

Case Screening Summary

Total cases screened: 152 | Passed pre-screen: 112 | Used in final output: 28

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Bart v McMaster University</i>	2016 ONSC 5747	Yes	This decision is highly relevant as it addresses the procedural fairness obligations of a university tribunal when adjudicating faculty misconduct, including issues of bias, the right to make full answer and defence, and the adherence to internal university policies during disciplinary proceedings.	No
<i>Said v. University of Ottawa</i>	2011 ONSC 6179	Yes	This decision is highly relevant as it addresses the procedural fairness obligations of a university when making high-stakes employment decisions, specifically regarding tenure and promotion. It establishes that universities must act free from a reasonable apprehension of bias and that the duty of fairness is heightened when a decision has drastic consequences for a faculty member's career.	Yes
<i>Morgenthau v. Toronto Metropolitan University</i>	2025 ONSC 4870	No	This decision concerns the judicial review of a university's refusal to discipline students following a complaint about an open letter; it does not address the procedural fairness rights of faculty regarding tenure revocation, merit pay, or performance evaluations.	N/A
<i>University of Alberta v. Alberta (Information and Privacy Commissioner)</i>	2012 ABQB 247	Yes	This decision is relevant because it analyzes whether a university's faculty agreement and mandate create "custody or control" over records (specifically emails) generated by faculty members in the course of their professional service, which directly informs the professor's claim regarding the university's access to and use of his personal data. Furthermore, it addresses the intersection of collective agreements and administrative oversight, which is central to the interaction between the union grievance process and independent legal claims.	No
<i>Howley v. Cape Breton University Board of Governors</i>	2023 NSSC 34	Yes	This decision addresses the procedural fairness rights of a university board member (a faculty representative) regarding their exclusion from meetings and the adequacy of information provided to justify that exclusion. It directly engages with the principles of natural justice, the interpretation of university bylaws, and the duty to provide sufficient information to allow a member to determine if they have a conflict of interest.	No
<i>University of British Columbia v. Chan</i>	2013 BCSC 942	Yes	This decision is relevant because it addresses the procedural fairness and legal recourse available to a university professor challenging a tenure-track/appointment decision, specifically examining the interplay between internal university grievance processes and external human rights tribunal complaints. It also discusses the standard of review for administrative decisions regarding faculty complaints and the exhaustion of internal remedies.	No

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<i>Al-Haidari v. Memorial University of Newfoundland</i>	2020 NLSC 27	Yes	The decision addresses the legal principle that internal university administrative processes (such as student conduct or employment grievances) must be exhausted before seeking court intervention, and that attempting to bypass these processes via tort claims constitutes an abuse of process. It also discusses the limitations of common law torts (like harassment or intentional infliction of mental suffering) within an academic/employment context.	No
<i>Galloway v A.B</i>	2021 BCSC 2344	Yes	This decision is relevant because it provides a detailed analysis of the legal principles surrounding defamation, the "Weber" doctrine (which governs the exclusivity of labour arbitration for unionized employees), and the application of anti-SLAPP legislation (PPPA) in the context of university faculty disputes and tenure-related grievances. It directly addresses the intersection of academic freedom, institutional accountability, and the procedural hurdles faced by faculty members pursuing litigation against their university or colleagues.	No
<i>Université de Sherbrooke c. Patenaude</i>	2010 QCCA 2358	Yes	This decision is relevant because it addresses the procedural fairness rights of university faculty in the context of disciplinary measures and performance-related sanctions, specifically examining the threshold for judicial intervention (interlocutory injunctions) in university employment disputes and the application of the duty of fairness.	No
<i>Chedrawy v. Nova Scotia (Health Authority)</i>	2023 NSSC 116	Yes	This decision is relevant because it provides a detailed analysis of the legal principles governing procedural fairness in the context of public employment and the distinction between private contractual rights and public law duties. It specifically addresses the "Dunsmuir" framework, which is critical for determining whether a university faculty member can pursue judicial review or is limited to private law remedies (such as contract or grievance processes) when facing performance-related discipline.	No
<i>Ontario Public Service Employees Union v. Seneca College of Applied Arts & Technology</i>	2006 CanLII 14236 (ON CA)	Yes	This decision is highly relevant as it provides a detailed application of the Weber doctrine, specifically addressing the "essential character of the dispute" test and the scope of an arbitrator's exclusive jurisdiction to award remedies (such as aggravated or punitive damages) when a collective agreement is involved. It directly addresses the researcher's interest in whether independent civil claims survive when a collective agreement governs the dispute.	No
<i>Nelson v. Ontario</i>	2020 ONCA 751	Yes	This decision is highly relevant as it provides a detailed application of the Weber doctrine regarding the exclusive jurisdiction of labour arbitrators over disputes arising from a collective agreement. It specifically addresses the limitations on independent civil claims in a unionized workplace and the interaction between collective agreements, human rights legislation, and the courts.	Yes

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<i>Bisailon v. Concordia University</i>	2006 SCC 19	Yes	This decision is highly relevant as it provides the leading analysis on the "Weber doctrine" regarding the exclusive jurisdiction of labour arbitrators. It specifically addresses whether disputes involving pension plans—which may exist independently of a collective agreement but are incorporated by reference—fall under the exclusive jurisdiction of an arbitrator or remain subject to civil court litigation.	No
<i>Trinity Western University v The Law Society of Upper Canada</i>	2015 ONSC 4250	Yes	This decision is relevant because it addresses the legal principles of freedom of expression and freedom of religion in the context of a university's internal policies (a community covenant) and the subsequent impact on professional accreditation, which parallels the research question's focus on academic freedom and institutional policy. It also discusses the standard of review for administrative decisions involving Charter rights, which is central to the Professor's potential legal avenues.	No
<i>Trinity Western University v. The Law Society of Upper Canada</i>	2016 ONCA 518	Yes	This decision is highly relevant as it addresses the legal principles of balancing freedom of religion and equality rights in the context of a professional regulatory body's decision-making, which directly informs the Professor's potential claims regarding academic freedom and the University's authority to impose standards that may conflict with individual rights. It also provides the framework for judicial review of administrative decisions that implicate Charter values.	No
<i>Ernst v. Alberta Energy Regulator</i>	2017 SCC 1	Yes	The decision directly addresses the legal principles of freedom of expression (s. 2(b) of the Charter) and the availability of Charter damages as a remedy for state actors who allegedly retaliate against individuals for public criticism. It also explores the intersection of statutory immunity clauses and the court's remedial authority under s. 24(1) of the Charter, which is central to the Professor's potential claims against the University.	No
<i>Multani v. Commission scolaire Marguerite-Bourgeoys</i>	2006 SCC 6	Yes	This decision is relevant because it establishes the framework for how administrative bodies (such as a university) must balance individual Charter rights—specifically freedom of religion and expression—against institutional policies and safety concerns. It provides the foundational legal test for determining when an administrative decision that infringes on a fundamental right is "prescribed by law" and subject to a section 1 justification analysis.	No

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<i>Law Society of British Columbia v. Trinity Western University</i>	2018 SCC 32	Yes	This decision is relevant because it establishes the Doré/Loyola framework for judicial review of administrative decisions that engage Charter protections (such as freedom of expression and association), which is the primary legal mechanism for challenging a university's administrative actions that infringe upon a faculty member's rights. It also addresses the balance between institutional autonomy and the protection of individual rights within a professional or academic regulatory context.	No
<i>Saskatchewan Institute of Applied Science and Technology v Saskatchewan Government and General Employees' Union</i>	2012 SKQB 102	Yes	This decision is relevant because it addresses the intersection of collective bargaining rights and privacy legislation (specifically the disclosure of personal information to third-party union observers). It provides a judicial analysis of whether sharing applicant personal information with a union constitutes a breach of privacy statutes or falls under a "consistent purpose" exception.	No
<i>Britto v University of Saskatchewan</i>	2018 SKQB 92	Yes	This decision is relevant because it addresses the intersection of freedom of information legislation and the protection of personal information in a university employment context, specifically discussing the legal thresholds for withholding records that contain third-party personal information or are subject to claims of privilege during ongoing labour disputes.	No
<i>Cook v. The Insurance Corporation of British Columbia</i>	2014 BCSC 1289	Yes	This decision is highly relevant as it directly addresses the legal tension between statutory privacy regimes (FIPA) and common law claims (breach of contract, negligence, and privacy) regarding the unauthorized collection, use, and disclosure of personal information by a public body. It provides critical analysis on whether privacy legislation acts as an exhaustive code that precludes civil litigation for damages in the context of third-party data handling.	No
<i>Fontaine v. Canada (Attorney General)</i>	2021 ONSC 2804	No	This decision concerns the archival disposition of administrative records related to the Indian Residential Schools Settlement Agreement and does not address the legal principles of employee privacy, third-party data sharing, or algorithmic accountability in an employment context.	N/A
<i>College of the North Atlantic v McBreairty</i>	2020 NLCA 19	Yes	This decision is relevant because it interprets the definition of "employee" within the context of access to information and privacy legislation, specifically addressing whether an individual working for a public body's branch campus is an "employee" for the purposes of disclosing personal information. It directly engages with the legal principles of balancing privacy protections against the disclosure of personal information held by public sector institutions.	No

