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

LABOUR RELATIONS ACT, 1995

**RESPONSE TO 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 responding party states in response to the application:**

**OR**

**[**  **]** **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** **intervenes in this proceeding**

**(Name of Intervenor)**

**and states in response to the application:**

1. (a) Correct name of the responding party/intervenor:

(b) Address, telephone number, facsimile number and e-mail address of the responding party/ intervenor:

(c) Name, address, telephone number, facsimile number and e-mail address of a contact person for the responding party/intervenor:

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

**□ Counsel: Assistant:**

**□ Paralegal: Assistant:**

**□ other: Assistant**:

2. (a) Name, address, telephone number, facsimile number and e-mail address of any other person, trade union, employer or employers' organization that may be affected by the application and who has not already been identified by another party:

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

**[You** **must** **deliver** **to** **the** **person(s)** **named** **in** **paragraph** **2(a):** **a** **copy** **of** **the** **application,** **a** **copy** **of** **the Notice to Responding Party and/or Affected Party of Application under Section 127(3) (Form C-36) and a completed copy of your response. You must also complete the attached Certificate of Delivery.]**

3. The following statements in the application are agreed to:

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

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

4. The following statements in the application are not agreed to:

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

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

5. In support of its response, the responding party/intervenor relies on the following material facts:

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

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

(Include **all** of the material facts on which you rely. Please note that you will not be allowed to present evidence or make any representations about any material fact that was not set out in the response and filed promptly in the way required by the Board's Rules of Procedure, except with the permission of the Board.)

6. In respect of the order(s) requested by the applicant, the responding party/intervenor states:

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

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

(Describe your position with respect to the order(s) requested by the applicant.)

7. **[Complete this section only if you are intervening in this case.]**

The intervenor claims to be affected by the application for the following reasons:

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

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

8. Other relevant statements:

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

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

**Signature for the Responding** **Party/Intervenor**

**CERTIFICATE OF DELIVERY**

1. I certify that a completed copy of the response was delivered to [ ] the applicant, [ ] the responding party, and/or [ ] any affected party named in paragraph 2 of the application or in a response filed by another party, as follows:

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

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

2. **[Complete this section only if you named an affected party in paragraph 2 of your response that was not named in paragraph 2 of the application** **or** **a** **response** **filed** **by** **another** **party.]**

I certify that the following documents were delivered to the affected party named in paragraph 2 of this response:

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

° a completed copy of the response; 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

**[Complete either section 3 or section 4 below.]**

3. The documents were delivered by [   ] facsimile transmission; [   ]

hand delivery or [   ] email on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at\_\_\_\_\_\_\_\_\_\_\_\_\_

(Date)

a.m./p.m.

4. 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.