

H *Ontario Labour Relations Board* **HIGHLIGHTS**

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Annotated Rules of Procedure

The Board is pleased to publish the first edition of the Ontario Labour Relations Board Annotated Rules of Procedure. The Annotated Rules provide key cases for each rule, where cases exist. The Annotated Rules can be accessed from the home page of the Board's website at www.olrb.gov.on.ca.

Job Posting for Labour Relations Officers

Information regarding a competition for labour relations officers is attached to this issue of *Highlights*. The deadline for application is Friday, February 16, 2007.

Scope Notes

The following are scope notes of some of the decisions issued by the Ontario Labour Relations Board in January of this year. These decisions will appear in the January/February issue of the OLRB Reports. The full text of recent OLRB decisions is now available on-line through the Canadian Legal Information Institute at www.canlii.org.

Abandonment – Bargaining Rights – Construction Industry Grievance – Delay – Labourers 506 grieved that Burling Ranger had violated the provincial ICI agreement by failing to employ members of 506 or failing or refusing to subcontract work to subcontractors in contractual relations with the union – The Labourers relied on a collective agreement signed in 1970 by the applicant and Burling – The responding party argued that the union had abandoned its rights by failing to assert them as long ago as prior to the inception of provincial bargaining – The union

served Burling with notice to bargain in the early 1970's, but the employer responded that it had no work in the geographic area – The Board heard evidence relating to subsequent work performed by Burling over an almost thirty-year period, without any assertions by the Labourers to rights under the collective agreement – Grievance dismissed

BURLING RANGER COMPANY INC.; RE LIUNA Local 506; File No. 3489-03-G; Dated January 29, 2007; Panel: Caroline Rowan (19 pages)

Employment Standards – The employer challenged the Notices of Contravention and Order to Pay issued in this matter, arguing that the employee had been offered and rejected reasonable alternative employment – The Board found that (a) an unequivocal offer was made in a series of memoranda addressed to employees, (b) the employee refused the offer by remaining silent and failing to take any action after receiving the offer, and (c) the alternative employment offered was reasonable – Training and proficiency requirements did not render the offer equivocal or mean that the employee could not likely perform the job offered – A period of training may be part of an offer of reasonable alternative employment – Any subjective expression of anxiety regarding the ability to perform the job offered was irrelevant if it had no objective basis – The employee was not entitled to rely on a medical condition to claim that the offer was unreasonable without having raised it first with the employer – Notices of Contravention rescinded and Order to Pay revoked

CASINO RAMA SERVICES INC.; RE WILLIS PAUL JR. AND DIRECTOR OF EMPLOYMENT STANDARDS; File No. 0050-06-ES; Dated

January 17, 2007; Panel: Mary Anne McKellar (12 pages)

Interim Order – Unfair Labour Practice – The applicant sought interim reinstatement of five laser operators it alleged were laid off because of their participation in the applicant's organizing drive – The employer argued it had *bona fide* business reasons for the lay-offs, as well as for the choices of individuals it chose to lay off – The Board applied the criteria for interim relief found in s. 98 of the Act – For three of the employees, whom the Board found to be organizers, the Board was not able to conclude that their lay-offs were unrelated to the organizing campaign – For the other two employees, who were supporters but not organizers, the Board again could not conclude the employer's motives were completely unrelated to the union's drive – Interim order granted

CLAYSON STEEL (1988) INC.; RE NATIONAL AUTOMOBILE, AEROSPACE, TRANSPORTATION AND GENERAL WORKERS UNION OF CANADA (CAW-CANADA); File No. 2986-06-M; Dated January 19, 2007; Panel: Peter F. Chauvin (7 pages)

