



[2022] 1 F.C.R. D-4

FEDERAL COURT JURISDICTION

Appeal from Federal Court decision (2020 FC 259) refusing appellant's request to find facts, make mandatory order in appellant's favour concerning his complaint — Appellant, employee with National Energy Board (Board), complained about workplace violence — Investigator appointed by Board's Occupational Health & Safety Coordinator acted without procedural fairness — Federal Court set aside investigator's report, sent matter back to different investigator for further investigation — Mandatory orders available in two narrow circumstances: (1) where evidence leading to only one result; (2) in circumstances of extreme maladministration — Those circumstances not present herein — No palpable, overriding error made by Federal Court in its factual appreciation — Threshold not met for extreme maladministration — Under *Canada Occupational Health and Safety Regulations*, SOR/86-304, it is for administrative actor, here investigator, to examine evidence, find facts, offer views on merits of appellant's complaint — Federal Court restricted to reviewing what administrative actor has done, sending matter back to administrative actor if material procedural flaw or substantive defect overcoming any deference that may be owed found — No grounds for finding that Federal Court biased — Appeal dismissed.

DOYLE V. CANADA (ATTORNEY GENERAL) (A-76-20, 2022 FCA 56, Stratas J.A., reasons for judgment dated March 30, 2022, 4 pp.)