



August 15, 2025

E-FILED

Catherine Gilbert, Registrar
Ontario Labour Relations Board
505 University Avenue, 2nd Floor
Toronto, ON M5G 2P1

Dear Registrar Gilbert:

**Re: Crane Rental Association of Ontario (Applicant) v
International Union of Operating Engineers, Local 793 (Responding Party)
Application for Accreditation (Construction Industry)
OLRB File No. 2973-24-R; Our File No. 5324-25**

As you are aware, I am counsel to the International Union of Operating Engineers, Local 793 (“Local 793” or the “Union”) with respect to the above-noted matter.

In accordance with the Board’s Decision of July 22, 2025, I write to provide the Union’s list of outstanding issues it wishes to have heard or resolved in this matter. Those issues are:

1. A determination of the standing of the Labourers to intervene in these proceedings;
2. If the Labourers are found to have standing, a determination of whether the Labourers’ objections to this Application can be dismissed by the Board on the basis of the materials filed, without the need for a hearing. Local 793 understands these objections to be:
 - a. That the Application purports to cover work already covered by the Formwork Agreement;
 - b. That the Application would affect the Labourers’ ability to collectively bargain the use of machinery by its members under its own accredited agreements; and
 - c. That the applied-for bargaining unit is inappropriate because it applies to non-construction work.
3. If the Board determines that any of the objections raised by Labourers should proceed to a hearing, a determination of those objections on the merits;
4. Whether the objections to the Application raised by Pumpcrete and Aurora can be dismissed by the Board on the basis of the materials filed, without the need for a hearing. Local 793 understands those objections to be:
 - a. That the CRAO does not have appropriate authority vested in it to represent the employers it claims it represents;

- b. That there has been improper Union support and initiation of this Application, and interference in the administration of the CRAO, by Local 793; and
 - c. That the applied-for bargaining unit is inappropriate;
5. If the Board determines that any of the objections raised by Pumpcrete and Aurora should proceed to a hearing, a determination of those objections on the merits;
6. A determination of whether JCL's intervention should be dismissed on the basis that it was filed outside of the Board's timelines;
7. If the Board does not dismiss JCL's intervention on the basis of timeliness, a determination of whether the objections to the Application raised by JCL can be dismissed by the Board on the basis of the materials filed, without the need for a hearing. Local 793 understands those objections to be:
 - a. That JCL is not a member of the CRAO;
 - b. That the applied-for bargaining unit is inappropriate because it applies to non-construction work; and
 - c. That the filed employer authorizations are defective because they do not match the proposed bargaining unit description.
8. If the Board determines that any of the objections raised by JCL should proceed to a hearing, a determination of those objections on the merits.
9. Following a resolution of all of the above issues, a determination of whether the Applicant has sufficient membership support to be accredited for its applied-for bargaining unit.

I trust this to be satisfactory. Should you have any questions arising from the above, please contact me.

Yours truly,



Kathryn Bell
Legal Counsel
International Union of Operating Engineers, Local 793

cc. *Jeremy Schwartz and Natalie Caballero, Stringer LLP*
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