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<i>Insurance Corporation of British Columbia v. Ari</i>	2023 BCCA 331	Yes	This decision is highly relevant as it confirms that an employer can be held vicariously liable for an employee's breach of privacy under statutory tort law when they improperly access personal information. It also provides a detailed analysis of the "reasonable expectation of privacy" regarding personal information held by an organization, which directly addresses the researcher's interest in privacy breaches involving third-party access to employee and student data.	No
<i>Britto v University of Saskatchewan</i>	2017 SKQB 259	Yes	This decision addresses the legal principles of privacy, the protection of personal information, and the scope of exemptions for disclosure under freedom of information legislation in a university context. It specifically discusses the tension between an employee's right to access records and a public institution's claims of privilege and confidentiality regarding third-party information.	No
<i>Canada (National Revenue) v. Shopify Inc.</i>	2025 FC 969	No	This decision concerns the Federal Court's authority to grant the Minister of National Revenue access to information regarding "unnamed persons" under the Income Tax Act. It does not address privacy breaches involving employee personal information shared with third parties in a university or employment law context.	N/A
<i>Migliaro v. Royal Bank of Canada</i>	2018 FC 525	Yes	This decision addresses the legal principles of unauthorized access and use of personal information by an organization under PIPEDA, specifically discussing the burden of proof for damages and the scope of an organization's liability for privacy breaches involving third-party access. It provides relevant guidance on how courts assess claims for damages when personal information is accessed without authorization, even in the absence of further disclosure.	Yes
<i>Grant v. Winnipeg Regional Health Authority et al.</i>	2015 MBCA 44	No	While this case discusses the survival of Charter claims after death and the standing of estate administrators, it does not address the specific screening context of privacy breaches involving employee personal information shared with third parties without consent. The privacy-related discussion in the case is limited to a claim for the negligent disclosure of medical information to the media, which is distinct from the research question's focus on algorithmic data ingestion and third-party processing of employee/student data.	N/A
<i>Jones v. Tsige</i>	2012 ONCA 32	Yes	This decision is the seminal Ontario case that formally recognized the tort of "intrusion upon seclusion," establishing the legal test and the criteria for liability that are central to the researcher's inquiry regarding privacy violations in the employment context.	Yes

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<i>Ontario v. Madan</i>	2023 ONCA 18	Yes	The decision is relevant because it provides a detailed application of the legal principles governing the tort of intrusion upon seclusion in Ontario, specifically clarifying the requirements for vicarious liability in an employment context and the necessity of a nexus between the employment enterprise and the privacy violation.	Yes
<i>Owsianik v. Equifax Canada Co.</i>	2022 ONCA 813	Yes	This decision is highly relevant as it provides the leading Ontario appellate analysis on the scope and limitations of the tort of intrusion upon seclusion, specifically clarifying that the tort requires an intentional or reckless act of intrusion by the defendant and cannot be extended to entities that merely fail to secure data against third-party actors. It directly addresses the legal principles governing when a "Database Defendant" can be held liable for privacy invasions, which is central to the Professor's potential claims against the University and the private company.	Yes
<i>Demme v. Healthcare Insurance Reciprocal of Canada</i>	2022 ONCA 503	Yes	This decision is highly relevant as it provides a detailed judicial analysis of the tort of "intrusion upon seclusion" in Ontario, specifically addressing the mental element (intentionality vs. recklessness) required to establish the tort and how that interacts with insurance coverage and liability. It directly applies the principles established in <i>Jones v. Tsige</i> to an employment context, which is central to the researcher's inquiry regarding privacy breaches by an employer.	No
<i>Wakeling v. Desjardins General Insurance</i>	2021 ONCA 672	Yes	This decision is relevant because it explicitly applies and clarifies the three-part test for the tort of "intrusion upon seclusion" established in <i>Jones v. Tsige</i> , specifically addressing the requirements of intentional conduct and the threshold for what constitutes a highly offensive invasion of private affairs in an employment-related context.	No
<i>Owsianik v. Equifax Canada Co.</i>	2021 ONSC 4112	Yes	This decision is highly relevant as it provides a detailed judicial analysis of the scope and application of the tort of intrusion upon seclusion in Ontario, specifically debating whether the tort can extend to "Database Defendants" who recklessly permit third-party access to private information. It directly addresses the legal principles and evolving jurisprudence regarding privacy rights in the context of electronic data storage and security.	No
<i>Broutzas v. Rouge Valley Health System</i>	2023 ONSC 540	Yes	This decision is highly relevant as it provides a detailed application of the three-part test for the tort of intrusion upon seclusion established in <i>Jones v. Tsige</i> , specifically addressing the threshold for what constitutes a "highly offensive" intrusion into private affairs in an Ontario context.	No

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<i>Obodo v. Trans Union of Canada, Inc.</i>	2022 ONCA 814	Yes	This decision is relevant because it clarifies the scope and limitations of the tort of "intrusion upon seclusion" in Ontario, specifically addressing whether a defendant can be held liable for the privacy breaches of third parties or for failing to secure data, which is central to the Professor's potential claims regarding the AI company's handling of his personal information.	No
<i>Derenzis v. Ontario</i>	2025 ONCA 893	Yes	The decision is relevant because it explicitly applies the legal principles of the tort of intrusion upon seclusion in Ontario, specifically citing the requirement that there must be an "improper accessing of personal information" and a lack of "lawful excuse" for the intrusion.	No
<i>2110120 Ontario Inc. v. Buttar</i>	2023 ONCA 539	Yes	This decision is relevant because it provides a detailed analysis of the tort of "intrusion upon seclusion" and "invasion of privacy" within the context of an anti-SLAPP motion, specifically addressing the threshold requirements for these claims when they arise from conduct and expression. It further clarifies the application of these privacy torts in disputes involving the disclosure of personal information and the boundaries of reasonable expectations of privacy.	No
<i>Fontaine v. Canada (Attorney General)</i>	2018 ONSC 6381	No	This decision concerns the interpretation of the Indian Residential Schools Settlement Agreement (IRSSA) and the specific privacy obligations of the National Centre for Truth and Reconciliation regarding historical records. It does not address the application of Ontario's Freedom of Information and Protection of Privacy Act (FIPPA) to the collection, use, or disclosure of employee or student personal information by an Ontario university.	N/A
<i>British Columbia (Children and Family Development) v. British Columbia (Information and Privacy Commissioner)</i>	2024 BCCA 190	No	This decision concerns the interpretation of British Columbia's FIPPA and whether its "public interest override" provision (s. 25) can compel the disclosure of solicitor-client privileged information. It does not address the collection, use, or disclosure of personal information about employees or students by an Ontario university under Ontario FIPPA.	N/A
<i>Ontario (Attorney General) v. Ontario (Information and Privacy Commissioner)</i>	2024 SCC 4	No	This decision concerns the interpretation of the "Cabinet records" exemption under Ontario's FIPPA regarding government mandate letters. It does not address the legal principles governing the collection, use, or disclosure of personal information about employees or students by a university.	N/A
<i>West Vancouver Police Department v. British Columbia (Information and Privacy Commissioner)</i>	2016 BCSC 934	Yes	This decision is relevant because it addresses the interpretation of FIPPA (and its interaction with other statutes) regarding the disclosure of personal records held by a public body, specifically analyzing whether internal disciplinary records are subject to access-to-information legislation. It provides a framework for how administrative tribunals determine if records containing personal information are exempt from disclosure requirements under provincial privacy legislation.	No

