

Date: 20081104

Docket: A-151-08

Citation: 2008 FCA 345

**CORAM: NOËL J.A.
NADON J.A.
PELLETIER J.A.**

BETWEEN:

**CHC GLOBAL OPERATIONS,
A DIVISION OF CHC HELICOPTERS INTERNATIONAL INC.**

Applicant

and

GLOBAL HELICOPTER PILOTS ASSOCIATION

Respondent

Heard at Vancouver, British Columbia, on November 4, 2008.

Judgment delivered from the Bench at Vancouver, British Columbia, on November 4, 2008.

REASONS FOR JUDGMENT OF THE COURT BY:

PELLETIER J.A.

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REASONS FOR JUDGMENT OF THE COURT

(Delivered from the Bench at Vancouver, British Columbia, on November 4, 2008)

PELLETIER J.A.

[1] These reasons will be filed as reasons for judgment in docket nos. A-13-08 and A-151-08.

[2] The jurisprudence of this Court is clear that appeals from interlocutory decisions should not be entertained save in exceptional circumstances. As we decided in *Prince Rupert Grain Ltd. v.*

Grain Workers' Union, Local 333, 2005 FCA 401, [2005] F.C.J. No. 2055 at paragraph 5, the mere

fact that the impugned decision raises or purports to raise a jurisdictional issue is not, in itself, an exceptional circumstance.

[3] Even if one accepts Mr. Fairweather's proposition that the Canada Industrial Relations Board has made a final decision, it does not follow that we should intervene. The policy reasons which underlie the practice of declining to hear appeals from interlocutory decisions do not turn on whether the decision is right or wrong. Justice is better served if the tribunal below is allowed to complete its work (see paragraph 2 of *Prince Rupert Grain Ltd., supra*) so that appeals to this Court can proceed on the basis that all contested issues can be reviewed in one hearing on the basis of a comprehensive record.

[4] For these reasons, we are of the view that we should not intervene at this time and that both appeals should be dismissed with costs.

"J.D. Denis Pelletier"

J.A

FEDERAL COURT OF APPEAL

NAMES OF COUNSEL AND SOLICITORS OF RECORD

DOCKET: A-151-08

STYLE OF CAUSE: CHC GLOBAL OPERATIONS V.
GLOBAL HELICOPTER PILOTS
ASSOCIATION

PLACE OF HEARING: Vancouver, British Columbia

DATE OF HEARING: November 4, 2008

REASONS FOR JUDGMENT OF THE COURT BY: NOËL J.A.
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PELLETIER J.A.

DELIVERED FROM THE BENCH BY: PELLETIER J.A.

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FOR THE RESPONDENT

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