



# ONTARIO LABOUR RELATIONS BOARD

## RESPONSE/INTERVENTION – APPLICATION FOR ACCREDITATION CONSTRUCTION INDUSTRY *Labour Relations Act, 1995*

Form A-93

Fields marked with an asterisk (\*) are mandatory.

Confirmation No. [20210630165251812](#)

OLRB File Number **0482-21-R**

**Between: \***

[THE OSHAWA AREA SIGNATORY CONTRACTORS ASSOCIATION](#)

**Applicant**

- and -

[LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA, LOCAL 183](#)

**Responding Party**

- Review Information Bulletin No. 33 – “Accreditation in the Construction Industry under s.136 of the *Labour Relations Act, 1995* (Non-ICI)”, the Filing Guide and the Board’s Rules of Procedure on acceptable methods of delivery and filing **before** completing this form to avoid any delay in processing.
- All forms, Notices, Information Bulletins, the Filing Guide and the Rules of Procedure may be obtained from the Board’s website (<http://www.olrb.gov.on.ca>).
- To print a paper copy of this form, use **only** the “Print” buttons located within the form.
- Save a copy of your completed form and any attachments as the Board will not return them to you. To save the form at any time, use the “Save” buttons located within the form.
- If there is insufficient space on the form, attach additional pages clearly identifying the relevant section of the form. For e-filing, you may attach files by selecting the “Attach documents electronically” option.

Choose one of the following \*

**Response**

**Intervention**

### Part A Contact Information

#### Instructions

- Provide the contact information for each Responding Party/Intervenor on whose behalf this form is being completed and any Affected Party not previously named in the application below. If you wish to add additional parties, use the “Add” button or attach a separate page if completing the form by hand.
- For an organization, provide the name and contact information of an individual who will be able to respond on behalf of that organization. When adding multiple individuals at the same organization, “Add” an additional contact section, repeat the organization name and provide that individual’s contact information (e.g. name, email address, phone number).

**1 (a). Responding Party/Intervenor****Responding Party 1**Type \*  Organization  Individual

Organization Name

[Labourers' International Union of North America, Local 183](#)

First Name <a href="#">Ricardo</a>	Last Name <a href="#">Teixeira</a>	Position/Title <a href="#">Sector Coordinator-East</a>
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Full Address (Number, Street, Unit/Apartment, Building Name) <a href="#">560 Dodge Street</a>	Other Address Details (e.g. PO Box, R.R. #, c/o)
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City/Town <a href="#">Coburg</a>	Province/State <a href="#">Ontario</a>	Country <a href="#">Canada</a>	Postal/Zip Code <a href="#">K9A 4K5</a>
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Telephone Number <a href="#">905 809-5522</a>	Ext.	Fax Number <a href="#">905 372-7488</a>	Email Address <a href="#">rteixeira@liuna183.ca</a>
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Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

**1 (b). Representative/Contact Person for the Responding Party/Intervenor****Contact 1**Contact Person for \*  All Parties above  Party No.(s) \_\_\_\_\_Indicate if this person is a  Lawyer  Paralegal

Organization Name

[Labourers' International Union of North America, Local 183](#)

First Name <a href="#">Graham</a>	Last Name * <a href="#">Williamson</a>	Position/Title <a href="#">Senior Counsel</a>
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Full Address (Number, Street, Unit/Apartment, Building Name) <a href="#">1263 Wilson Avenue, Suite 300</a>	Other Address Details (e.g. PO Box, R.R. #, c/o)
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City/Town <a href="#">Toronto</a>	Province/State <a href="#">Ontario</a>	Country <a href="#">Canada</a>	Postal/Zip Code <a href="#">M3M 3G3</a>
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Telephone Number <a href="#">416 241-1183</a>	Ext. <a href="#">6502</a>	Fax Number <a href="#">416 241-7607</a>	Email Address <a href="#">gwilliamson@liuna183.ca</a>
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Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