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<i>United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada, Local 170 v British Columbia (Information and Privacy Commissioner)</i>	2018 BCSC 1080	Yes	This decision is relevant because it provides a detailed judicial analysis of the "reasonable expectation of probable harm" test under FIPPA (specifically regarding the disclosure of sensitive third-party financial and labour relations information). It directly addresses the evidentiary threshold required to exempt records from disclosure when a public body is asked to release information that could impact the competitive or negotiating position of a third party.	No
<i>Toronto Star v. AG Ontario</i>	2018 ONSC 2586	Yes	This decision is relevant because it provides a detailed analysis of how the "personal information" exemption under Ontario's FIPPA (specifically sections 2(1) and 21) functions to restrict access to records held by public institutions, including adjudicative tribunals. It directly addresses the legal tension between privacy protections and the public's right to access information, which is central to the researcher's inquiry regarding the disclosure of faculty performance data and student information.	No
<i>Adeleye-Olusae v. Manitoba</i>	2011 MBQB 146	No	This decision concerns the interpretation of the Manitoba Freedom of Information and Protection of Privacy Act (FIPPA) regarding access to government records. It does not address Ontario FIPPA, nor does it involve the collection, use, or disclosure of personal information by an Ontario university in the context of an AI-powered performance evaluation system.	N/A
<i>British Columbia (Information and Privacy Commissioner) v. British Columbia (Police Complaint Commissioner)</i>	2015 BCSC 1538	Yes	This decision addresses the legal principles regarding the scope of an Information and Privacy Commissioner's authority to compel the production of records for an inquiry when those records are claimed to be excluded from the application of privacy legislation (FIPPA). It directly discusses the jurisdictional tension between a public body's claim of statutory exclusion and the Commissioner's oversight powers, which is central to the researcher's interest in how FIPPA applies to university records.	No
<i>Association of Academic Staff of the University of Alberta v University of Alberta</i>	2012 ABQB 248	Yes	This decision is relevant because it addresses the intersection of provincial freedom of information legislation (FOIPPA) and university collective agreements, specifically discussing the "custody and control" of records (including emails) created by faculty members and the procedural rights of academic staff associations in privacy inquiries.	Yes
<i>Newfoundland and Labrador (Information and Privacy Commissioner) v Newfoundland and Labrador (Justice and Public Safety)</i>	2023 NLCA 27	Yes	This decision is highly relevant as it provides a detailed judicial analysis of the legal principles governing the interaction between access to information legislation (ATIPPA 2015) and the protection of solicitor-client privilege. It specifically addresses the high threshold of "clear, explicit and unequivocal" legislative language required to abrogate substantive privacy rights, which is central to the researcher's inquiry regarding the disclosure of proprietary algorithmic data and personal information.	No

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<i>First Nations University of Canada v. University of Regina Faculty Association</i>	2008 SKCA 162	Yes	This decision is relevant because it directly addresses the interpretation of academic freedom clauses within a collective agreement and the extent to which university administration (specifically a Board Chair) can be held liable for interfering with a faculty member's academic freedom through retaliatory or obstructive conduct. It provides a judicial analysis of the intersection between administrative authority, contractual obligations regarding academic freedom, and the limits of grievance arbitration in addressing such disputes.	Yes
<i>Rooney v. Galloway</i>	2024 BCCA 8	Yes	This decision is relevant because it addresses the legal framework for balancing freedom of expression against the protection of reputation in an academic context, specifically involving university faculty and the application of anti-SLAPP legislation (PPPA) to claims of defamation and retaliation. It provides critical guidance on how courts assess the "public interest" in protecting academic speech versus the harm caused by defamatory allegations, which is central to the Professor's potential claims regarding his public criticism of the university administration.	No
<i>Weber v. Ontario Hydro</i>	1995 CanLII 108 (SCC)	Yes	SCC established the exclusive jurisdiction model for labour arbitration. Where the essential character of a dispute arises from the interpretation, application, administration or violation of a collective agreement, the courts have no jurisdiction and the claimant must proceed by arbitration (paras 50-58). The Court rejected both the concurrent model and overlapping spheres model. The majority further held that labour arbitrators can consider and remedy Charter claims arising from collective agreement disputes (paras 59-76). Court must look to the facts of the dispute, not the legal characterization, to determine essential character (para 43). Residual inherent jurisdiction in superior courts remains only where arbitrator cannot grant an effective remedy (para 57).	Yes
<i>Kane v. Bd. of Governors of U.B.C.</i>	1980 CanLII 10 (SCC)	Yes	SCC quashed University Board's resolution suspending a tenured professor for breach of natural justice — audi alteram partem. The President supplied "necessary facts" to the Board in the professor's absence after the hearing had concluded. Six governing propositions established by Dickson J.: (1) courts must attribute large autonomy to university tribunals; (2) tribunal must observe natural justice; (3) HIGH STANDARD OF JUSTICE required when right to continue in profession or employment is at stake; (4) tribunal must give fair opportunity to correct any adverse statement; (5) appellate authority must not hear evidence in absence of party whose conduct is under scrutiny; (6) court will not inquire whether evidence DID cause prejudice — sufficient that it MIGHT have. Foundational authority for the proposition that tenured professors are owed a high duty of procedural fairness.	Yes

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<i>Nweke v. Canada (Citizenship and Immigration)</i>	2017 FC 242	No	This decision addresses procedural fairness in the context of a missing transcript and the duty to record administrative hearings; it does not address the legal principles regarding the disclosure of proprietary algorithmic methodologies or criteria in automated decision-making systems.	N/A
<i>Maharaj v Rosetown (Town)</i>	2020 SKQB 254	Yes	The decision addresses the core legal principle of procedural fairness, specifically establishing that a decision-maker's failure to provide reasons or disclose the underlying rationale for a decision—particularly when deliberations are opaque or proprietary—renders the process procedurally unfair and the resulting decision invalid.	No
<i>Community Outreach Pharmacy Ltd. v British Columbia (Minister of Health)</i>	2017 BCSC 1634	Yes	This decision addresses the scope of the "record of proceedings" in judicial review, specifically establishing that when a decision-making process is opaque and the materials considered by the decision-maker are unclear, the court may order the disclosure of documents to ensure procedural fairness and allow for a meaningful challenge to the decision.	No
<i>Hanif v. College of Veterinarians of Ontario et al.</i>	2026 ONSC 1377	No	While the decision discusses procedural fairness and the "black box" of administrative decision-making, it does so in the context of a professional disciplinary hearing and does not address the legal principles regarding the disclosure of proprietary algorithmic or automated decision-making systems.	N/A
<i>Barry Seafoods NB Inc. v. Canada (Fisheries, Oceans and Coast Guard)</i>	2021 FC 725	No	This decision concerns the judicial review of a discretionary policy decision regarding fisheries quota allocations and does not address the legal requirements for disclosure of methodology or criteria underlying algorithmic or automated decision-making systems.	N/A
<i>Champ's Fresh Farms Inc. v British Columbia (Employment Standards Tribunal)</i>	2023 BCSC 1075	Yes	The decision addresses the principles of procedural fairness and the audi alteram partem rule, specifically examining the requirements for an administrative tribunal to provide notice and an opportunity to be heard when introducing new issues or criteria (in this case, a statutory breach) that were not part of the original proceedings. This directly relates to the research question regarding whether procedural fairness requires disclosure of the reasoning or criteria underlying a decision-making process.	No
<i>Pelletier c Université de Sherbrooke, faculté de médecine et des sciences de la santé, centre de formation médicale du Nouveau-Brunswick</i>	2019 NBQB 310	No	This decision concerns the application of limitation periods for judicial review and the procedural fairness of a student dismissal; it does not address the legal principles regarding the disclosure of proprietary algorithmic or automated decision-making systems.	N/A

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<i>GCT Canada Limited Partnership v. Vancouver Fraser Port Authority</i>	2022 FC 1109	No	While the case discusses procedural fairness and the conduct of a decision-maker, it focuses on allegations of bias and legitimate expectations in the context of a port authority's project review process. It does not address the specific legal principles regarding the disclosure of reasoning, methodology, or criteria underlying an algorithmic or proprietary decision-making system.	N/A
<i>Anderson v Strathcona Regional District</i>	2021 BCSC 1800	No	While the decision discusses procedural fairness and the adequacy of reasons in an administrative context, it does not address the specific legal principles regarding the disclosure of methodology, criteria, or reasoning underlying algorithmic, automated, or proprietary decision-making systems.	N/A
<i>Queen Elizabeth Annex (QEA) Parents' Society v Vancouver School District No. 39</i>	2023 BCSC 1109	No	This decision concerns an interlocutory application to strike affidavit evidence in a judicial review of a school closure; it does not address the legal principles of procedural fairness regarding the disclosure of proprietary algorithmic or automated decision-making systems.	N/A
<i>Charkaoui v. Canada (Citizenship and Immigration)</i>	2007 SCC 9	Yes	The decision is highly relevant as it provides the foundational Supreme Court of Canada analysis on the requirements of procedural fairness and the "right to know the case put against one" under section 7 of the Charter. It specifically addresses the constitutional limits of withholding evidence and methodology in administrative/security proceedings, which directly informs the Professor's claim regarding the University's refusal to disclose proprietary algorithmic weighting.	Yes
<i>Ontario (Ministry of Community, Family and Children Services) v. Crown Employees Grievance Settlement Board</i>	2006 CanLII 21173 (ON CA)	No	While the decision discusses the principles of natural justice and procedural fairness in a labour arbitration context, it does not apply or interpret Baker v Canada to address the disclosure of reasons or the methodology underlying an administrative decision. The case focuses on the procedural consequences of lost evidence and the scope of an arbitrator's remedial authority.	N/A
<i>Daud v. Temor</i>	2026 ONCA 83	No	This decision concerns family law, specifically the striking of pleadings due to a failure to comply with financial disclosure obligations. It does not address the principles of procedural fairness, the duty to provide reasons, or the disclosure of algorithmic methodology as established in Baker v Canada.	N/A
<i>Pritchard v. Ontario (Human Rights Commission)</i>	2003 CanLII 8701 (ON CA)	Yes	This decision is relevant because it directly addresses the scope of solicitor-client privilege and the limits of disclosure requirements for statutory decision-makers, which are central to the researcher's interest in the disclosure of methodology and reasons underlying administrative decisions.	No