Construction Industry Grievance – The IBEW sought enforcement of the provincial collective agreement for the electrical maintenance work it performed for Comstock at the Redpath Sugar Plant – Comstock denied being bound to the collective agreement and asserted it had entered into a General Presidents' Maintenance Collective Agreement – In the alternative, Comstock argued the IBEW was estopped from enforcing the principal agreement – The Board surveyed the parties' historical relationship, earlier grievances, local agreements, membership authorizations and continued efforts of various protagonists to enter into a GPMCA – Relying on s. 57 of the Act, the Board found that Comstock is bound by the principal agreement by virtue of its membership in the greater Toronto Electrical Contractors' Association, notwithstanding the apparent conduct of the parties (including the implementation of the GPMCA) which points to the opposite conclusion – As such, and pursuant to s. 55 of the Act, the GPMCA could not be enforceable absent the consent of the parties to the principal agreement – The Board further found that the elements of estoppel had been made out, but applied a time restriction to its enforceability – Grievance allowed

COMSTOCK CANADA LTD.; RE IBEW LOCAL 353; File No. 2527-05-G; Dated January 24, 2007; Panel: Jack J. Slaughter (25 pages)

Certification – Conflict of Interest – Security Guards – The employer objected to the certification of a bargaining unit of security guards at its client AA, asserting that a conflict of interest would arise because a local of the applicant holds bargaining rights for two other groups of AA's employees – Although the parties focused their submissions on the extent that the guards monitor AA's employees, the Board found that monitoring made up only a small part of the guards' duties – Even the guards' obligation to search individual employees' vehicles in specific circumstances did not give rise to the conflict of interest contemplated by paragraph 1 of s. 14(5) – Certificate granted

HAWTHORNE SECURITY & COMMUNICATIONS INC.; RE IAM; File No. 0726-06-R; Dated January 23, 2007; Panel: Brian McLean (10 pages)

Certificate – Membership Evidence – Practice and Procedure – Reconsideration – In the context of a reconsideration of a certification application where the trade union provided the Board with affidavit evidence from employees who swore they had not signed membership cards, the Board allowed the trade union to have the employees' signatures subjected to forensic analysis – As the request for reconsideration was proceeding to hearing, the union sought the Board's permission to disclose to the employer the identity of the person whose signature was challenged – Disclosure granted – Matter continues

LES BURCH & SON CONTRACTING; RE LIUNA, ONTARIO PROVINCIAL DISTRICT COUNCIL; File No. 2386-06-R; Dated January 25, 2007; Panel: Harry Freedman (2 pages)

Abandonment – Bargaining Rights – Certification – Construction Industry – Delay – In 1998, Local 183 filed an application for certification for all the construction labourers of the respondent, Beamish – A vote took place and 23 of the 36 votes were challenged but the application was never disposed of – In November 2006 Local 183 brought an application for certification for the same bargaining unit – Beamish took the position that the 1998 application was still outstanding and that the 2006 application indicated Local 183's intention to withdraw the 1998 application – Beamish further argued that the Board should treat the 1998 application as having been withdrawn by Local

183, with a bar subject to subsection 7(10) of the Act – Local 183 offered no explanation for the delay or for why the 1998 application was never concluded – Absent any explanation for the delay, the Board dismissed the 1998 application as being abandoned as of the date of the present decision – The Board declined to characterize the 2006 application as a request to withdraw the 1998 application and thus determined that mandatory bars imposed pursuant to subsections 7(10) and 10(3) were not applicable – The Board did exercise its discretion pursuant to subsection 111(2)(k) and barred Local 183 for six months from the date of this decision from making an application for certification to represent the members of the bargaining unit of Beamish – Both applications (1998 and 2006) dismissed

K.J. BEAMISH CONSTRUCTION SERVICES LTD.; RE LIUNA LOCAL 183; File Nos. 2701-98-R; 2751-06-R; 2788-98-U; Dated January 17, 2007; Panel: David A. McKee (8 pages)