[Legal Assistant: Pamela Christoforaki](#)[Telephone No.: 416.241.1183 ext. 6403](#)[Email: pchristoforaki@liuna183.ca / legal@liuna183.ca](#)**Contact 2**Contact Person for \*  All Parties above  Party No.(s) \_\_\_\_\_Indicate if this person is a  Lawyer  Paralegal

Organization Name

[Labourers' International Union of North America, Local 183](#)

First Name <a href="#">Amanda</a>	Last Name * <a href="#">Laird</a>	Position/Title <a href="#">Associate Counsel</a>
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Full Address (Number, Street, Unit/Apartment, Building Name) <a href="#">1263 Wilson Avenue, Suite 300</a>	Other Address Details (e.g. PO Box, R.R. #, c/o)
---	--

City/Town <a href="#">Toronto</a>	Province/State <a href="#">Ontario</a>	Country <a href="#">Canada</a>	Postal/Zip Code <a href="#">M3M 3G3</a>
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Telephone Number <a href="#">416 241-1183</a>	Ext. <a href="#">6515</a>	Fax Number <a href="#">416 241-7607</a>	Email Address <a href="#">alaird@liuna183.ca</a>
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Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

Legal Assistant: [Maria Di Muzio](#)

Telephone No.: 416.241.1183 ext. 6410

Email: [mdimuzio@liuna183.ca](mailto:mdimuzio@liuna183.ca) / [legal@liuna183.ca](mailto:legal@liuna183.ca)

## 2 (a). Affected Party

Contact information for any person, trade union, employer or employers' organization which may be affected by the application and which has not already been identified by another party must be completed below.

### Affected Party 1

Type \*  Organization  Individual

Organization Name

[Utility Contractors' Association of Ontario](#)

First Name

[Simon](#)

Last Name

[Clarke](#)

Position/Title

[Executive Director](#)

Full Address (Number, Street, Unit/Apartment, Building Name)

[P.O. Box 28010, Terrytown PO](#)

Other Address Details (e.g. PO Box, R.R. #, c/o)

City/Town

[Scarborough](#)

Province/State

[Ontario](#)

Country

[Canada](#)

Postal/Zip Code

[M1N 4E1](#)

Telephone Number

[416 527-0360](#)

Ext.

Fax Number

[905 412-0339](#)

Email Address

[sclarke@uca.on.ca](mailto:sclarke@uca.on.ca)

Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

### Affected Party 2

Type \*  Organization  Individual

Organization Name

[Toronto and Area Road Builders' Association](#)

First Name

[Rob](#)

Last Name

[Bradford](#)

Position/Title

[Executive Director](#)

Full Address (Number, Street, Unit/Apartment, Building Name)

[5045 Orbitor Drive](#)

Other Address Details (e.g. PO Box, R.R. #, c/o)

City/Town

[Mississauga](#)

Province/State

[Ontario](#)

Country

[Canada](#)

Postal/Zip Code

[L4W 4Y4](#)

Telephone Number

[905 847-0602](#)

Ext.

Fax Number

[905 629-0587](#)

Email Address

[rob@tarba.org](mailto:rob@tarba.org)

Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

### Affected Party 3

Type \*  Organization  Individual

Organization Name

[The Heavy Construction Association of Toronto](#)

First Name

[Peter](#)

Last Name

[Smith](#)

Position/Title

[Executive Director](#)

Full Address (Number, Street, Unit/Apartment, Building Name)

[70 Leek Crescent](#)

Other Address Details (e.g. PO Box, R.R. #, c/o)

City/Town

[Richmond Hill](#)

Province/State

[Ontario](#)

Country

[Canada](#)

Postal/Zip Code

[L4B 1H1](#)

Telephone Number 905 975-8326	Ext.	Fax Number 416 499-8752	Email Address peter@hcat.ca
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Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

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**2 (b). Representative/Contact Person for the Affected Party, if known**

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

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AP #1 - The Utility Contractors' Association (UCA) was accredited in OLRB File No. 2317-12-R for a bargaining unit of employers in the Province of Ontario which overlaps with the unit applied for.