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<i>R. v. McDonald</i>	2018 ONCA 369	Yes	The decision is relevant because it applies the principles of procedural fairness established in <i>Baker v. Canada</i> to determine that an individual facing a significant deprivation of liberty is entitled to an oral hearing and the opportunity to make submissions, rather than being restricted to written processes. It explicitly discusses the requirement for an open, fair, and transparent process when a decision-maker's actions profoundly affect an individual's rights.	No
<i>Ruby v. Canada (Solicitor General)</i>	2002 SCC 75	Yes	The decision is relevant because it applies the principles of procedural fairness and natural justice—specifically referencing <i>Baker v. Canada</i> —to determine whether a statutory scheme that limits disclosure and mandates <i>ex parte</i> proceedings in administrative reviews satisfies the requirements of fundamental justice.	No
<i>Law Society of Saskatchewan v. Abrametz</i>	2022 SCC 29	Yes	The decision is relevant because it provides the authoritative Supreme Court of Canada framework for assessing "abuse of process" in administrative proceedings, specifically detailing the three-step test (inordinate delay, significant prejudice, and the final assessment of fairness) established in <i>Blencoe v. British Columbia</i> , which is the foundational case for the researcher's interest in the duty of fairness and the disclosure of reasons/methodology in administrative decision-making.	No
<i>Therrien (Re)</i>	2001 SCC 35	Yes	The decision is relevant because it provides a comprehensive analysis of the duty of procedural fairness, including the right to be heard and the right to an impartial hearing, in the context of an administrative inquiry that could lead to the removal of a public official. It specifically addresses the application of the principles of natural justice and the duty to act fairly, which are central to the researcher's interest in the disclosure of reasons and methodology in adverse administrative decisions.	No
<i>Suresh v. Canada (Minister of Citizenship and Immigration)</i>	2002 SCC 1	Yes	The decision is highly relevant because it explicitly addresses the procedural requirements for administrative decision-making, specifically citing <i>Baker v. Canada</i> to establish that an individual facing an adverse decision must be informed of the case to be met and provided with the material upon which the decision is based. It confirms that even in discretionary ministerial decisions, the principles of fundamental justice require disclosure of the evidence and an opportunity to respond.	Yes
<i>Merck Frosst Canada Ltd. v. Canada (Health)</i>	2012 SCC 3	No	This decision concerns the interpretation of the Access to Information Act regarding third-party commercial confidentiality exemptions and notice requirements. It does not address the principles of procedural fairness, the duty to provide reasons, or the disclosure of algorithmic methodology as established in <i>Baker v. Canada</i> .	N/A

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<i>McPherson v. Global Growth Assets Inc.</i>	2025 ONSC 5226	Yes	This decision is relevant because it provides a detailed judicial interpretation of the "protection from reprisal" provisions under the Ontario Securities Act, specifically addressing the legal test for determining whether an adverse employment action was taken "because" an employee engaged in protected activity. It establishes a framework for analyzing mixed-motive terminations and the burden of proof in reprisal claims, which directly informs the legal principles required for the research question.	No
<i>Saskatchewan (Human Rights Commission) v. Whatcott</i>	2013 SCC 11	Yes	The decision is highly relevant as it provides the authoritative Supreme Court of Canada framework for interpreting "hatred" in human rights legislation and establishes the constitutional test for balancing freedom of expression against protections from discriminatory speech. It specifically addresses the application of human rights codes to employment-related contexts and the protection of individuals from adverse actions based on their expression, which is central to the researcher's inquiry into reprisal and protected activity.	No
<i>Hansman v. Neufeld</i>	2023 SCC 14	Yes	This decision is highly relevant as it provides the leading Supreme Court of Canada analysis on the application of anti-SLAPP legislation (specifically the Protection of Public Participation Act), which is the primary legal mechanism for protecting employees from retaliatory litigation when they engage in public interest expression. The case establishes the legal framework for the "public interest weighing exercise" and the "fair comment" defence, both of which are central to the Professor's potential claims regarding retaliation for his public criticism of the University administration.	Yes
<i>Williams v. Vac Developments Limited</i>	2023 ONSC 4679	Yes	The decision provides a detailed application of Ontario's anti-SLAPP legislation (s. 137.1 of the Courts of Justice Act), which is a critical legal avenue for protecting employees who face retaliatory litigation for engaging in public interest expression, such as criticizing workplace practices.	No
<i>Christian Heritage Party of Canada v. Hamilton (City)</i>	2026 ONCA 195	No	This decision concerns the administrative law framework for balancing Charter rights against municipal policy in the context of public transit advertising. It does not address the Ontario Human Rights Code reprisal provisions or the protection of employees from adverse employment actions, which are the specific focus of the research question.	N/A
<i>Joshi v. Allstate Insurance Company of Canada</i>	2019 ONSC 4382	Yes	This case applies Ontario's anti-SLAPP legislation (s. 137.1 of the Courts of Justice Act) to protect an employee who alleged that her termination was a reprisal for challenging discriminatory practices, directly addressing the legal principles of protecting employees from retaliatory actions for engaging in protected expression on matters of public interest.	Yes

