



ONTARIO LABOUR RELATIONS BOARD

OLRB Case No: **2792-25-R**

Ontario Concrete and Drain Contractors Association, Applicant v Labourers' International Union of North America, Local 183, Responding Party

BEFORE: Danna Morrison, Vice-Chair

DECISION OF THE BOARD: January 19, 2026

1. This is an application for accreditation made pursuant to section 134 of the *Labour Relations Act, 1995*, S.O. 1995, c.1, as amended (the "Act") in which the applicant seeks to be accredited as the bargaining agent of employers of certain employees engaged in concrete and drain work for whom the responding party holds bargaining rights in certain specified Ontario Labour Relations Board Areas.
2. The responding party filed a timely response.
3. On December 21, 2002, the applicant was accredited as bargaining agent of employers of employees engaged in concrete and drain work for whom the responding party holds bargaining rights in Ontario Labour Relations Board Geographic Area No. 8 and a portion of Board Area No. 18. On March 7, 2022, the Board varied the original accreditation certificate to also include Board Areas 9, 10, and the remaining portion of Board Area No. 18.
4. In the current application, the applicant has filed for accreditation of a similarly described bargaining unit in further Board Areas, to reflect the recognition clause in the most recent version of the collective agreement between the parties. Specifically, the applicant has applied to be accredited for a similarly described bargaining unit in Board Area Nos. 7, 11, 12, 27 and 29, in addition to the Board Areas which are already covered by an accreditation certificate (being Board Area Nos. 8, 9, 10 and 18) and has at the same time included in its

application a request to vary the existing accreditation and merge the 2022 accreditation certificate with any new accreditation certificate. The applicant relies on *The Residential Low Rise Forming Contractors Association of Metropolitan Toronto and Vicinity*, 2020 CanLII 6776 (ON LRB) in support of its request.

5. The parties entered into an agreement with the assistance of a Board mediator, finalized on January 14, 2026, in which they have agreed on a description of the appropriate bargaining unit for this application as well as the appropriate merged bargaining unit, the form of notice to the employers that may be affected by this application and the manner in which it is to be published, and the list of employers that come within the bargaining unit for which the applicant seeks accreditation.

6. Section 135 of the Act requires the Board, upon an application for accreditation, to determine "the unit of employers that is appropriate for collective bargaining in a particular geographic area and sector..." Section 135 also provides that the Board, in making that determination, "need not confine the unit to one geographic area or sector but may, if it considers it advisable, combine areas or sectors or both or parts thereof."

7. The bargaining unit description to which the parties have agreed is:

all employers of employees engaged in concrete and drain work for whom the Labourers' International Union of North America, Local 183 (Local 183) holds bargaining rights, performing the work in the following paragraph in:

- a. The County of Wellington (Board Area 7);
- b. The County of Peterborough (except for the geographic Township of Cavan), the City of Kawartha Lakes (except for the Township of Manvers) and the County of Haliburton (Board Area 11);
- c. The County of Prince Edward, the County of Hastings and the Municipality of Trent Hills (formerly the Townships of Seymour, Campbellford, Hastings and Percy) and the Municipality of Cramahe and all lands east thereof in the County of Northumberland (Board Area 12);
- d. The County of Dufferin (Board Area 27); and

- e. The County of Lennox and Addington, the County of Frontenac, and the geographic Townships of Rear Leeds and Lansdowne, Rear of Yonge and Escott, and all lands south thereof in the United Counties of Leeds and Grenville (Board Area 29).

The work covered by this accreditation certificate includes all concrete and drain work in all sectors of the construction industry save and except for the industrial, commercial and institutional sector, in the interior of any buildings regardless of the size of the site, and in respect of new single family residential subdivision sites consisting of detached or semidetached houses and which are not townhouses or residential high-rise (condominiums or rentals), from the individual lot property line to the interior of the house.