Construction Industry – Reference – The Minister of Labour asked the Board if he could accede to a joint request from the Employee and Employer Bargaining Agencies of the plumbers and pipefitters industry (ICI sector) to alter the designated bargaining unit description to include gasfitters and their apprentices – The Board found that the fact that gasfitting was not a distinct craft but rather a task performed by at least two skilled trades was a compelling reason against the requested amendment – The Board distinguished between work jurisdictional claims and descriptions of crafts; describing crafts in a general way promotes the flexibility of the industry to adapt to technological changes – Inserting work tasks may increase uncertainty and litigation in certification applications – The Board advised the Minister that the requested amendment would not serve the interests of the labour relations community and was not necessary to advance or protect the craft of plumber and pipefitter

MECHANICAL CONTRACTORS ASSOCIATION OF ONTARIO; RE IUOE LOCAL 793; RE ONTARIO SHEET METAL WORKERS AND ROOFERS CONFERENCE, SHEET METAL WORKERS INTERNATIONAL UNION LOCAL 285; RE ONTARIO SHEET METAL AND AIR HANDLING GROUP; File No. 2155-06-M; Dated January 3, 2007; Panel: Mary Ellen Cummings (4 pages)

Abuse of Process – Employment Standards – Practice and Procedure – In this employee application for review, the Board had issued earlier decisions describing the applicant's

inappropriate, disrespectful and disruptive behaviour – Ultimately the Board was forced to cut short a hearing day because of the employee's conduct, and seek submissions from the parties as to how to proceed – The employer argued that to continue would be an abuse of process, the applicant had not pleaded a *prima facie* case or, alternatively, the applicant should provide a medical assessment of his ability to proceed – The applicant sought the Vice-Chair's recusal, an order from the Board admonishing employer counsel's behaviour, and a broader investigation into his employment and discharge (including reprisal) – The Board refused to step down, confirmed that employer counsel's conduct had been courteous and restrained, and held that the breadth of the issues before it already encompassed the remedies the applicant was seeking – The Board terminated the hearing and dismissed the application because of the applicant's conduct

NOVAFLOW SYSTEMS INC.; RE OMER A. EL SAYED AND DIRECTOR OF EMPLOYMENT STANDARDS; File No. 0022-05-ES; Dated January 18, 2007; Panel: Tanja Wacyk (7 pages)

Bargaining Unit – Certification – Construction Industry – Sector Determination – The parties to these various applications for certification sought a determination from the Board for a number of issues relating to bargaining units – In an earlier decision (May 24, 2006), the Board confirmed that the appropriate bargaining unit is the bargaining unit described in the EPSCA collective agreement which bound the parties at the time the applications were filed – The Board assisted the parties in clarifying the work covered in the bargaining unit description – The Board confirmed that the bargaining unit described in the August 22, 2005 decision was limited to the electrical power systems sector, and held that the certificates should make specific reference to that sector – Finally, the Board made determinations respecting the correct names of the responding parties – Separate certificates to issue at a later date

ONTARIO POWER GENERATION INC.; RE LIUNA, ONTARIO PROVINCIAL DISTRICT COUNCILS; RE ELECTRICAL POWER SYSTEMS CONSTRUCTION ASSOCIATION; RE LIUNA; RE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA; RE POWER WORKERS UNION CANADIAN UNION OF PUBLIC EMPLOYEES, C.L.C. LOCAL 1000; File Nos. 3448-03-R et al; Dated January 16, 2007; Panel: Harry Freedman (16 pages)

Certification – Construction Industry – Intervenor – A number of trade unions and employer bargaining agencies sought to intervene as *amicus curiae* in this certification application, arguing they wanted to present the Board with views regarding the undesirability of having the applicant trade union succeed and the potential destabilization in the construction industry should the applicant be found to be a trade union (its status has not yet been established) – The Board rejected the intervention of those seeking *amicus curiae* standing, relying on its own significant knowledge and experience in construction – When the Formwork Council challenged some of the voluntary recognition agreements relied on by the applicant, the applicant was invited to respond to the challenge – The Carpenters alleged the respondent employer was related to companies they were pursuing in another Board application – Application for certification joined with other Carpenter applications – Matter continues