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Zarabi-Majd v. Toronto Police Service</i>	2025 ONSC 277	Yes	This decision is relevant because it applies the Doré/Vavilov framework to determine whether an employer's disciplinary action (dismissal) against an employee for their expressive activity (social media posts) constitutes a proportionate limit on Charter-protected freedom of expression. It further addresses the intersection of workplace conduct policies and the protection of employees who engage in public criticism of their organization.	Yes
<i>Robinson v. Pickering (City)</i>	2025 ONSC 3233	Yes	The decision addresses the legal principles of reprisal and the scope of an Integrity Commissioner's investigative role under the Municipal Act, 2001, specifically discussing the prohibition against seeking or threatening reprisal against complainants (s. 17.01 of the Code of Conduct). This is directly relevant to the research question regarding the Professor's potential claims of retaliation and the legal avenues for challenging adverse actions taken by an institutional body.	No
<i>Gibson v. Cunningham</i>	2025 ONSC 5504	No	This decision concerns an anti-SLAPP motion under s. 137.1 of the Courts of Justice Act regarding a defamation claim; it does not address the Ontario Human Rights Code or the protection of employees from reprisal for protected expression or activities in an employment context.	N/A
<i>London District Catholic School Board v. Michail</i>	2020 ONSC 7331	Yes	The decision provides a detailed analysis of the legal framework for anti-SLAPP motions under s. 137.1 of the Courts of Justice Act, specifically addressing the threshold burden of proving that a proceeding arises from an "expression" related to a "matter of public interest," which is a critical legal principle for evaluating the Professor's potential claim of retaliatory action for his public criticism of the University administration.	No
<i>A.T. v. Globe24h.com</i>	2017 FC 114	Yes	This decision is highly relevant as it provides a detailed analysis of the extraterritorial application of PIPEDA to a foreign-based organization, specifically addressing the "real and substantial connection" test and the "publicly available information" exception under section 7 of PIPEDA regarding the unauthorized collection and disclosure of personal information.	Yes
<i>Citi Cards Canada Inc. v. Pleasance</i>	2011 ONCA 3	Yes	This decision is relevant because it provides a judicial interpretation of the "purpose limitation" principle under PIPEDA, specifically holding that an organization cannot disclose personal information for a purpose other than that for which it was originally collected (administering a mortgage) to satisfy a third party's unrelated commercial interest. It further clarifies that the "required by law" exemption in s. 7(3)(i) does not permit the disclosure of personal information to third parties simply because that information might be discoverable through other legal processes.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Citi Cards Canada v. Pleasance</i>	2010 ONSC 1124	Yes	The decision directly addresses the purpose limitation principle under PIPEDA, specifically affirming that organizations are prohibited from disclosing personal information for purposes other than those for which it was originally collected, unless specific exceptions apply. It further clarifies that facilitating third-party legal enforcement is not a valid purpose for disclosure without consent.	No
<i>Canada (Privacy Commissioner) v. Facebook, Inc.</i>	2023 FC 533	Yes	The decision directly addresses the legal principles of "meaningful consent" and the "safeguarding" obligations of an organization under PIPEDA when disclosing personal information to third-party applications. It specifically analyzes whether an organization can rely on third-party consent and the extent of its duty to verify third-party privacy practices.	No
<i>Canada (Privacy Commissioner) v. Facebook, Inc.</i>	2024 FCA 140	Yes	This decision directly addresses the legal principles of "meaningful consent" and "safeguarding" under PIPEDA, specifically examining an organization's obligations regarding the unauthorized disclosure of personal information to third-party applications and the failure to implement robust preventative measures. It provides a critical analysis of the "purpose limitation" principle and the objective standard of a "reasonable person" when evaluating whether an organization has adequately protected user data from third-party misuse.	Yes
<i>State Farm Mutual Automobile Insurance Company v. Privacy Commissioner of Canada</i>	2010 FC 736	Yes	This decision is relevant because it addresses the jurisdictional scope of PIPEDA regarding the collection and disclosure of personal information by a third party (an insurer) and discusses the "commercial activity" threshold required for PIPEDA to apply to such collections. It also touches upon the tension between federal privacy oversight and provincial jurisdiction over civil litigation and evidence, which is central to the researcher's inquiry regarding the unauthorized ingestion of data by a private company.	No
<i>Mountain Province Diamonds Inc. v. De Beers Canada Inc.</i>	2014 ONSC 2026	Yes	This decision is relevant because it provides a detailed analysis of the application of PIPEDA to the disclosure of employee personal information to third parties, specifically addressing the "purpose limitation" principle (Principle 5) and the requirement for consent under Schedule 1. It also examines the limitations of the s. 7(3)(c) exception regarding court-ordered disclosure of personal information.	Yes
<i>R v Spencer</i>	2011 SKCA 144	Yes	This decision is relevant because it provides a detailed judicial analysis of the Personal Information Protection and Electronic Documents Act (PIPEDA), specifically examining the principles of consent (s. 4.3) and the exceptions for disclosure without consent (s. 7(3)) in the context of third-party data handling. It directly addresses the legal framework governing when an organization may disclose personal information to third parties, which is central to the researcher's inquiry regarding the unauthorized collection and disclosure of employee and student data.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>R v Siemens</i>	2011 SKPC 57	Yes	The decision explicitly analyzes the application of PIPEDA to the disclosure of personal information by a private organization to a third party, specifically addressing the "purpose limitation" and consent principles under Schedule 1 of the Act.	No
<i>Del Giudice v. Thompson</i>	2021 ONSC 5379	Yes	This decision is relevant because it discusses the application of PIPEDA and the principles of consent, purpose limitation, and the obligations of organizations regarding the collection, use, and disclosure of personal information to third-party service providers. It specifically addresses the legal framework governing how personal information is handled when transferred to third parties for processing, which directly aligns with the researcher's focus on unauthorized disclosure and purpose limitation.	No
<i>Mehta v. Acadia University Faculty Association</i>	2022 NSSC 69	Yes	This decision is relevant because it applies the Weber doctrine to confirm that disputes regarding the termination of tenured faculty and the interpretation of collective agreements fall under the exclusive jurisdiction of labour arbitrators, thereby precluding independent civil litigation in court. It also addresses the legal limitations of challenging union representation and the finality of arbitral decisions in the context of university employment.	Yes
<i>University of Saskatchewan v University of Saskatchewan Faculty Association</i>	2014 SKQB 299	Yes	This decision is highly relevant as it addresses the legal authority of a university president to override tenure recommendations made by faculty committees, specifically interpreting the interplay between provincial university legislation and collective bargaining agreements regarding tenure revocation and dismissal.	No
<i>Saskatchewan Federation of Labour v. Saskatchewan Government and General Employee's Union</i>	2010 SKQB 390	No	This decision concerns the constitutional independence of a provincial labour relations board and the validity of government orders-in-council terminating board members; it does not address the dismissal or tenure revocation of university faculty.	N/A
<i>Manak v Workers' Compensation Board of British Columbia</i>	2018 BCSC 182	Yes	This case is relevant because it provides a detailed judicial analysis of "just cause" for dismissal in the context of a breach of confidentiality and trust by a long-term employee. It specifically addresses the legal principles of the contextual approach to termination, the assessment of credibility in workplace investigations, and whether specific breaches of conduct policies warrant summary dismissal.	No
<i>Air Canada Pilots Association v. Kelly</i>	2011 FC 120	Yes	This decision is highly relevant as it addresses the legal principles surrounding the mandatory retirement of tenured university faculty (specifically referencing <i>McKinney v. University of Guelph</i>) and the broader application of the Bona Fide Occupational Requirement (BFOR) test in the context of employment termination and human rights legislation.	No

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<i>Organisation mondiale sikhe du Canada c. Procureur général du Québec</i>	2024 QCCA 254	No	This decision concerns the constitutionality of Quebec's "Act respecting the laicity of the State" (Bill 21) and its impact on religious symbols and face coverings in the public sector. It does not address the legal principles of tenure revocation, dismissal of university faculty, or the use of AI-powered performance evaluation systems in an employment context.	N/A
<i>Vidéotron ltée c. Bell ExpressVu, l.p.</i>	2012 QCCS 3492	No	This decision concerns a commercial dispute between telecommunications companies regarding satellite signal piracy and damages, and it does not address the legal principles of tenure revocation, faculty dismissal, or university employment law.	N/A
<i>Northern Regional Health Authority v. Horrocks</i>	2021 SCC 42	Yes	SCC majority (Brown J.) confirmed Weber's exclusive jurisdiction model applies even when the competing forum is a statutory human rights tribunal, not just courts. Two-step analysis: (1) examine legislation to determine if mandatory dispute resolution clause grants exclusive jurisdiction; (2) determine whether essential character of dispute arises from collective agreement (paras 39-40). Exclusive arbitral jurisdiction is not a mere preference but an interpretation of the legislative mandate (para 30). Competing statutory tribunals can only carve into exclusive jurisdiction where legislative intent is clearly expressed (para 5). The Ontario Human Rights Code s. 45.1 is specifically identified at para 75 (Karakatsanis J. dissent) as a provision that expressly allows the HRTO to decline jurisdiction in favour of labour arbitration — implying concurrent jurisdiction in Ontario. Key for the Professor: (1) his grievance must proceed through arbitration as the primary forum; (2) the Ontario HRC s. 45.1 creates concurrent jurisdiction between the HRTO and labour arbitration — unlike Manitoba, Ontario expressly provides for concurrency; (3) if the union refuses to advance the grievance, the Professor retains independent access to the HRTO (para 36-38 re duty of fair representation safety valve).	Yes