AP #2 - Local 183 and the Toronto Area Road Builders' Association (TARBA) are parties to a collective agreement applicable in the roads sector of the construction industry in OLRB Geographic Areas 8, 9, 10, 11 and 18 and as such their collective agreement and their employer representation rights may be affected by this Application.

AP #3 - Local 183 and The Heavy Construction Association of Toronto (HCAT) are parties to a collective agreement applicable to the heavy engineering sector of the construction industry in OLRB Geographic Areas 8, 9, 10, 11 and 18 and as such their collective agreement and their employer representation rights may be affected by this Application.

**Part B Material Facts and Position on Relief Sought**

**3. Provide a detailed description of unit of employers claimed by the Responding Party to be appropriate for accreditation:**

Reference **must** be made to the sector(s) of the construction industry and the geographic area(s) or parts thereof claimed. If you require more space, attach a separate document.

Please see attached Schedule "A", and the bargaining unit summarized on the attached Schedule "B".

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**4. Provide representations as to the appropriateness of the unit described in question 3 including the history of collective bargaining, if any, of the Applicant and the Responding Party:**

If you require more space, attach a separate document.

Please see attached Schedules "A" and "B".

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**5. State the number of employers in the unit described by the Applicant as being appropriate for accreditation as of the date the application was made:**

71

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**6. State the number of employers in the unit claimed by the Responding Party to be appropriate for accreditation as of the date the application was made:**

Please see attached Schedules "A" and "B"

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**7. State the approximate number of members of the Responding Party working in the area(s) and sector(s) described in the unit of employers claimed by the Applicant to be appropriate as of the date the application was made:**

548

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**8. In respect of the order(s) requested by the Applicant, the Responding Party states:**

(a) This Application should be held in abeyance pending the determination of the Accreditation Application filed by the GTSWCA which is proceeding as OLRB File No. 0360-21-R; (b) The bargaining unit must exclude that work in the sectors applied for which are already covered by the Utility Contractors' Accreditation order; (c) Regardless of the outcome of the GTSWCA Accreditation Application, the Board should exclude from the Application that part of the sewer and watermain sector pertaining to drainage and concrete & drain work; (d) the Board should review the bargaining unit description as set out in Schedule "A" and require that the Applicant apply for a bargaining unit consistent with its collective agreement with the Responding Party, namely one applicable in OLRB Geographic Areas 9, 10, 11, that part of 12 west of the Trent Severn Waterway, and that part of Board Area 18 known as the District of Muskoka; (e) It is the position of the Responding Party that the Applicant appears to have fundamentally misjudged the number of employers for whom the Responding Party holds bargaining rights and the number of contractors who are working in the bargaining unit applied for.

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**9. Other relevant statements:**

Please see attached Schedules "A" and "B".

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**10. Attached documents:**

Provide a list of the documents you are filing together with this form as instructed below.

Name your documents/attachments so that they are easily identifiable.

If you are e-filing this form, select the "Attach documents electronically" option below and attach each document using the "Add File" button.

If you are filing in a manner other than e-filing, provide the numbered list of documents in the box below.

Attach documents electronically

Note: If your attachments exceed 7MB, you may not e-file. File a paper copy of this form with all attachments using an alternative method permitted by the Board's Rules of Procedure.

No.	File	Description	Size (MB)	
1	20210630 Letter to OLRB re Union Respons		0.27	<input type="checkbox"/>
2	Schedules A and B to Response (w Attachm		0.79	<input type="checkbox"/>
		Total Size	1.06	
		Total space left over	5.94	
		Number of attachments	2	

## IMPORTANT NOTES

The Board's forms, Notices, Information Bulletins, Rules of Procedure and Filing Guide may be obtained from its website <http://www.olrb.gov.on.ca> or by calling 416-326-7500 or toll-free at 1-877-339-3335.