PBS GENERAL CONTRACTORS INC.; RE CANADIAN CONSTRUCTION WORKERS' UNION; RE DRYWALL ACOUSTIC LATHING AND INSULATIONS, LOCAL 675; RE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA; RE TABRACO MANAGEMENT LTD.; RE TARGET DRYWALL & ACOUSTICS LTD.; File No. 3156-06-R et al; Dated January 23, 2007, amended by decision dated January 26, 2007; Panel: Mary Ellen Cummings; John Tomlinson; Richard Baxter (2 & 5 pages)

Duty of Fair Representation – Duty to Bargain in Good Faith – Unfair Labour Practice – These three applications concern (1) an unfair labour practice complaint brought by the union alleging the employer's failure to bargain in good faith; (2) an unfair labour practice complaint launched by individual employees against the employer; and (3) a complaint by the same employees that the trade union had not represented them fairly – Shortly after the union was certified, the employer announced the closure of its transportation division and the permanent lay-off of all the bargaining unit members – The union and employer negotiated, and the employees ratified, a closure agreement rather than a collective agreement – The Board found that the union failed to make out a *prima facie* case of a violation of s. 17 because the parties had reached an "agreement" that was enforceable by way of arbitration – The Board further found that individual employees have no standing to allege violations of s. 17 and 86, and have limited standing (not applicable in the present case) to complain about violations of s. 70 – Allegations of a violation of s. 72 were allowed to proceed, with

a direction to the employees for further particulars – Finally, the alleged violation of s. 74 was allowed to proceed as well (in light of the arbitrability of the closure agreement), once again with a direction for further particulars – Matter proceeds

READY BAKE FOODS INC.; RE UNITED FOOD & COMMERCIAL WORKERS CANADA LOCAL 175; RE BRIAN LORENTZ ET AL; File Nos. 0566-06-U; 0890-06-U; 0891-06-U; Dated January 19, 2007; Panel: Mark J. Lewis (11 pages)

Certification – Construction Industry – Non-Construction Employer – The Labourers filed two applications for certification simultaneously (industrial and construction), seeking to represent the employees of ReNu engaged in the dismantling and removal of metal fixtures at a moribund steel manufacturing facility – The Board found that the predominant nature of the work the employees were performing was "demolition" and therefore construction – Secondly, the Board examined whether ReNu could qualify for the non-construction employer exemption – The Board found that ReNu was not performing construction work for which it could expect compensation from a third party; rather, ReNu was salvaging the metal and reselling it as part of the salvage operations – Application for construction certification dismissed – Non-Construction employer status granted – Application for industrial certification referred to Manager of Field Services to count ballots

RENU RECYCLING INC.; RE LIUNA LOCAL 837; File Nos. 3735-05-R; 3736-05-R; Dated January 26, 2007; Panel: Corinne F. Murrar (14 pages)

Health and Safety – The employer sought suspension of an order requiring it to develop and implement a written violence prevention program – The employer asserted that contrary to the inspector's order, it already had both anti-violence and anti-harassment policies and that the policies were part of the employer's orientation program – Further, the employer claimed there had never been any incidents of actual violence in the workplace – The Ministry argued the order was issued in response to specific threats of violence directed at one employee – The Board found that the inspector had ignored the existence of the employer's policies and the order failed to acknowledge the employer's efforts in dealing with the perceived threats – Since the employer successfully argued all three elements of the test for a suspension, the Board held that there were

no grounds on which to defer to the inspector – Suspension granted

SKYJACK INC.; RE SUE HUTCHINSON, INSPECTOR; File No. 2745-06-HS; Dated January 5, 2007; Panel: Mark J. Lewis (7pages)

