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

LABOUR RELATIONS ACT, 1995

**INTERVENTION IN APPLICATION FOR TERMINATION OF**

**BARGAINING RIGHTS UNDER SECTION 132 OF THE ACT,**

**CONSTRUCTION INDUSTRY**

BEFORE THE ONTARIO LABOUR RELATIONS BOARD

**Between:**

**Applicant,**

‑ and ‑

**Responding Party.**

**PLEASE READ INFORMATION BULLETIN NO. 7 -- TERMINATION OF BARGAINING RIGHTS IN THE CONSTRUCTION INDUSTRY UNDER SECTION 132 OF THE LABOUR RELATIONS ACT BEFORE YOU COMPLETE THIS FORM.**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** intervenes in this proceeding.

**(Name of Intervenor)**

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 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, and any other day that the Board is closed.]**

2. The intervenor is the employer of the employees in the bargaining unit to which the application relates:

[\_\_] Yes

[\_\_] No

If no, please state the nature of the intervenor's interest in the application:

3. In support of its intervention, the intervenor relies on the following material facts:

4. Detailed description of the unit of employees for which the responding party is the bargaining agent including geographic area:

5. Has the application been made within one of the time periods provided for in the Act for the making of such applications?

[\_\_] Yes

[\_\_] No

If no, explain:

6. Do you agree with the applicant's statement in paragraph 9 of the application regarding the number of employees at work in the bargaining unit on the Application Filing Date:

[\_\_] Yes

[\_\_] No

If no, please set out the number of employees at work in the bargaining unit on the Application Filing Date:

**[The Application Filing Date is set out in paragraph 3 of the application (Form A‑77). You are required to attach to your intervention a completed copy of Schedule C (List of Employees) containing the names of all employees at work in the bargaining unit on the Application Filing Date.]**

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

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

8. Do you agree with the date of the vote proposed in the applicant's Form A‑77 at paragraph 12?

[\_\_] Yes

[\_\_] No

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

9. Do you agree with the method of vote proposed in paragraph 13 of the applicant’s Form A-77?

[ ] Yes

[ ] No

Please explain fully.

10. Do you agree with the special voting arrangements (if any) proposed in the applicant's Form A‑77 at paragraph 14?

[\_\_] Yes

[\_\_] No

If no, please explain fully why you disagree:

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

12. Please state the name of the Agent you have selected to represent you for the vote:

**Complete paragraphs 13-27 only if you or the applicant request an in-person vote.**

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

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

15. Do you agree with the hours of vote proposed in the applicant's Form A‑77 at paragraph 18?

[\_\_] Yes

[\_\_] No

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

16. Do you agree with the location of the poll(s) proposed in the applicant's Form A‑77 at paragraph 21?

[\_\_] Yes

[\_\_] No

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

17. Please list the name of the Scrutineer you have selected to represent you at each poll:

**Poll #1:**

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

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

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

**Signature for the Intervenor**

**CERTIFICATE OF DELIVERY**

1. I certify that:

[ ] a completed copy of the Intervention in Application for Termination of Bargaining Rights under Section 132 of the Act, Construction Industry (Form A-79), including Schedule C;

**OR**

[ ] a completed copy of the Schedule C;

was delivered to [ ] the applicant and to [ ] the union 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 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ on

(Name of Courier)

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

(Date)

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.