**Use this form for Construction Industry only**

**File No.** \_\_\_\_\_\_\_\_\_\_

LABOUR RELATIONS ACT, 1995

**INTERVENTION IN APPLICATION FOR CERTIFICATION,**

**CONSTRUCTION INDUSTRY**

**s. 8 (vote-based) or s. 128.1 (card-based)**

BEFORE THE ONTARIO LABOUR RELATIONS BOARD

**Between:**

**Applicant,**

‑ and ‑

**Responding Party.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_intervenes in this proceeding**

**(Name of Intervenor)**

**and states in response to the application:**

The intervenor states in response to the application:

1. (a) Name, address, telephone number, facsimile number and e-mail address of the intervenor:

(b) Name, address, telephone number, facsimile number and e-mail address of contact person for intervenor (Please Note: this individual must be regularly available by telephone during the five (5) days leading up to the date set for the vote. Your contact person should be a person with the authority to enter into agreements on your behalf.):

(c) E-mail address of representative and assistant (if any):

**□ Counsel: Assistant:**

**□ Paralegal: Assistant:**

**□ other: Assistant**:

**[Periods of time referred to in this intervention, in other Board forms and notices, and in the Board's Rules of Procedure do not include weekends, statutory holidays, or any other day that the Board is closed.]**

2. The intervenor claims to be affected by the application for the following reasons:

3. The intervenor submits with this intervention the following documentary evidence:

4. Detailed description of the unit claimed by the intervenor to be appropriate for collective bargaining:

[If the intervenor is the bargaining agent of employees affected by the application, set out the bargaining unit described in the most recent collective agreement or, if there is no collective agreement, in the Board certificate.]

4a. List each job site at which work was being performed on the Application Filing Date by specific location (eg., municipal address, lot & plan number, floor number(s) in multi-level buildings, or other identifier) and Board Area.

5. Do you wish to make any other representations with respect to this application? If so, set them out below (attach additional pages if necessary), including:

(a) the material facts which support your representations:

(b) the relief to which you claim to be entitled:

(c) your submissions in support of such relief:

NOTE: For section 8 (vote-based applications) COMPLETE ALL remaining paragraphs; for section 128.1 (card-based applications) complete paragraph 16

**Vote Arrangements** (Please read Information Bulletin No. 8 ‑ Vote Arrangements in the Construction Industry before completing this portion of the form.)

6. Do you agree with the date of the vote proposed in the applicant's Form A-71 at paragraph 14?

[ ] Yes

[ ] No

If the answer is no, please explain fully, including the date on which you believe the vote should take place and the reasons why:

7. Please list the regular days and hours of work of the employees in the proposed bargaining unit:

8. Do the employees in the proposed bargaining unit meet together at one location at any point in the day? If so, when and where:

9. Do you agree with the hours of vote proposed in the applicant's Form A-71 at paragraph 17?

[ ] Yes

[ ] No

If the answer is no, please explain fully and outline your suggested hours for the vote, specifying start and finish times and either a.m. or p.m., and the reasons for them:

10. Do you agree with the location of the poll(s) proposed in the applicant's Form A-71 at paragraph 18?

[ ] Yes

[ ] No

If the answer is no, please explain fully and outline your suggested location of the poll(s), and the reasons for them:

11. Do you agree with the special voting arrangements (if any) proposed in the applicant's Form A-71 at paragraph 19?

[ ] Yes

[ ] No

If the answer is no, please explain fully why you disagree.

12. Please indicate the number of Notices that you believe should be posted so that they will come to the attention of the employees affected by the application, or indicate any suggested alternative methods of notifying employees of the vote:

13. Please list the name of the Scrutineer(s) you have selected to represent you at each poll:

**Poll #1:**

**Poll #2** (only if multiple locations are necessary):

14. Please state the name of the agent that you have selected to represent you at the counting of the ballots:

15. Please indicate the name of the intervenor as you wish it to appear on the Notice in the voting booth and on the ballot.

16. Other relevant statements (attach additional pages if necessary):

**DATED** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature for the Intervenor**

**CERTIFICATE OF DELIVERY**

**Note: The date of delivery is the date the documents are actually received by the other party, no matter what method of delivery is used.**

1. I certify that a completed copy of the Intervention in Application for Certification, Construction Industry (Form A-73) was delivered to [ ] the applicant, [ ] the employer, and [   ] any other affected trade union named in paragraph 10 of the application or paragraph 10 of the response, as follows:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization and name Address or facsimile number to

and title of person to whom which documents were delivered

documents were delivered

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization and name Address or facsimile number to

and title of person to whom which documents were delivered

documents were delivered

**[Complete either section 2 or section 3 below.]**

2. The documents were delivered by [   ] facsimile transmission or [   ]

hand delivery on\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_\_\_ a.m./p.m.

(Date)

3. The documents were given to Canada Post's Priority Courier Service on

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and I was advised that they would be

(Date)

delivered not later than \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, at \_\_\_\_\_\_\_a.m./p.m.

(Date)

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TITLE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IMPORTANT NOTES**

The Board’s forms, Notices, Information Bulletins, Rules of Procedure and Filing Guide may be obtained from its website [www.olrb.gov.on.ca](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. **In the event of emergencies or other circumstances, the Board may post a Notice to Community on its website, which will prevail over the Rules of Procedure and Filing Guide. You should check the Board’s website prior to filing.** Note that the efiling system is not encrypted. 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](file:///\\ETCPTOVSPIFS004.CIHS.AD.GOV.ON.CA\MOL\Agencies%20Boards%20Commissions\Ontario%20Labour%20Relations%20Board\MOCHA\Templates%20-%20Document%20Generator\Common\www.canlii.org). Some summaries and decisions may be found on the Board’s website.