Ambulance Services Collective Bargaining Act, 2001 – Reference – The City of Cornwall sought a Board-ordered Essential Services Agreement (ESA) for its ambulance drivers – Shortly thereafter, the Minister of Labour asked the Board whether he had the authority to issue a “no board” report – The Union opposed the City’s application to the Board on the basis that (a) the parties had agreed to settle all future collective agreements by interest arbitration if necessary; and (b) the parties had already agreed to an ESA for the current round of bargaining – The Board found that there had been no agreement to “perpetual” interest arbitration due to; (1) the lack of “clearest possible language” indicating such in the memorandum of agreement; (2) the failure of the parties’ bargaining history to demonstrate the offer and acceptance of the alleged terms; (3) and the conduct of the parties that belied the existence of such an agreement – The Board found that the ESA was not agreed to by the employer as the union did not present the final ESA to the City for approval after incorporating the terms requested by the City – The City’s application was allowed to proceed – The Minister was advised that he had the authority to issue a “no board” report

THE CORPORATION OF THE CITY OF CORNWALL; RE CUPE LOCAL 3251 PARA; File Nos. 0625-06-M; 0724-06-M; Dated January 10, 2007; Panel: Brian McLean (17 pages)

Discharge – Health and Safety – Reprisal – The applicant challenged her dismissal as a bus driver for the disabled – She was discharged after four incidents within a twelve-month period (three accidents and an instance of driving while her licence was suspended) – The applicant argued that every time she found a problem with her bus, or requested a change of bus because of an apparent malfunction, she was exercising her rights under the *Occupational Health and Safety Act* – The Board held (1) these concerns were handled by the maintenance department of the employer, (2) management was never made aware of them, and (3) these concerns could not be construed as an exercise of health and safety rights within the meaning of the Act – The Board found that progressive discipline was levied against the applicant in accordance with management policy and the collective agreement,

and that termination was the appropriate response to the culminating incident – Application dismissed

TRANSHELP OF THE REGIONAL MUNICIPALITY OF PEEL; RE KYM URRY; RE CUPE LOCAL 966; File No. 3080-04-OH; Dated January 25, 2007; Panel: Patrick Kelly (15 pages)

Construction Industry – Trusteeship – The Board issued reasons to support its finding of June 12, 2006 that LIUNA properly exerted its rights to impose trusteeship over Local 183, without violating either s. 147 or 149 of the Act – The Board examined the myriad proceedings and events leading up to the imposition of the trusteeship, including the hearing before and determination of the union-appointed Canadian Independent Hearings Officer (the Keller Award) – The Board found that LIUNA had not in any way altered the jurisdiction of 183 in breach of s. 147 – For purposes of s. 149, the Board looked at the Keller Award as well as the materials presented and arguments made before the Board, and held that the three preconditions for issue estoppel (as argued by LIUNA) had been met – The Board specifically refused to rely on supplementary affidavit material filed before it, stating that that evidence could have been presented to Keller but was not – The Board found that it is inconsistent with the core values of both parent and local to expend union funds for surreptitious surveillance to preserve the positions of those in power, or to approve the forgery of collective agreements – Issue estoppel applied – Trusteeship confirmed

UNIVERSAL WORKERS UNION, LABOURERS’ INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 183; RE LIUNA ET AL; File Nos. 2049-03-U et al; Dated January 26, 2007; Panel: Norm Jesin (18 pages)

Court Proceedings

Construction Industry – Judicial Review – Public Sector Labour Relations Transition Act – Related Employer – Sale of Business – The Board exercised its discretion to treat the Greater Essex County District School Board and the former Board of Education of the City of Windsor as a single employer pursuant to s. 1(4) as a result of the amalgamation of the Essex County Board of Education with the Windsor Board, an event triggered by the *PSLRTA* – The GECDSEB sought judicial review of the Board’s ruling – A majority of the Court confirmed the Board’s finding that while the *PSLRTA* specifically precludes the application of s. 69 of the *Labour Relations Act*,