The bargaining unit excludes employers bound by and performing work under any of the following collective agreements in accordance with past or existing practices as at the date hereof:

- a. Collective Agreement between the Toronto Area Road Builders' Association and a Council of Trade Unions acting as the representative and agent of Teamsters, Local 230 and Local 183;
- b. Collective Agreement between the Low Rise Forming Association of Metropolitan Toronto and Vicinity and Local 183;
- c. Collective Agreement between certain Landscaping Contractors and Local 183;
- d. Collective Agreement between the Building Restorations and Associated Work Contractors and Local 183;
- e. Collective Agreement between the Masonry Contractors' Association of Toronto Inc. and Masonry Council of Unions, Toronto and Vicinity;
- f. Collective Agreement between various Plumbing Contractors and Local 183;

- g. Provincial Civil Engineering Collective Agreement being a Collective Agreement between various civil contractors and the LiUNA, Ontario Provincial District Council;
- h. Collective Agreement between The Ontario Allied Construction Trades Council and the Electrical Power Systems Construction Association;
- i. Collective Agreement between the Ontario Precast Manufacturers Association and the LiUNA, Ontario Provincial District Council;
- j. Collective Agreement between the Heavy Construction Association of Toronto and Local 183;
- k. Labourers' Mainline Pipeline Agreement for Canada between the Pipe Line Contractors Association of Canada and Local 183;
- l. Labourers' Distribution Pipeline Agreement for Canada between the Pipe Line Contractors Association of Canada and Local 183;
- m. Collective Agreement between the Ontario Formwork Association and the Formwork Council of Ontario;
- n. Collective Agreement between the Metropolitan Toronto Apartment Builders' Association and Local 183;
- o. Collective Agreement between the Toronto Residential Construction Labour Bureau and Local 183;
- p. Collective Agreement between the Residential Framing Contractors Association of Metropolitan Toronto and Vicinity and Local 183;
- q. Collective Agreement between the Utility Contractors Association of Ontario and LiUNA, Ontario Provincial District and its affiliated Local Unions; and

- r. Collective Agreement between the Greater Toronto Sewer and Watermain Contractors Association and a Council of Trade Unions acting as the representative and agent of Local 183 and the Teamsters, Local 230.

While the parties' agreement is a significant factor in the Board's determination of the appropriate bargaining unit under section 135 of the Act, the employers and others who may be affected by this application may have submissions to make with respect to the description of the bargaining unit and any other issues that may arise in this proceeding.

8. The Board has not yet determined whether the description of the proposed bargaining unit to which the applicant and responding party agreed is an appropriate bargaining unit within the meaning of section 135(1) of the Act. The Board will make that determination after the Employer Filing Date or, if a hearing is scheduled in this matter, at or after that hearing.

9. Notice of this application must be provided to any employer that may be affected by this application.

10. The applicant and responding party have agreed on the form of notice that is to be provided. They have also agreed that notice should be published on the Board's website and in publications directed at construction industry contractors as well as in newspapers distributed in the geographic area affected by this application. Therefore, the Board directs the applicant to publish at its expense the attached Notice to Employers as an advertisement in the following publications:

- Daily Commercial News;
- Peterborough Examiner;
- Kingston Whig-Standard; and
- Guelph Mercury Tribune.

The Board directs the applicant to arrange to have the notice appear as an advertisement once during the week ending **February 13, 2026**.

11. The Board directs the applicant to send forthwith to the employers on the List of Employers filed by the applicant and responding party, a copy of this decision together with a blank "Employer Filing, Application for Accreditation, Construction Industry" (Form A-94) and a

blank "Accreditation: List of Employees" and to provide the Board and the responding party with confirmation of delivery to those employers.

12. The Board directs the Registrar to post the attached Notice to Employers and a copy of the "Notice to Employers of Application" on the Board's website.

13. The Registrar has fixed the Employer Filing Date as **March 11, 2026**.

14. Any employer that is affected by this application or believes it may be affected must file an "Employer Filing, Application for Accreditation, Construction Industry" (Form A-94) with the Board on or before **March 11, 2026** in order to participate in these proceedings. Any employer that does not file a Form A-94 by the Employer Filing Date will not be entitled to any further notice in this matter. This matter may proceed and be determined based on the submissions filed with the Board without further notice to any employer that has not filed a Form A-94.

15. The parties will be advised in due course if a hearing is required into this matter. If a hearing is scheduled in this application, notice of that hearing will be provided to the parties and to the employers that had filed a Form A-94 on or before the Employer Filing Date.

16. The Board has not yet made the determinations required by sections 134 and 136 of the Act. Those matters, together with the description of the appropriate bargaining unit, will be determined by the Board after the Employer Filing Date or if a hearing is scheduled in this matter, at or after that hearing.

