**File No.** \_\_\_\_\_\_\_\_\_\_\_\_

LABOUR RELATIONS ACT, 1995

**APPLICATION UNDER SECTION 127(3) OF THE ACT**

**(REDEFINITION OF BARGAINING UNIT AFFECTED**

**BY SECTION 127(2) OF THE ACT)**

BEFORE THE ONTARIO LABOUR RELATIONS BOARD

**Between:**

**Applicant,**

‑ and ‑

**Responding Party.**

The applicant applies to the Ontario Labour Relations Board under section 127(3) of the Act for the redefinition of an existing bargaining unit affected by section 127(2) of the Act.

**The applicant states:**

1. (a) Name, address, telephone number, facsimile number and e-mail address of the applicant:

(b) Name, address, telephone number, facsimile number and e-mail address of a contact person for the applicant:

(c) E-mail address of representative and assistant (if any):

**□ Counsel: Assistant:**

**□ Paralegal: Assistant:**

**□ other: Assistant**:

(d) Name, address, telephone number, facsimile number and e-mail address of the responding party and contact person:

2. (a) If this application relates to bargaining rights in the industrial, commercial and institutional sector of the construction industry, state the name, address, telephone number and facsimile number of the relevant employee bargaining agency, its affiliated bargaining agents and the relevant employer bargaining agency:

(b) If this application relates to bargaining rights affecting an accredited employers' organization and a trade union, state the name, address, telephone number and facsimile number of the accredited employers' organization:

(c) The name, address, telephone number, facsimile number and e-mail address of any other person, trade union, employer or employers' organization who may be affected by the application:

(d) The person, trade union, employer or employers' organization named in paragraph 2(c) is affected by the application for the following reason(s):

[Before you file your application with the Board, you must deliver to the responding party and to the person(s) named in paragraphs 2(a), (b) and (c): a Notice to Responding Party and/or Affected Party of Application under Section 127(3) (Form C-36) with the names of the parties and the date inserted and a copy of your application. You must also complete the attached Certificate of Delivery.]

4. The applicant says that it is an employer or trade union to which s. 127(3) of the Act applies for the following reasons:

5. Provide a detailed description and geographic location of the bargaining unit of employees affected by this application, and attach a copy of the relevant collective agreement.

6. Provide the description of the redefined bargaining unit the applicant is seeking and reasons in support of that bargaining unit description:

7. In support of its request, the applicant relies on the following material facts:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Include **all** of the material facts on which you rely. You will not be allowed to present evidence or make any representations about any material fact that was not set out in the application and filed promptly in the way required by the Board's Rules of Procedure, except with the permission of the Board. If you require more space, attach a separate document)

8. The applicant submits with this application the following documents:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Documents must be arranged in consecutively numbered pages and must be accompanied by a table of contents describing each document.)

9. Other relevant statements (attach additional pages if necessary):

**DATED** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature for the Applicant**

**CERTIFICATE OF DELIVERY**

1. I certify that the following documents were delivered to [   ] the responding party, and [   ] every affected party named in paragraphs 2(a), (b), and (c) of the application:

° Application under Section 127(3) of the Act; and

° Notice to Responding Party and/or Affected Party of Application under Section 127(3) of the Act (Form C‑36) **with the names of the parties and the date inserted.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization and name Address or facsimile number and title of person to whom to which documents were

documents were delivered delivered

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization and name Address or facsimile number and title of person to whom to which documents were

documents were delivered delivered

**[Complete either section 2 or section 3 below.]**

2. The documents were delivered by [   ] facsimile transmission or [   ]

hand delivery on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_ a.m./p.m.

(Date)

3. The documents were given to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on

(Name of Courier)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and I was advised that they would be

(Date)

delivered not later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_ a.m. /p.m.

(Date)

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TITLE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IMPORTANT NOTES**

***FRENCH OR ENGLISH***

Si vous communiquez avec la Commission, vous avez le droit de recevoir des services en français et en anglais. Vous pouvez consulter les règles de la Commission, les formulaires et les bulletins d’information sur le site Web de la Commission au [www.olrb.gov.on.ca](http://www.olrb.gov.on.ca) ou composer le 416-326-7500 ou (sans frais) le 1 877 339-3335 pour de plus amples renseignements. Veuillez prendre note que la Commission n’offre pas de services d’interprétation dans les langues autres que le français et l’anglais.

You have the right to communicate with, and receive available services from, the Board in either English or French. You can access the Board’s Rules, Forms and Information Bulletins from its website at [www.olrb.gov.on.ca](http://www.olrb.gov.on.ca) or by calling 416-326-7500. Please note that the Board does not provide translation services in languages other than English or French.

***CHANGE OF ADDRESS***

Please notify the Board immediately of any change in your address, phone or fax numbers, or your e-mail address. If you fail to notify the Board of any changes, correspondence sent to your last known address may be deemed to be reasonable notice to you and the application may proceed in your absence.

***EMAIL***

If you have provided an e-mail address with your contact information, the Board will in all likelihood communicate with you by e-mail from a generic out-going address. Please be advised that the Board is not yet equipped to receive communications from you by e-mail.

***OLRB RULES OF PROCEDURE***

The Board’s Rules of Procedure describe how an application, response or intervention must be filed, what information must be provided and the time limits that apply. You can obtain a copy of the Rules from the Board’s office at 505 University Avenue, 2nd Floor, Toronto, Ontario, M5G 2P1 (Tel: 416-326-7500) or from the Board’s website.

***ACCESSIBILITY and ACCOMMODATION***

In accordance with the *Accessibility for Ontarians with Disabilities Act, 2005,* the Board makes every effort to ensure that its services are provided in a manner that respects the dignity and independence of persons with disabilities. Please tell the Board if you require any accommodation to meet your individual needs.

***COLLECTION AND DISCLOSURE OF INFORMATION AND DOCUMENTS***

Any relevant information that you provide to the Board must in the normal course be provided to the other parties to the proceeding. Personal information collected on this form and in written or oral submissions may be used and disclosed for the proper administration of the Board’s governing legislation and case processing. In addition, the *Tribunal Adjudicative Records Act, 2019* requires that the Board make adjudicative records (which include applications filed and a listing of such applications) available to the public. The Board has the power to make part or all of an adjudicative record confidential. The *Freedom of Information and Protection of Privacy Act* may also address the treatment of personal information. More information is available on the Board’s website [www.olrb.gov.on.ca](http://www.olrb.gov.on.ca/). If you have any questions concerning the collection of information or disclosure of adjudicative records, contact the Solicitors’ Office at the number listed above or in writing to the OLRB, 505 University Ave., 2nd floor, Toronto, ON M5G 2P1.

***HEARINGS and DECISIONS***

Board hearings are open to the public unless the panel decides that matters involving public security may be disclosed or if it believes that disclosure of financial or personal matters would be damaging to any of the parties. Hearings are not recorded and no transcripts are produced.

The Board issues written decisions, which may include the name and personal information about persons appearing before it. Decisions are available to the public from a variety of sources including the Ontario Workplace Tribunals Library, and over the internet at [www.canlii.org](http://www.canlii.org), a free legal information data base. Some summaries and decisions may be found on the Board’s website under *Highlights* and Recent Decisions of Interest.