1995 to events covered by that legislation, nothing in the *PSLRTA* prevented the Board from exercising its discretion under s. 1(4) to the same events – Application for judicial review dismissed

GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD; RE IBEW LOCAL 773; RE UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA, LOCAL 552; RE INTERNATIONAL UNION OF BRICKLAYERS AND ALLIED CRAFTWORKERS, LOCAL 6; RE INTERNATIONAL UNION OF PAINTERS AND ALLIED TRADES, LOCAL 1494; LIUNA LOCAL 625 AND ONTARIO LABOUR RELATIONS BOARD; File Nos. 1702-04-R et al; (Court File No. 126/06); Dated January 22, 2007; Panel: Sachs and Spence, JJ., Carnwath, J. dissenting

Delay – Duty of Fair Representation – Judicial Review – The applicant brought a motion before a single judge of the Divisional Court to overturn the Court's Registrar's dismissal of the application for judicial review for failure to perfect in a timely way (the applicant had lost a duty of fair representation complaint at the Board, because of undue delay) – The judge found no compelling reasons to vary the Registrar's ruling and confirmed there was nothing patently unreasonable about the Board's decision – Motion dismissed

KOSTANTINOS IAONNIDIS; RE ATU LOCAL 1572, CORPORATION OF THE CITY OF MISSISSAUGA, TRANSPORTATION AND WORKS DEPARTMENT, TRANSIT DIVISION; File No. 2287-04-U (Court File No. DC05-00947400); Dated September 15, 2006; Panel: MacKenzie, J. (This decision recently came to the Board's attention)

Certification – Construction Industry – Evidence – Judicial Review – Natural Justice – Practice and Procedure – Reconsideration –

The Carpenters moved to set aside the decision of a single judge of Divisional Court permitting the employer to rely on an affidavit in support of its judicial review application of the Board's certification decision (see November 2006 *Highlights*) – A full panel of the Divisional Court held that the motions judge was not "clearly wrong" in concluding that one paragraph of the affidavit ought to be received by the reviewing panel in support of the employer's allegation that it was denied natural justice by the Board – The balance of the affidavit, however, should be struck because it contains material not before the Board and it is clear the Board's decision was rendered

on the basis of evidence before it – The "new evidence" foundation for judicial review cannot succeed – Motion allowed in part

CITY OF HAMILTON; RE UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, LOCAL 18 AND ONTARIO LABOUR RELATIONS BOARD; File No. 1785-05-R (Court File No. 209/06); Dated January 29, 2007; Panel: Lane, Swinton, Quigley, JJ.

The decisions listed in this bulletin will be included in the publication Ontario Labour Relations Board Reports. Copies of advance drafts of the OLRB Reports are available for reference at the Ontario Workplace Tribunals Library, 7th Floor, 505 University Avenue, Toronto.