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Baker v. Canada (Minister of Citizenship and Immigration)</i>	1999 CanLII 699 (SCC)	Yes	SCC established the five-factor framework for determining the content of the duty of procedural fairness: (1) nature of decision and process; (2) nature of statutory scheme; (3) importance of decision to the individual; (4) legitimate expectations; (5) choices of procedure made by the agency (paras 21-28). Court held that where a decision has "important significance for the individual," written reasons are required as part of the duty of procedural fairness (para 43). Reasonable apprehension of bias test confirmed from Committee for Justice and Liberty: "what would an informed person, viewing the matter realistically and practically — and having thought the matter through — conclude" (para 46). Expressly quotes <i>Kane v UBC</i> for the proposition that "a high standard of justice is required when the right to continue in one's profession or employment is at stake" (para 25). Foundational authority for the Professor's procedural fairness and reasons requirements claims.	Yes
<i>Parry Sound (District) Social Services Administration Board v. O.P.S.E.U., Local 324</i>	2003 SCC 42	Yes	This decision is the foundational authority for the "Parry Sound principle," which establishes that substantive rights under human rights and employment legislation are implicitly incorporated into collective agreements and are enforceable through the grievance and arbitration process. It directly addresses the researcher's specific interest in how statutory rights function as a "floor" that arbitrators must enforce, regardless of the express terms of a collective agreement.	Yes
<i>Quebec (Commission des droits de la personne et des droits de la jeunesse) v. Quebec (Attorney General)</i>	2004 SCC 39	Yes	This decision is highly relevant as it directly addresses the "exclusive jurisdiction" model established in <i>Weber v. Ontario Hydro</i> and explicitly discusses the principle that substantive rights under human rights legislation are incorporated into collective agreements and are enforceable through arbitration. The majority and dissenting opinions provide a comprehensive analysis of when a labour arbitrator's jurisdiction over such matters is exclusive versus concurrent with human rights tribunals.	Yes
<i>Brown v. University of Windsor</i>	2016 ONCA 431	Yes	The decision provides a detailed application of the Parry Sound principle, specifically analyzing how s. 48(12)(j) of the Labour Relations Act incorporates substantive rights from employment-related statutes into collective agreements, thereby granting labour arbitrators exclusive jurisdiction over disputes involving those statutory rights.	No
<i>Isidore Garon ltée v. Tremblay; Fillion et Frères (1976) inc. v. Syndicat national des employés de garage du Québec inc.</i>	2006 SCC 2	Yes	This decision is highly relevant as it provides the Supreme Court of Canada's authoritative analysis on the "Parry Sound principle," specifically addressing the conditions under which substantive rights from general law (such as the Civil Code) are incorporated into collective agreements and enforceable through arbitration. The case explicitly discusses the limits of this incorporation by distinguishing between compatible norms (which are incorporated) and incompatible norms (which are excluded from the collective scheme).	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Syndicat de la fonction publique du Québec v. Québec (Attorney General)</i>	2010 SCC 28	Yes	The decision directly addresses the "Parry Sound principle" regarding the incorporation of substantive rights from employment legislation into collective agreements and the resulting jurisdiction of arbitrators to enforce those rights, which is the core legal principle requested by the researcher.	No
<i>Alberta Union of Provincial Employees v. Lethbridge Community College</i>	2004 SCC 28	Yes	The decision is highly relevant because it explicitly discusses the scope of an arbitration board's remedial jurisdiction and affirms the principle that arbitrators must be empowered to fashion effective remedies to resolve workplace disputes, which is central to the researcher's interest in the enforcement of rights through arbitration. Furthermore, the decision cites Parry Sound (District) Social Services Administration Board v. O.P.S.E.U., Local 324 and discusses the integration of statutory and collective agreement provisions, directly aligning with the screening context.	No
<i>McGill University Health Centre (Montreal General Hospital) v. Syndicat des employés de l'Hôpital général de Montréal</i>	2007 SCC 4	Yes	This decision is highly relevant as it directly addresses the "Parry Sound principle," confirming that collective agreements are subject to human rights legislation and that arbitrators must consider human rights obligations—such as the duty to accommodate—when interpreting and applying collective agreement provisions.	No
<i>Tranchemontagne v. Ontario (Director, Disability Support Program)</i>	2006 SCC 14	Yes	This decision is highly relevant as it confirms the principle that statutory tribunals empowered to decide questions of law are presumed to have the jurisdiction to apply the Human Rights Code, and it explicitly discusses the "Parry Sound" principle regarding the incorporation of human rights legislation into the mandate of administrative bodies.	No
<i>Canada (House of Commons) v. Vaid</i>	2005 SCC 30	Yes	This decision is relevant because it establishes the legal framework for determining when external review (such as human rights or labour tribunals) is precluded by parliamentary privilege, and it discusses the interaction between statutory grievance regimes and independent human rights claims, which parallels the researcher's interest in how grievance processes interact with independent legal avenues.	No
<i>Quebec (Attorney General) v. Quebec (Human Rights Tribunal)</i>	2004 SCC 40	Yes	This decision is relevant because it applies the Weber and Parry Sound principles to determine whether a specialized administrative tribunal's exclusive jurisdiction over a statutory scheme precludes a human rights claim, directly addressing how substantive rights under human rights legislation interact with and are incorporated into administrative/employment dispute resolution frameworks.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Public Sector and MPP Accountability and Transparency Act, 2014, SO 2014, c 13</i>	Public Sector and MPP Accountability and Transparency Act, 2014, SO 2014, c 13	Yes	Not the target legislation. This is a general accountability statute amending various Ontario public sector accountability provisions. Not directly relevant to the Professor's privacy or access to information claims.	No
<i>General, RRO 1990, Reg 460</i>	General, RRO 1990, Reg 460	Yes	Ontario regulation under FIPPA — not the primary statute needed. Moving on to find the Freedom of Information and Protection of Privacy Act, RSO 1990, c F.31 directly.	No
<i>Ministry of Training, Colleges and Universities Act, RSO 1990, c M.19</i>	Ministry of Training, Colleges and Universities Act, RSO 1990, c M.19	Yes	Ontario statute governing the Ministry of Training, Colleges and Universities. Not directly relevant to the Professor's privacy or procedural fairness claims. Moving on.	No
<i>Working for Workers Act, 2023, S.O. 2023, SO 2023, c 15</i>	Working for Workers Act, 2023, S.O. 2023, SO 2023, c 15	Yes	Ontario's Working for Workers Act, 2023 amends the Employment Standards Act, 2000. Key provisions for the Professor's situation: s. 53.1 requires employers to disclose use of electronic monitoring of employees; s. 53.2 may address AI and algorithmic decision-making in employment contexts. The University's use of the Company's AI performance evaluation system that ingested the Professor's emails and social media may engage the electronic monitoring disclosure obligations. However, professors covered by collective agreements may have modified or enhanced protections through the CBA. Will look at the specific sections.	No
<i>Ombudsman Act, RSO 1990, c O.6</i>	Ombudsman Act, RSO 1990, c O.6	Yes	Ontario Ombudsman Act governs the provincial Ombudsman's jurisdiction. As amended in 2014, the Ombudsman's jurisdiction was expanded to include universities (s. 1.1). The Professor could file a complaint with the Ontario Ombudsman about the University's administrative processes — including the opaque AI evaluation system and the privacy breaches. The Ombudsman can investigate administrative unfairness and issue recommendations, though recommendations are not legally binding. This provides a non-adversarial avenue for the Professor alongside the grievance/HRTTO processes.	Yes
<i>Broader Public Sector Executive Compensation Act, 2014, SO 2014, c 13, Sch 1</i>	Broader Public Sector Executive Compensation Act, 2014, SO 2014, c 13, Sch 1	Yes	Ontario statute governing executive compensation in broader public sector organizations including universities. Not relevant to the Professor's situation — concerns executive pay caps and disclosure, not employee privacy, procedural fairness, or academic freedom.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Broader Public Sector Accountability Act, 2010, SO 2010, c 25</i>	Broader Public Sector Accountability Act, 2010, SO 2010, c 25	Yes		No
<i>Freedom of Information and Protection of Privacy Act, RSO 1990, c F.31</i>	Freedom of Information and Protection of Privacy Act, RSO 1990, c F.31	Yes	Key FIPPA provisions for the Professor's situation: (1) s. 38(2) — no person shall collect personal information on behalf of an institution unless expressly authorized by statute, for law enforcement, or necessary to proper administration of a lawfully authorized activity — the University's disclosure of the Professor's emails to the Company for AI scoring is not authorized by any of these grounds; (2) s. 38(3) — institutions must prepare a privacy impact assessment before collecting personal information, including identifying purposes, legal authority, access controls, safeguards, and retention periods — the University almost certainly failed to conduct a PIA before deploying the AI system; (3) s. 39(1) — personal information shall only be collected directly from the individual unless one of the listed exceptions applies — none of the exceptions cover sharing with a private US AI company for performance scoring; (4) s. 39(2) — the institution must inform the individual of legal authority for collection, purposes, and contact person — the Professor was never informed.	No
<i>Municipal Freedom of Information and Protection of Privacy Act, RSO 1990, c M.56</i>	Municipal Freedom of Information and Protection of Privacy Act, RSO 1990, c M.56	Yes	MFIPPA governs municipalities, not universities. Ontario universities are governed by FIPPA, RSO 1990, c F.31, not MFIPPA. Not applicable to the Professor's situation.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Freedom of Information and Protection of Privacy Act, RSA 2000, c F-25</i>	Freedom of Information and Protection of Privacy Act, RSA 2000, c F-25	Yes	Critical FIPPA provisions for the Professor's situation: (1) s. 48(1) — the Professor has a statutory right to request access to personal information held by the University about him, including his performance evaluation records, the algorithmic score, and related data; (2) s. 48(4) — information must be provided in a "comprehensible form" indicating how it is stored and used — this arguably requires disclosure of the algorithmic methodology in comprehensible terms; (3) s. 49(a) — the University may attempt to refuse access under s. 17 (third-party commercial information exemption) to protect the Company's proprietary algorithm; (4) s. 49(c.1) — evaluative/opinion material compiled for "assessing the teaching materials or research of an employee of an educational institution" may be withheld if supplied in confidence — this is a critical potential barrier to the Professor accessing the algorithmic scoring methodology; (5) ss. 49.0.1(1) and (7) — the IPC now has express power to order institutions to discontinue unlawful information practices, change practices, or destroy illegally collected personal information — directly applicable to the AI system. The s. 49(c.1)(i) exemption is potentially significant but is limited to evaluative material "supplied in confidence" — the Company is not an independent peer reviewer; it is a vendor.	No
<i>Labour Relations Act, 1995, SO 1995, c 1, Sch A</i>	Labour Relations Act, 1995, SO 1995, c 1, Sch A	Yes	Ontario LRA s. 48 is the statutory foundation for exclusive arbitral jurisdiction over collective agreement disputes. Key provisions: (1) s. 48(1) — every collective agreement must provide for final and binding arbitration of ALL differences arising from interpretation, application, administration or alleged violation; (2) s. 48(12)(j) — arbitrator has express power to "interpret and apply human rights and other employment-related statutes, despite any conflict between those statutes and the terms of the collective agreement" — this is the Parry Sound statutory hook; (3) s. 48(12)(a) and (b) — arbitrator can require production of documents before or during hearing, including potentially compelling disclosure of algorithmic methodology; (4) s. 48(17) — arbitrator can substitute just and reasonable penalty for discharge — relevant if tenure revocation is challenged; (5) s. 48(16) — time extensions available where reasonable grounds and no substantial prejudice. These provisions govern the Professor's union grievance and confirm the grievance arbitrator has jurisdiction over all his claims — FIPPA, HRC, Charter s. 2(b), and procedural fairness — arising from the AI performance evaluation system.	No
<i>Labour Relations Amendment Act, 2000, SO 2000, c 38</i>	Labour Relations Amendment Act, 2000, SO 2000, c 38	Yes	Amendment Act modifying the LRA 1995 — procedural, not directly relevant to the Professor's situation beyond confirming the current form of LRA s. 48. The substantive provisions already captured in the LRA 1995 analysis above.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Labour Relations Amendment Act (Construction Industry), 2000, SO 2000, c 24</i>	Labour Relations Amendment Act (Construction Industry), 2000, SO 2000, c 24	Yes	LRA s. 74 imposes the duty of fair representation (DFR) on the union: "A trade union... shall not act in a manner that is arbitrary, discriminatory or in bad faith in the representation of any of the employees in the unit." Three-part DFR test: (1) arbitrary — perfunctory, superficial, or no investigation; (2) discriminatory — based on improper distinctions between members; (3) bad faith — motivated by hostility or improper purpose. Critical for the Professor's situation: if the union fails to advance or pursues the grievance inadequately (particularly on the privacy and algorithmic fairness grounds), the Professor can file a DFR complaint with the Ontario Labour Relations Board. A successful DFR complaint can result in the OLRB ordering the union to resume the grievance, ordering the employer to comply, or awarding independent relief. This is the Professor's safety valve if the union refuses to pursue key aspects of his claim.	No
<i>Human Rights Code, RSO 1990, c H.19</i>	Human Rights Code, RSO 1990, c H.19	Yes	Key HRC provisions for the Professor's situation: (1) s. 5(1) — right to equal treatment in employment without discrimination — if the AI system's algorithmic weighting incorporates or amplifies biases based on prohibited grounds (e.g., age, creed, place of origin), this is direct discrimination; (2) s. 5(2) — right to freedom from harassment in the workplace; (3) s. 8 — RIGHT TO CLAIM AND ENFORCE RIGHTS WITHOUT REPRISAL — this is the core anti-retaliation provision; if the University has penalized the Professor partly because he has previously asserted rights (or because it anticipates he will do so), s. 8 is engaged; (4) s. 9 — no person shall infringe a right directly or indirectly; (5) s. 11 — constructive discrimination: a requirement or factor that appears neutral but disproportionately disadvantages a protected group constitutes discrimination unless it is a reasonable and bona fide qualification with accommodation to undue hardship — relevant if the AI system's metrics (grant revenue, social media activity, specific publication patterns) disparately impact older faculty, foreign-trained faculty, or faculty with disabilities; (6) s. 45.1 (noted from Horrocks) — HRTO may defer to labour arbitration; s. 46.1 — HRC rights may be pursued in civil proceedings. The HRC claim is the Professor's primary safety valve if the union refuses to pursue the full grievance or if the essential character of the discrimination claim is distinct from the CBA dispute.	Yes
<i>R.W. Tomlinson Limited v. Labourers' International Union of North America, Local 527</i>	(no citation)	Yes	This decision establishes a critical two-step framework for determining when courts must defer to labour arbitration versus when they retain jurisdiction over non-party claims, which is directly applicable to the Professor's situation involving both unionized employment and potential claims against third-party entities. It clarifies that while courts should prevent parallel litigation from undercutting arbitration, they must use temporary stays rather than jurisdictional dismissal when dealing with non-parties to the collective agreement.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Dunlop v Carpenters' Regional Council of the United Brotherhood of Carpenters and Joiners of America</i>	(no citation)	No	This decision concerns the exclusive jurisdiction of the Alberta Labour Relations Board over internal union disciplinary disputes under the Alberta Labour Relations Code. It does not address the legal issues relevant to the research question, such as AI-powered performance evaluations, data privacy, or the intersection of academic tenure and retaliatory employment practices in an Ontario university context.	N/A
<i>Moniz c. Procureur général du Canada</i>	(no citation)	No	This decision concerns the exhaustion of administrative remedies and the jurisdictional limits of the Federal Court regarding federal public sector employees under the Federal Public Sector Labour Relations Act. It does not address the specific issues of AI-powered performance evaluations, proprietary algorithmic weighting, or the privacy/data protection concerns involving student data and foreign companies central to the research question.	N/A
<i>Shehzad v. Langara College</i>	(no citation)	Yes	This decision is highly significant because it applies the "exclusive jurisdiction" doctrine from <i>Weber v. Ontario Hydro</i> to a university setting, confirming that claims involving workplace retaliation, privacy breaches, and disciplinary investigations are barred from civil court if they arise from an employment relationship governed by a collective agreement. It directly addresses the interaction between the union grievance process and independent civil claims, which is a core component of the research question.	No
<i>Re Organic Garage (Canada) Ltd</i>	(no citation)	No	This decision concerns a bankruptcy and insolvency dispute regarding creditor voting rights and the administration of a corporate estate. It contains no discussion of AI-powered performance evaluations, faculty tenure, privacy rights, or employment law, and therefore offers no guidance on the research question.	N/A
<i>Douglas v. Babiar</i>	1997, c. 8, s. 36	No	While this decision discusses the jurisdictional boundaries between collective agreements, statutory regimes (the Police Services Act), and the Superior Court, it is specific to the unique, highly regulated context of police discipline and criminal investigations. It does not provide guidance on the distinct legal issues of AI-driven performance management, proprietary algorithmic transparency, or the privacy rights of third-party students in a university employment context.	N/A
<i>Givogue v Desaulnier</i>	(no citation)	No	This decision concerns the exclusive jurisdiction of the federal grievance process under the FPSLRA for public sector employees and does not address the specific legal issues of AI-powered performance systems, privacy breaches, or the rights of faculty at a publicly-funded university. While it cites <i>Weber v. Ontario Hydro</i> , it does so only to reinforce the statutory bar on civil claims for federal public servants, which is not applicable to the Professor's situation.	N/A

