

**REQUEST FOR REVIEW OR REVOCATION**

**Sections 49, 50 and 51 of the *Act to establish the Administrative Labour Tribunal* (AEALT) and sections 1, 2 and 6 of the *Rules of evidence and procedure of the Administrative Labour Tribunal*, CQLR, c. T-15.1**

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| SECTION 1: IDENTIFICATION OF THE applicant party |
| APPLICANT | REPRESENTATIVE |
| Mr. [ ]  Ms. [ ]  Name:       | Mr. [ ]  Ms. [ ]  Name:       |
|  Address:       | Address:       |
| City:       | City:       |
| Postal code:       | Postal code:       |
| Telephone:       | Telephone:       |
| Fax:       | Fax:       |
| Email:       | Email:       |
| **SECTION 2: TYPE OF DECISION FOR WHICH YOU ARE REQUESTING A REVIEW OR A REVOCATION** |
| [ ]  **Final decision or decision ratifying an agreement**[ ]  **Decision on an incidental application**[ ]  **Decision on a request for postponement** (a request for review or revocation of a decision refusing postponement  does not result in a stay of proceedings and will therefore not prevent the scheduled hearing from taking place)[ ]  **Other decision or order (specify):**       |
| **Record(s) involved in the request:** If the Tribunal's decision includes more than one record number, please provide only those relevant to the request.      |
| **Is it a case involving allegations of sexual violence? [ ]  YES [ ]  NO** |
| **Division(s) involved in the request:** If the decision relates to records from more than one division, please indicate all divisions involved.[ ]  **Construction industry and occupational qualification division**[ ]  **Essential services division** [ ]  **Labour relations division**[ ]  **Occupational health and safety division** |
| Date of Tribunal's decision:      If the request is filed after the 30-day time limit, please explain the reasons why.  |
|       |

 If necessary, use an additional page and attach it to the form.

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| **SECTION 3: REASONS IN SUPPORT OF THE REQUEST** |
| Identify all the reasons supporting your request:[ ]  **The discovery of a new fact which, had it been known in sufficient time, could have warranted a different decision;** [ ]  **The fact that, owing to reasons considered sufficient, a party could not make representations or be heard;**[ ]  **The existence of a substantive or procedural defect of a nature likely to invalidate the decision.** Provide a clear explanation of why you selected the reason(s) above:      |
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| **SECTION 4: SIGNATURE AND DATE** |
| **Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**Request to the Occupational health and safety division:**

Send your form to the Tribunal’s regional officeof the region where you reside. A list of cities is available on our website on the [Nous joindre](https://www.tat.gouv.qc.ca/menu-utilitaire/nous-joindre) page.

**Request to the Construction industry and occupational qualification division, to the Essential services division or to the Labour relations division:**

Send your form to the officein chargeof the region where your place of work is situated.

* [**Québec**](https://www.tat.gouv.qc.ca/menu-utilitaire/nous-joindre) **City office**: Bas-Saint-Laurent, Capitale-Nationale, Centre-du-Québec, Chaudière-Appalaches, Côte-Nord, Estrie, Gaspésie–Îles-de-la-Madeleine, Lanaudière, Mauricie and Saguenay–Lac-Saint-Jean.
* [**Montréal**](https://www.tat.gouv.qc.ca/menu-utilitaire/nous-joindre) **office**: Abitibi-Témiscamingue, Laurentides, Laval, Montérégie, Montréal, Nord-du-Québec and Outaouais.

IMPORTANT – To know more about the Tribunal’s procedure for processing applications for review or revocation, please consult the [**Guidelines for applications for review or revocation**](https://www.tat.gouv.qc.ca/fileadmin/tat/8Section_anglaise/Forms/orientation_revision_revocation_en.pdf).

**Legal framework**

**Act to establish the Administrative Labour Tribunal**

**49.** The Tribunal may, on application, review or revoke a decision or an order it has rendered or made:

(1) if a new fact is discovered which, had it been known in sufficient time, could have warranted a different decision;

(2) if an interested party, owing to reasons considered sufficient, could not make representations or be heard; or

(3) if a substantive or procedural defect is of a nature likely to invalidate the decision.

In the case described in subparagraph 3 of the first paragraph, the decision or order may not be reviewed or revoked by the member who rendered or made it.

**50.** An application for review or revocation is brought by a motion filed with the Tribunal within a reasonable time after the decision concerned or after the discovery of a new fact that could warrant a different decision. The motion must specify the decision concerned and state the grounds in support of the motion. It must also contain any other information required by the rules of evidence and procedure.

Subject to section 17, the party filing the motion must send a copy of the motion to the other parties, who may respond to it in writing within 30 days after receiving it or, if the decision was rendered under Chapter V.1 of the Labour Code (chapter C-27), within the time limit specified by the president of the Tribunal.

The Tribunal proceeds on the record unless a party asks to be heard or the Tribunal, on its own initiative, considers it appropriate to hear the parties.

**51.** The Tribunal’s decision is final and without appeal, and the persons concerned must comply with it immediately.

[. . .]

**Rules of evidence and procedure of the Administrative Labour Tribunal**

**1.** These rules apply to all the matters brought before the Tribunal.

Their purpose is to ensure the simple, flexible and prompt processing of applications, particularly with the cooperation of the parties and their representatives and the use of available technological means by the parties and the Tribunal, in accordance with the rules of natural justice and the equality of parties.

**2.** At any stage, the proceedings and the presentation of evidence must be proportionate to the nature and complexity of the matter.

**6.** The Tribunal may require a party to explain or clarify the party’s contentions in writing, file documents or present evidence within the time period it determines.

It may also require a party to provide a list of the witnesses the party intends to call at the hearing, as well as a summary of their testimony.