

**PLEASE TAKE NOTICE** that the Board has issued a revised edition (November 2017) of its Rules of Procedure. This revision includes new Rules which will come into force on November 28, 2017 and also includes those Rules that were already in force but not yet incorporated into a revised edition.

**New Rules (to facilitate the first phase of the Board's implementation of e-filing):**

Rule 1.5(g) is amended to add to the meaning of "file":

- i. "electronic filing or "e-filing"" means submitting the electronic form(s) through the Board's e-filing system. This does not include sending a form or other communication to the Board "by email".

Rule 21.1 is amended to remove the requirement to sign the application forms:

21.1 An ESA and an EPFNA case must be started by completing and delivering the proper application form and supporting documents to the other workplace party(ies) and the Director of Employment Standards. Within five (5) days of delivering the application, the applicant must file one (1) completed application (and documents) with the Board. The application must include the following documents:

Rules 42.1, 42.2 & 42.3 are revoked and replaced by:

- 42.1 Notwithstanding Rule 6.2 a Party participating in an Application under section 96 of the *Act*, is not required to sign Form A-33 or A-34.
- 42.2 Notwithstanding Rule 7.2(c), a Party commencing an Application under section 96 of the *Act*, is not required to deliver to the Responding or Affected Parties a blank copy of Form A-34.

**New Rules (to enhance parties' abilities to deliver documents by email):**

Rule 6.4 is amended as follows:

- (d) E-mail to the e-mail addresses identified in a Board Form or letter to the Board in that matter by a Party or its authorized representative; Documents delivered by e-mail shall include the style of cause and Board File No. (when available) in the subject line and shall total not more than 10 megabytes.
- (e) any other way agreed upon by the parties.

Rule 30.1 is amended to add the definition of "deliver" to enhance the ability to deliver documents by email to EBAs.

“deliver” includes documents delivered by email to an employee bargaining agency, an employer bargaining agency or an accredited employer’s organization where that agency or organization has previously consented to delivery by e-mail in an earlier Board proceeding. Documents delivered by e-mail shall include the style of cause and Board File No. (when available) in the subject line and shall total not more than 10 megabytes.

### **New Miscellaneous Rule**

Rule 26.6 is added (for consistency with Rule 25.6)

26.6 Where an application for termination is filed pursuant to the construction industry provisions and the Board finds that the application does not come within those provisions, the Board shall issue such directions as it considers necessary for processing the application.

### **Rules already in force**

Rule 22A [Applications for Review of a Notice of Contravention under the Ontario College of Trades and Apprenticeship Act, 2009 (“OCTAA”)] and Rule 41.1(k) are incorporated into the revised Rules of Procedure (November 2017).