Pending Court Proceedings

Case name & Court File No.	Board File No.	Status
Hurley Corporation v. OLRB; SEIU L. 2.on Divisional Court No. 23/07	2915-06-R	Pending
Trustee for LIUNA 183 v. OLRB et al Divisional Court No. 559/06	2049-03-U et al	February 12, 2007
Comstock Canada et al v. United Association of Journeymen and Apprentices in the Plumbing and Pipefitting Industry of the United States and Canada, Local 527 Divisional Court No. 522/06	2558-03-JD	Pending
Janet Kitson v. OLRB et al Divisional Court No. 492/06	4205-02-U	Pending
Maystar General Contractors Inc. v. The International Union of Painters and Allied Trades, Local Union 1819 Divisional Court No. 481/06	0812-06-R	December 6, 2006 (reserved)
Johnson Controls Ltd. v. Brookfield Lepage Divisional Court No. 406/06	1634-04-R	February 9, 2007 (motion)
TTC v. Amalgamated Transit Union Divisional Court No. 261/06	0618-06-U; 0620-06-U	March 21, 2007
Abduraham, Abdoulrab v. Novaquest Finishing Divisional Court No. 327/06	2222-04-ES, 2223-04-ES, 2224-04-ES	Pending
Place Mont Roc v. United Steelworkers (Stated Case) Divisional Court No. 233/06	1684-05-U; 3719-05-U	Pending
City of Hamilton v. Carpenters, Local 18 Divisional Court No. 209/06	1785-05-R	Pending Motion to strike affidavit allowed in part – January 29, 2007
Guild Electric Limited et al v. IBEW, Local 1739 Divisional Court No. 202/06	4179-05-U; 4307-05-M	January 10, 2007 (reserved)
Elena, De Monelli Foerster v. Toronto Catholic District School Board (Civil Suit) Divisional Court No. 06-CV-310231PD1	1373-04-U	March 19, 2007
Bricklayers Local 7 v. 921879 Ontario Ltd. et al Divisional Court No. 06-DV-1209 OTTAWA	3261-04-JD; 3504-04-JD	April 3, 2007
Gus Nedelkopoulos v. OLRB Divisional Court No. 78978/06 NEWMARKET	1838-05-U 2644-05-U	Pending
Greater Essex County District School Board v. International Brotherhood of Electrical Workers, Local 773 et al Divisional Court No. 126/06	1702-04-R; 3120-04-R; 3172-04-R; 3173-04-R; 3174-04-R	Dismissed – Jan. 22/07
Kostantinos Ionnidis v. Amalgamated Transit Union, Local 1572, Corp. of City of Mississauga, Transportation and Works Dept., Transit Division Divisional Court No. DC 0500947400	2287-04-U	Dismissed – Sept. 15/06
Century Bldg. Restoration Inc. v. Universal Workers Union LIUNA Local 183, et al Divisional Court. No. 76931/05 NEWMARKET	1880-04-G	Pending
Mississaugas of Scugog Island First Nation v. Great Blue Heron et al Divisional Court No. 10/04	1271-03-U; 1336-03-M; 1414-03-M	Dismissed – May 31, 2006, leave to appeal to C.A. granted – Oct. 30/06
Grantley Howell v. OLRB Divisional Court No. 04/178 HAMILTON	0933-01-U; 1273-01-U 3552-00-U	Dismissed – April 3, 2006, seeking leave to appeal to C.A.

Scaduto, Frank Divisional Court No. 382/05	1798-03-U; 4338-02-U	Pending
Tuquabo, Dawitt Divisional Court No. 03-DV-000935	2377-02-U	Dismissed Feb. 14/05; leave to appeal dismissed Jun 29/05; seeking leave to S.C.C.

Job Title: LABOUR RELATIONS OFFICERS (2).

Ministry: Labour.

Length of Assignment: permanent

Salary: \$63927 - \$82509 / annually.

Location: Toronto

Status: Open

Description: The Ontario Labour Relations Board requires experienced employment/labour relations practitioners to mediate cases. You will facilitate settlement of complex labour relations and employment disputes arising out of applications for certification and termination of bargaining rights, unfair labour practices, appeals of orders under the OHSA, the ESA, and you will conduct votes. You will be responsible for all administrative work related to your case assignments.

Qualifications: experience in employment matters/labour relations and understanding of the Labour Relations Act, the Employment Standards Act, related statutes and case law; knowledge of the Board's Rules of Procedure and processes, particularly those relating to the certification and termination of bargaining rights; experience in collective bargaining and/or collective agreement administration; experience in employment issues; highly developed mediation/negotiation and communication skills; ability to function as a neutral.

Apply by Feb 16, 2007 to: File LB09-0701, Ministry of Labour, Human Resources Branch, 400 University Ave., 10th Fl., Toronto, ON M7A 1T7. Fax: 416-212-3833 (or) E-mail: resumes@mol.gov.on.ca. Only applicants selected for an interview will be contacted. OPS employees are required to quote their WIN EMPLOYEE ID number when applying to positions.

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