### FRENCH OR ENGLISH

Vous avez le droit de communiquer et recevoir des services en français et en anglais. 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 and receive services in either English or French. The Board does not provide translation services in languages other than English or French.

### CHANGE OF CONTACT INFORMATION

Notify the Board immediately of any change in your contact information. If you fail to do so, correspondence sent to your last known address (including email) may be deemed to be reasonable notice to you and the case may proceed in your absence.

### ACCESSIBILITY AND ACCOMMODATION

The Board is committed to providing an inclusive and accessible environment in which all members of the public have equitable access to our services. We will aim to meet our obligations under the *Accessibility for Ontarians with Disabilities Act* in a timely manner. Please advise the Board if you require any accommodation to meet your individual needs. The Board's Accessibility Policy can be found on its website.

### 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.

### E-FILING AND E-MAIL

The Rules of Procedure and Filing Guide set out the permitted methods of filing. Forms and submissions may be filed with the Board by a variety of methods including the Board's e-filing system, but not by e-mail. Note that the e-filing system is not encrypted and e-filing is optional. Contact the Client Services Coordinator at the numbers listed above if you have questions regarding e-filing or other filing methods. If you provide an e-mail address with your contact information, the Board will in most cases communicate with you by e-mail from an out-going only generic account. Incoming emails are not permitted.

### HEARINGS AND DECISIONS

Hearings are open to the public unless the Board 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 [www.canlii.org](http://www.canlii.org). Some summaries and decisions may be found on the Board's website.

## Documents to be Delivered

Before filing your response/intervention with the Board, you must deliver the following documents to each Applicant, Responding Party and Affected Party named in Part A of the application and to each Affected Party named in Part A of a response/intervention filed by another party:

- A completed copy of this Response/Intervention - Application for Accreditation, Construction Industry (Form A-93), **including all documents you are filing with this form.**

If you have named an Affected Party in Part A of your response/intervention that was **not** named in the application or in a response/intervention filed by another party, you must deliver the following documents to that party:

- A completed copy of the Application for Accreditation, Construction Industry (Form A-92), **including all documents filed with that form;**
- A completed copy of this Response/Intervention - Application for Accreditation, Construction Industry (Form A-93), **including all documents you are filing with this form;** and
- A Notice to Responding Party and/or Affected party of Application for Accreditation, Construction Industry (Form C-39) **with the names of the parties and the date inserted.**

**Once the above-listed documents have been delivered to the other parties, you must complete the following Certificate of Delivery before filing the completed form and attachments with the Board.**

I have reviewed this form to confirm it is complete \*

Date (yyyy/mm/dd) \*  
2021/06/30



## Certificate of Delivery

I, Panagiota (Pamela) Christoforaki, Legal Assistant,  
Name \* Title

certify that the documents identified above were delivered to each of the parties as set out below:

**Note: You must complete delivery information for each party separately.**

Use the "Add" button below if completing electronically.

### Delivered To

Name of organization (if applicable) and name and title of person to whom the documents were delivered \*  
Mathews, Dinsdale & Clark LLP, Attention: David Francis  
Counsel for the Applicant

Address or fax number to which the documents were delivered \*  
Delivered to dfrancis@mathewsdinsdale.com

### Method of delivery \*

Hand Delivered  Courier  Fax  Regular Mail  Other

### Other Details \*

Please provide details as to whom, when and how the documents were delivered.  
Delivered to David Francis on June 30, 2021 at 4:49 p.m. by email.

