'strike' certain paragraphs of the Union's response as being irrelevant. There is no specific process under the Board's rules for striking portions of application submissions that is akin to the Supreme Court Civil Rules..."

This reasoning demonstrates a failure to uphold **basic procedural safeguards**. While the Board is not bound by civil court rules, **the right to a fair hearing and protection from prejudicial submissions remain binding obligations**. Barker's refusal to strike inflammatory and irrelevant material reflects **procedural bias**.

III. Improper Consolidation of Distinct Applications

I filed seven separate Section 12(1) applications, each supported by a \$100 filing fee, specific timelines, and unique legal issues. Vice-Chair Barker improperly consolidated these matters without notice or justification. This action undermines the requirement that each complaint be considered on its **individual merits**, and **disproportionately benefits the respondent**.

IV. Arbitrary Merging of Third and Fourth Applications

My third and fourth applications raised unrelated claims submitted on different dates. Barker's decision to merge them—without notice, consent, or reasons—further indicates a **procedural alignment with the respondent** rather than impartial adjudication.

V. Factually Incorrect Rejection of Fifth Application

In paragraph 127, Barker falsely claims I waited 14 months to file my Fifth Application. As clearly stated in my February 28, 2025 submission, the grievance and ITS appeal process remained active until **October 8, 2024**, at which point I filed without undue delay. This finding is demonstrably false and legally unsupportable, contradicting Board precedent such as *Judd and Karpowich*.

VI. Premature Ruling on Sixth and Seventh Applications

My sixth and seventh applications were ruled on without even allowing for a response from the Union. The seventh application, submitted on **April 23, 2025**, was dismissed within days. No Union response was on file. This is not adjudication—it is administrative **prejudice cloaked in process**.

VII. Request for Remedies and Financial Redress

In light of the above, I respectfully demand the following:

- **Waiver of the \$200 appeal fee**, as the necessity of appeal arises directly from the Board's failure to enforce recusal and uphold natural justice;
 - **Refund of \$600**, representing six improperly collapsed application fees;
 - **A written acknowledgment** that the improper consolidation and adjudicative misconduct violated the principles of fairness under Sections 10 and 12 of the **Labour Relations Code**.
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VIII. Formal Notice of Liability

As a self-represented party, I have acted diligently and in good faith to protect the integrity of my proceedings. **You are now formally placed on notice** that your failure to intervene has caused undue harm, procedural injustice, financial loss, and emotional distress. I reserve all rights to pursue **civil action, professional accountability mechanisms, and any other remedy available under law** for the consequences of your inaction and failure to discharge your obligations as Chair.

Dated: this 1st day of May, 2025

Respectfully submitted,

Jessie Bains