

Date: 20070425

Docket: A-106-06

Citation: 2007 FCA 164

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

BETWEEN:

ANDRÉE GAGNON

Appellant

and

ATTORNEY GENERAL OF CANADA

Respondent

Hearing held at Ottawa, Ontario, on April 25, 2007.

Judgment delivered at Ottawa, Ontario, on April 25, 2007.

REASONS FOR JUDGMENT OF THE COURT BY:

DÉCARY J.A.

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REASONS FOR JUDGMENT OF THE COURT
(Delivered from the bench at Ottawa, Ontario, on April 25, 2007)

DÉCARY J.A.

[1] We are of the opinion that Harrington J. (2006 FC 216) was correct in concluding that the “possible corrective measures” mentioned in the Directive on Recourse in Staffing issued by the Canada Revenue Agency do not include ordering that a person be appointed to a position within the Agency. Therefore, the “independent third party” exceeded its jurisdiction in ordering that the position in question be given to the appellant.

[2] The appeal will be dismissed with costs.

“Robert Décary”
J.A.

Certified true translation
Michael Palles

SOLICITORS OF RECORD

DOCKET: A-106-06

**APPEAL FROM AN ORDER OF HARRINGTON J. DATED FEBRUARY 17, 2006.
DOCKET NO. T-2207-04.**

STYLE OF CAUSE: Andrée Gagnon v.
Attorney General of Canada

PLACE OF HEARING: Ottawa

DATE OF HEARING: April 25, 2007

REASONS FOR JUDGMENT OF THE COURT BY: Décary, Nadon & Pelletier JJ.A.

DELIVERED FROM THE BENCH BY: Décary J.A.

APPEARANCES:

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Alexander Gay FOR THE RESPONDENT

SOLICITORS OF RECORD:

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