

In the Court of Appeal of Alberta

Citation: Reinink v Alberta (Labour Relations Board), 2025 ABCA 80

Date: 20250305
Docket: 2401-0273AC
Registry: Calgary

Between:

Renxian Reinink

Applicant

- and -

Alberta Labour Relations Board and Health Sciences Association of Alberta

Respondents

**Reasons for Decision of
The Honourable Justice Jolaine Antonio**

Application for Permission to Appeal

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The Honourable Justice Jolaine Antonio**

[1] On December 18, 2024, I heard three applications by the applicant, Renxian Reinink. The first was for an extension of time to seek permission to appeal a Reconsideration Decision of the Alberta Labour Relations Board. The second, contingent on the granting of the first, was for permission to appeal that decision. The third was to remove the applicant’s name from the style of cause and replace it with her initials. On January 3, 2025, I issued a decision denying the extension of time and initialization applications. As no extension of time was granted, I did not need to decide the permission to appeal application, but had I been called on to do so I would have denied permission: *Reinink v Alberta (Labour Relations Board)*, 2025 ABCA 1 [*Reinink*].

[2] In refusing to grant an extension of time, I noted the proposed appeal did not have a reasonable chance of success because the provision of the *Labour Relations Code*, RSA 2000, c L-1 [*Code*] the applicant relied on to appeal the Reconsideration Decision to this Court, section 145.1(1), did not apply. The appropriate mechanism for review was to seek judicial review under section 19(2) of the *Code*, which the applicant had already done, unsuccessfully. I was also not persuaded by the applicant’s explanation for her delay or that she had a *bona fide* intention to appeal during the appeal period: *Reinink* at paras 4–5, 7–9. With respect to the initialization application, no exceptional circumstances of the kind required had been demonstrated: *Reinink* at para 12.

[3] The applicant now applies under Rule 14.5(1)(a) of the *Alberta Rules of Court*, Alta Reg 124/2010 for permission to appeal my decision to a panel of this Court. Pursuant to Rule 14.5(2), I must decide that application.

[4] Permission to appeal the decision of a single judge is to be granted rarely. The applicant must show “there is a *compelling reason* to require the applicant and the respondent to reargue and three judges of the Court of Appeal to decide an issue”: *Ouellette et al v Law Society of Alberta*, 2021 ABCA 283 at para 14; *Can v Alberta Securities Commission*, 2023 ABCA 47 at para 6; *Xu v Ma*, 2024 ABCA 81 at para 5.

[5] An important consideration is whether the applicant has identified a serious issue justifying another level of review. Assessment of the seriousness of the issue involves consideration of a number of factors: the perceived strength of the argument – the Court must be satisfied that the issue has a reasonable chance of success; the importance of the issue to the parties; and the general importance of the issue within the larger legal system. Merely wanting to reargue the same matters is not sufficient: *Alberta Health Services v Wang*, 2017 ABCA 261 at para 6; *SRG Takamiya Co Ltd v 58376 Alberta Ltd*, 2019 ABCA 301 at para 6; *Goldstick Estates (Re)*, 2023 ABCA 225 at para 6.

[6] With respect to the extension of time application, the applicant repeats her arguments regarding the merits of her proposed appeal. She has not provided new material information. She has not identified any issue with my conclusion that the proposed appeal has no reasonable chance of success, nor with my conclusions regarding her explanation for delay and intention to appeal.

[7] The applicant makes no submissions regarding her initialization application.

[8] The applicant has not identified any serious issue justifying another level of review. She has not shown a compelling reason to have this matter heard by a panel of this Court.

[9] The application for permission to appeal is denied.

[10] Rule 9.4(2)(c) is invoked, and the Court will prepare the resulting order.

Written submissions filed on January 31, February 10, February 11 and February 18, 2025

Reasons filed at Calgary, Alberta
this 5th day of March, 2025

Antonio J.A.

Submissions:

Applicant, R. Reinink

K. McGreer

for the Respondent, Alberta Labour Relations Board

D. Scott, KC

for the Respondent, Health Sciences Association of Alberta