### Delivered To

Name of organization (if applicable) and name and title of person to whom the documents were delivered \*  
Norton Rose Fulbright Canada LP, Attention: Richard Charney, Lauren Ditschun and Samantha Cass  
Counsel for the GTSWCA

Address or fax number to which the documents were delivered \*  
richard.charney@nortonrosefulbright.com, lauren.ditschun@nortonrosefulbright.com and  
samantha.cass@nortonrosefulbright.com

### Method of delivery \*

Hand Delivered  Courier  Fax  Regular Mail  Other

### Other Details \*

Please provide details as to whom, when and how the documents were delivered.  
Delivered to Richard Charney, Lauren Ditschun and Samantha Cass on June 30, 2021 at 4:49 p.m. by email.

### Delivered To

Name of organization (if applicable) and name and title of person to whom the documents were delivered \*  
Norton Rose Fulbright Canada LP, Attention: Richard Charney, Lauren Ditschun and Samantha Cass  
Counsel for the OCDCA

Address or fax number to which the documents were delivered \*  
richard.charney@nortonrosefulbright.com, lauren.ditschun@nortonrosefulbright.com and  
samantha.cass@nortonrosefulbright.com

### Method of delivery \*

Hand Delivered  Courier  Fax  Regular Mail  Other

### Other Details \*

Please provide details as to whom, when and how the documents were delivered.  
Delivered to Richard Charney, Lauren Ditschun and Samantha Cass on June 30, 2021 at 4:49 p.m. by email.

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**Delivered To**

Name of organization (if applicable) and name and title of person to whom the documents were delivered \*

[Toronto and Area Road Builders' Association](#)  
[Attention: Rob Bradford, Executive Director](#)

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Address or fax number to which the documents were delivered \*

[rob@tarba.org](mailto:rob@tarba.org)

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**Method of delivery \***

Hand Delivered  Courier  Fax  Regular Mail  Other

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**Other Details \***

Please provide details as to whom, when and how the documents were delivered.

[Delivered to Rob Bradford on June 30, 2021 at 4:49 p.m. by email.](#)

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**Delivered To**

Name of organization (if applicable) and name and title of person to whom the documents were delivered \*

[The Heavy Construction Association of Toronto](#)  
[Attention: Peter Smith, Executive Director](#)

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Address or fax number to which the documents were delivered \*

[peter@hcat.ca](mailto:peter@hcat.ca)

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**Method of delivery \***

Hand Delivered  Courier  Fax  Regular Mail  Other

---

**Other Details \***

Please provide details as to whom, when and how the documents were delivered.

[Delivered to Peter Smith on June 30, 2021 at 4:49 p.m. by email.](#)

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**Delivered To**

Name of organization (if applicable) and name and title of person to whom the documents were delivered \*

[Utility Contractors' Association](#)  
[Attention: Simon Clarke, Executive Director](#)

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Address or fax number to which the documents were delivered \*

[sclarke@uca.on.ca](mailto:sclarke@uca.on.ca)

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**Method of delivery \***

Hand Delivered  Courier  Fax  Regular Mail  Other

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**Other Details \***

Please provide details as to whom, when and how the documents were delivered.

[Delivered to Simon Clarke on June 30, 2021 at 4:49 p.m. by email.](#)

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## File with the Board

- File the completed form and any attachments using a method permitted by the Board's Rules of Procedure.
- Save and Print a copy of your completed form and all attachments as the Board will not return them to you.
- To e-file, click the "Submit" button below. You will receive a confirmation email once the form has been successfully submitted.
- If you choose not to e-file, print this form by clicking on the "Print" button below and then file with the Board together with any attachments.

### For E-Filing only

You must provide a valid email address in order to file this form electronically so that a confirmation email may be sent to you. If you do not have a valid email address, file a paper copy of this form using an alternative method permitted by the Board's Rules of Procedure.

Submitted By:

First Name *	Last Name *
<a href="#">Panagiota (Pamela)</a>	<a href="#">Christoforaki</a>
Email Address *	Confirm Email Address *
<a href="mailto:pchristoforaki@liuna183.ca">pchristoforaki@liuna183.ca</a>	<a href="mailto:pchristoforaki@liuna183.ca">pchristoforaki@liuna183.ca</a>