17. This panel of the Board is not seized with this matter.

"Danna Morrison"

for the Board

**NOTICE TO ALL EMPLOYERS OF EMPLOYEES REPRESENTED BY
THE LABOURERS' INTERNATIONAL UNION OF NORTH AMERICA,
LOCAL 183 ENGAGED IN CONCRETE AND DRAIN WORK IN OLRB
BOARD AREAS 7, 11, 12, 27 AND 29**

The Ontario Concrete and Drain Contractors Association (the **OCDCA**) has applied to become an accredited employers' organization pursuant to section 134 of the *Labour Relations Act, 1995* (the **Application**) for the following bargaining unit:

1. All employers of employees engaged in concrete and drain work for whom the Labourers' International Union of North America, Local 183 (**Local 183**) holds bargaining rights, performing the work in the following paragraph in Board Areas 7, 11, 12, 27 and 29.
2. The work covered by this accreditation certificate includes all concrete and drain work in all sectors of the construction industry save and except for the industrial, commercial and institutional sector, in the interior of any building regardless of the size of the site, and in respect of new single family residential subdivision sites consisting of detached or semidetached houses and which are not townhouses or residential high-rises (condominiums or rentals), from the individual lot property line to the interior of the house.
3. The bargaining unit excludes employers bound by and performing work under any of the following collective agreements in accordance with past or existing practices as at the date hereof: **a.** Collective Agreement between the Toronto Area Road Builders' Association and a Council of Trade Unions acting as the representative and agent of Teamsters, Local 230 and Local 183; **b.** Collective Agreement between the Low Rise Forming Association of Metropolitan Toronto and Vicinity and Local 183; **c.** Collective Agreement between certain Landscaping Contractors and Local 183; **d.** Collective Agreement between the Building Restorations and Associated Work Contractors and Local 183; **e.** Collective Agreement between the Masonry Contractors' Association of Toronto Inc. and Masonry Council of Unions, Toronto and Vicinity;

f. Collective Agreement between various Plumbing Contractors and Local 183; **g.** Provincial Civil Engineering Collective Agreement being a Collective Agreement between various civil contractors and the LiUNA, Ontario Provincial District Council; **h.** Collective Agreement between The Ontario Allied Construction Trades Council and the Electrical Power Systems Construction Association; **i.** Collective Agreement between the Ontario Precast Manufacturers Association and the LiUNA, Ontario Provincial District Council; **j.** Collective Agreement between the Heavy Construction Association of Toronto and Local 183; **k.** Labourers' Mainline Pipeline Agreement for Canada between the Pipe Line Contractors Association of Canada and Local 183; **l.** Labourers' Distribution Pipeline Agreement for Canada between the Pipe Line Contractors Association of Canada and Local 183; **m.** Collective Agreement between the Ontario Formwork Association and the Formwork Council of Ontario; **n.** Collective Agreement between the Metropolitan Toronto Apartment Builders' Association and Local 183; **o.** Collective Agreement between the Toronto Residential Construction Labour Bureau and Local 183; **p.** Collective Agreement between the Residential Framing Contractors Association of Metropolitan Toronto and Vicinity and Local 183; **q.** Collective Agreement between the Utility Contractors Association of Ontario and LiUNA, Ontario Provincial District and its affiliated Local Unions; and **r.** Collective Agreement between the Greater Toronto Sewer and Watermain Contractors Association and a Council of Trade Unions acting as the representative and agent of Local 183 and the Teamsters, Local 230.

Local 183 is the Responding Party to the Application. The Application affects all employers for whom Local 183 holds bargaining rights and who operate in the above-noted bargaining unit.

If you are an employer that is or may be affected by this Application, you must file an "Employer Filing in Application for Accreditation, Construction Industry" (**Form A-94**) by the Employer Filing Date. The Employer Filing Date is **March 11, 2026**. This form is available on the Board's website: <http://www.olrb.gov.on.ca/FormsByNumber-EN.asp>

You can determine whether your company is affected by this application by inspecting the material filed in the Application (**OLRB File No. 2729-25-R**), which is available on the Board's website. This material includes a complete copy of the pleadings in this matter, a list of employers who may be affected by the application, and a description of the proposed bargaining unit: <http://www.olrb.gov.on.ca/Construction-EN.asp>

All employers are urged to confirm whether they are affected by this Application as no further notice of this matter will be given unless employers notify the Board, by filing an "Employer Filing" not later than **March 11, 2026**. The Board may decide this matter without a hearing after the Employer Filing Date or if a hearing is scheduled, only those employers who have filed an "Employer Filing" will receive notice of the hearing.

Questions may be directed to Carrie Clynick, Mediator, Ontario Labour Relations Board, by phone at 647-280-5419 or by email at carrie.clynick@ontario.ca.