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Toronto Star Newspapers Limited v. OpenAI Inc.</i>	(no citation)	No	This decision addresses jurisdictional and procedural issues regarding copyright infringement and the "real and substantial connection" test in the context of international AI companies. It does not address the specific legal avenues for a university professor facing tenure revocation, algorithmic bias, or the privacy implications of data ingestion in an employment context.	N/A
<i>R.W. Tomlinson Limited v. Labourers' International Union of North America, Local 527</i>	2025 ONCA 861	Yes	Ontario Court of Appeal (Tulloch CJO) clarified the Weber/Bisaillon framework for arbitral jurisdiction in a 2025 decision. Court confirmed: (1) Weber's essential character test governs subject-matter jurisdiction (para 18); (2) arbitrators require BOTH subject-matter AND personal jurisdiction — non-parties to the collective agreement cannot be compelled to arbitrate (paras 37-43, applying Bisaillon); (3) where arbitrator lacks personal jurisdiction over non-parties, Superior Court retains jurisdiction and jurisdictional dismissal is unavailable (para 58); (4) temporary stay (not dismissal) is the appropriate remedy where non-party claims overlap with arbitral proceedings (paras 51-55, 59); (5) new two-step framework: (i) assess subject-matter jurisdiction via Weber + personal jurisdiction via Bisaillon; (ii) if court retains jurisdiction, consider temporary stay under s. 106 CJA (paras 57-59). Directly relevant to the Professor's situation: (a) the Weber essential character test applies in the same way to his claims; (b) the Company as a non-party to the CBA cannot be compelled to arbitrate — his claims against the Company must proceed in court or before the Privacy Commissioner/HRTO; (c) the Professor should be aware that independent court claims will likely be temporarily stayed pending arbitration if they arise from the same facts.	Yes
<i>Shehzad v. Langara College</i>	2026 BCCA 84	Yes	Very recent (2026) BC Court of Appeal decision directly on point. Faculty member at Langara College brought civil claim for privacy breach and workplace retaliation arising from employer investigation. Court affirmed Weber exclusive jurisdiction principle: all claims grounded in the employment relationship governed by the collective agreement are struck as an abuse of process under Rule 9-5(1)(d) (citing St. Anne Nackawic) (para 21). Privacy breach and retaliation claims about employer's investigation and information dissemination are workplace issues falling within the exclusive CBA jurisdiction — the off-campus origin of the underlying incident does not change this (para 17-19). Court confirmed that merely framing issues as privacy/defamation does not remove them from the CBA's ambit (para 17). Directly applicable to the Professor's situation: his civil claims for privacy breach and retaliation arising from the AI evaluation system will almost certainly be struck in favour of arbitral jurisdiction, subject to the key exception that claims against the Company (non-party to CBA) survive per Tomlinson 2025 ONCA 861.	No

Case Name	Citation	Passed Pre-Screen	Reasoning	Used in Final Output
<i>Mount Pearl (City) v Power</i>	(no citation)	No	While this decision discusses the tort of intrusion upon seclusion and the admissibility of wrongfully obtained evidence, it does so in the context of a municipal council dispute and does not address the specific legal issues of AI-powered performance evaluations, algorithmic transparency, or the unique employment law considerations of a university professor. The case is a procedural ruling on evidence in a statutory appeal and does not provide substantive guidance on the Professor's specific claims regarding algorithmic bias or the unauthorized ingestion of data by a private AI vendor.	N/A
<i>Insurance Corporation of British Columbia v. Ari</i>	(no citation)	Yes	This decision provides significant guidance on the assessment of damages for privacy breaches under legislation similar to that which the Professor would rely on, specifically confirming that courts can award more than nominal damages for the violation of privacy rights even in the absence of proven consequential harm. It also reinforces the "functional approach" to privacy damages—encompassing compensation, vindication, and deterrence—which is highly applicable to the Professor's claim regarding the unauthorized ingestion of his personal data by the University's AI system.	No
<i>E.L.R. v. D.M.S.</i>	(no citation)	No	This decision is a family law matter concerning spousal/child support, property division, and a tort claim for intrusion upon seclusion between private individuals. It does not address the research topic of AI-powered performance evaluation systems, university employment law, or the legal implications of proprietary algorithmic decision-making.	N/A
<i>Farah v. Toronto Police Services Board</i>	(no citation)	No	This decision concerns the certification of a class action regarding police "carding" practices and does not address the legal issues of AI-powered performance evaluations, university tenure, or the privacy implications of data ingestion by private companies in an employment context.	N/A
<i>McCarrell v. McCarrell</i>	(no citation)	No	This decision concerns the exclusion of evidence obtained through the unauthorized interception of a private cellphone in a family law context and does not address the legal issues of algorithmic accountability, employment law, or privacy rights in the context of AI-powered workplace performance evaluations.	N/A
<i>Trueman v. Rogers Communications Canada Inc.</i>	(no citation)	No	This decision concerns a class action certification motion regarding unauthorized credit checks by a telecommunications company and does not address the specific legal issues of AI-powered performance evaluations, tenure revocation, or the privacy rights of university faculty in the context of proprietary algorithmic systems. While it discusses privacy torts, the factual and legal context is entirely distinct from the Professor's situation.	N/A

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<i>Insurance Corporation of British Columbia v. Ari</i>	2025 BCCA 131	Yes	BC Court of Appeal affirmed \$15,000 per class member aggregate damages award for serious, deliberate Privacy Act breach without proof of consequential harm. Key holdings: (1) privacy torts actionable without proof of damage — the injury is to the privacy interest itself (para 32); (2) general damages may be awarded for compensation (including harm to intangible interests like dignity and autonomy), vindication, and deterrence — even without consequential loss (paras 40-48, applying <i>Ward v Vancouver (City)</i> 2010 SCC 27); (3) where breach is serious, deliberate, and for improper purpose, more than nominal damages are available (para 60); (4) privacy rights have quasi-constitutional status in Canada (para 31, citing <i>Douez</i>); (5) confirms <i>Jones v Tsige</i> principles apply to assess non-pecuniary damages without requiring proof of psychological injury (paras 50-55); (6) factors for assessment: nature and seriousness of breach, post-breach conduct, scope of consequential loss (para 68). Critical update to the damages framework for the Professor's intrusion upon seclusion claim: the Company's deliberate, commercial ingestion of his private emails supports a damages award at the upper end of the <i>Jones</i> range, plus aggravated and punitive damages given the commercial exploitation purpose.	Yes
<i>Air Canada c. Davies</i>	(no citation)	Yes	This decision provides a critical analysis of the "essential character" test used to determine whether a dispute falls under the exclusive jurisdiction of a grievance arbitrator versus the courts, specifically addressing the "union monopoly" over employment-related benefits that are not explicitly contained in a collective agreement. It directly addresses the jurisdictional tension between individual contract claims and collective bargaining regimes, which is central to the Professor's situation regarding his performance evaluation system and tenure dispute.	No
<i>Lacasse c. Université du Québec à Rimouski</i>	(no citation)	Yes	This decision provides a critical analysis of the "exclusive jurisdiction" of labour arbitrators over civil claims (including defamation and privacy-related grievances) arising from workplace evaluation processes, which directly addresses the Professor's ability to pursue independent legal avenues versus a union grievance. It confirms that even when a professor alleges personal torts or procedural unfairness, the "essential character" of the dispute often mandates that it be resolved through the grievance process rather than the courts.	No
<i>Remai Zwack Ventures Inc. v Saskatoon (City)</i>	(no citation)	No	This decision concerns the statutory interpretation of property tax assessment appeals under Saskatchewan legislation and does not address employment law, privacy rights, algorithmic bias, or the legal issues relevant to the Professor's grievance.	N/A

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<i>R v Fox</i>	(no citation)	No	This decision concerns the application of solicitor-client privilege and the "innocence at stake" exception in a criminal law context (obstruction of justice). It does not address the research question, which pertains to employment law, privacy rights, and algorithmic accountability in a university setting.	N/A
<i>United Association of Canada v. Labourers' International Union of North America, Local 1059</i>	(no citation)	No	This decision concerns a jurisdictional dispute between construction trade unions regarding the interpretation of the Building Opportunities in the Skilled Trades Act and does not address the legal issues of AI-powered performance evaluations, faculty tenure, privacy rights, or retaliatory employment practices relevant to the research question.	N/A
<i>Morgenthau v. Toronto Metropolitan University</i>	(no citation)	No	This decision concerns a judicial review application regarding a university's refusal to discipline students for an open letter; it does not address the research question, which involves algorithmic performance evaluation, data privacy, and employment law in the context of faculty tenure and merit pay.	N/A
<i>Kondaj v. Crossbridge Condominium Services Ltd.</i>	(no citation)	No	This decision concerns the interpretation of successor employer obligations under the Employment Standards Act in the context of building services contracts. It does not engage with the research topic, which involves AI-driven performance evaluations, algorithmic transparency, data privacy, or the specific employment law issues of tenure revocation and retaliatory discipline in a university setting.	N/A
<i>Centre intégré universitaire de santé et de services sociaux du Centre-Ouest-de-l'Île-de-Montréal c. Giroux</i>	(no citation)	No	This decision concerns a procedural dispute regarding an arbitrator's jurisdiction over a scholarship repayment grievance in a healthcare context and does not address AI-powered performance evaluations, tenure revocation, or the privacy/retaliation issues central to the research question.	N/A
<i>Air Canada c. Davies</i>	2025 QCCA 1344	Yes	Quebec Court of Appeal 2025 decision applying Weber essential character test to class action by retired Air Canada employees seeking FRT passes. Majority (Lavallée JA) held former unionized employees' claims fall within exclusive arbitral jurisdiction because the essential character of the dispute concerns management rights under the collective agreement, even where the FRT passes were never expressly mentioned in the CBA (paras 72-76). Dissent (Schrager JA) held that because Air Canada expressly excluded FRT passes from the CBA and consistently maintained they were discretionary, they cannot be deemed implicitly incorporated — civil liability claims are not arbitrable in those circumstances (paras 106-117). Relevant for the Professor's situation as further confirmation of the two-step Weber/Bisaillon analysis and the principle that management practices not expressly excluded from the CBA may be inferentially covered. The dissent's reasoning at para 110 is particularly useful: a party cannot invoke exclusive arbitral jurisdiction as a tactical shield when it has consistently maintained that a practice is outside the CBA.	No

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<i>Lacasse c. Université du Québec à Rimouski</i>	2025 QCCA 1012	Yes	Quebec Court of Appeal (Rancourt JCA) unanimously dismissed appeal by tenured professor challenging peer evaluation committee's inclusion of an incivility complaint in his evaluation report. Key holdings directly applicable to the Professor's situation: (1) Weber essential character test requires examining the factual foundation of the dispute, not legal characterization — defamation framing does not remove evaluation disputes from arbitral jurisdiction (paras 44-49, 63-65); (2) peer evaluation committees created by the CBA act as representatives of the University for CBA purposes — their conduct during evaluations falls within exclusive arbitral jurisdiction (paras 68-70); (3) where the CBA expressly governs evaluation procedures and provides a contestation mechanism (here, committee of revision), the professor must use that mechanism — bypassing it with a civil claim is impermissible (para 58); (4) policies incorporated by law or by reference into the CBA become part of it — claims alleging breaches of such policies must be arbitrated (para 74); (5) the fact that a civil claim is styled as defamation does not remove it from arbitral jurisdiction where the "defamatory" statements were made in the context of CBA-governed evaluation procedures (para 65-66). Strikingly analogous to the Professor's situation: the AI evaluation system was implemented by the University and used in the CBA-governed performance evaluation process — disputes about how that system operates and what it produces are squarely within arbitral jurisdiction.	Yes