
ONTARIO LABOUR RELATIONS BOARD ANNUAL REPORT 2006-2007



June 2007
Chair – Kevin Whitaker

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Chair's Message 2006-2007

The Ontario Labour Relations Board is an independent administrative tribunal that exercises authority and jurisdiction over a wide range of different types of workplace disputes. The Board is the largest labour and employment tribunal in Canada and works with approximately twenty different pieces of legislation.

Besides its own unique role and identity, the Board is also at the centre of a larger cluster of tribunals that all deal with different aspects of workplace law and adjudication.

Over the last ten years, the Board has become increasingly tied to and integrated with a number of other agencies that deal with employment related disputes. In the late nineties, the Board merged with the Office of Adjudication and acquired responsibility for appeals under the *Employment Standards Act* and the *Occupational Health and Safety Act*. The Pay Equity Hearings Tribunal is now chaired by the Board's Alternate Chair, is housed physically within the Board and uses the Board's administrative, professional and support staff. The Colleges Relations Commission and the Education Relations Commissions are similarly operated from within the Board with members and administrative staff cross-appointed to both. Board Vice-Chairs are cross-appointed to the Human Rights Tribunal of Ontario and the Board shares certain administrative services and physical space with the Workplace Safety and Insurance Appeals Tribunal. The Board's Director/Registrar is also the Registrar of the Pay Equity Hearings Tribunal and the Chief Executive Officer of the Education and Colleges Relations Commissions.

Increasingly, the model of clustering tribunals that provide similar adjudicative services in the same sectors is being transported to other areas of adjudication in Ontario and in other provinces. The benefits of clustering tribunals include an efficient use of resources, consistency of process and outcome and the ability to maintain and monitor quality control practices across a wide range of subject matter. These objectives are accomplished while at the same time safeguarding the particular and unique expertise of each agency or tribunal. Clustering is regarded as an appropriate method of balancing independence with the need to ensure that scarce public resources are put to best use.

The Board is understood to be a leader in the development of the cluster model and is regularly consulted for advice and assistance with other clustering projects both within and outside Ontario.

We look forward to working with our various user communities and our cluster colleagues to continue to provide the highest standards of dispute resolution in labour and employment matters.

We welcome your comments, suggestions and inquiries.

Kevin Whitaker

Chair:

Ontario Labour Relations Board

Colleges Relations Commission

Education Relations Commission

OLRB Annual Report 2006-2007



Accountability Statement

The OLRB's Annual Report for the fiscal year ending March 31, 2007 was prepared under my direction for submission to the Minister of Labour in accordance with the *Agency Establishment and Accountability Directive – February 2000*, as issued by Management Board of Cabinet .

Preface

The Public Accounts of Ontario are the annual financial statements that are prepared in compliance with the requirements of Section 13 of the *Ministry of Treasury and Economics Act*. The Public Accounts consist of the financial report of the Government of Ontario and the financial reports of each ministry. In accordance with the Ministry of Labour's Delegation of Financial Authority Framework, financial authority is delegated to the agency. Each year the OLRB verifies that all its transactions are reflected accurately and completely in the Public Accounts through the execution of a Certificate of Assurance.

The Results Based Plan of the Ministry of the Labour, which is to be released in the fall of each year, contains the Ministry's mission and accountability statements, the consolidated financial/allocation statements of the Ministry and an annual comparison of actual performance results to desired results set out in the Ministry business plan.

As an agency of the Ministry of Labour, the OLRB's Annual Report is subject to the minimum reporting requirements established in the *Agency Establishment and Accountability Directive*, including:

- financial statements that have been audited or subject to the appropriate level of external assurance;
- analysis of operational performance;
- analysis of financial performance;
- names of appointees and term of appointments
- performance measures, targets achieved/not achieved and action to be taken.

This report covers the fiscal year April 1, 2006 to March 31, 2007.

I Organizational Overview

- Key Program Activities, Legislative Authority, Mandate
- OICs and Staff

OLRB – Key Program Activities

The Board is an independent tribunal mandated to handle a variety of different applications, under a number of different pieces of legislation, including:

- *Colleges Collective Bargaining Act*, R.S.O. 1990, c. C.15
- *Community Small Business Investment Funds Act*, S.O 1992, c.18.
- *Crown Employees Collective Bargaining Act*, 1993, S.O. 1993, c. 38
- *Education Act*, R.S.O. 1990, c. E.2
- *Employment Standards Act*, R.S.O. 1990, c.E.14
- *Environmental Bill of Rights Act*, 1993, S.O. 1993, c. 28
- *Environmental Protection Act*, R.S.O. 1990, c. E.19 which gives the Board jurisdiction under the following legislation:
 - * *Environmental Assessment Act*, R.S.O. 1990, c. E.18
 - * *Environmental Protection Act*, R.S.O. 1990, c. E.19
 - * *Ontario Water Resources Act*, R.S.O. 1990, c. O.40
 - * *Pesticides Act*, R.S.O. 1990, c. P.11
 - * *Fisheries Act*, R.S.C. 1970, c. F-14
- *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4
- *Hospital Labour Disputes Arbitration Act*, R.S.O. 1990, c. H.14
- *Labour Relations Act, 1995*, S.O. 1995, c. 1, Sch. A
- *Occupational Health and Safety Act*, R.S.O. 1990, c. O.7
- *Public Sector Labour Relations Transition Act, 1997*, S.O. 1997, c. 21
- *Public Service Act*, R.S.O. 1990, c. P.47
- *Smoking in the Workplace Act*, R.S.O. 1990, c. S.13

The Ontario Labour Relations Board (the “Board”) was established by section 2 of the *Labour Relations Act, 1948* (the “Act”) and is continued by subsection 110(1) of the *Labour Relations Act, 1995* S.O. 1995, C1, as amended. The Board is an adjudicative agency of the Government of Ontario and its staff is appointed under the *Public Service Act*.

The Board is an independent, adjudicative tribunal issuing decisions based upon the evidence presented and submissions made to it by the parties, and upon its interpretation and determination of the relevant legislation and jurisprudence. It plays a fundamental role in the labour relations regime in Ontario and encourages harmonious relations between employers, employees and trade unions by dealing with matters before it as expeditiously and as fairly as reasonably possible.

The Board's primary work is administering the *Labour Relations Act, 1995*, which regulates many aspects of collective bargaining in Ontario. The legislative policy underlying the Act is set out in section 2:

2. The following are the purposes of the Act:

1. To facilitate collective bargaining between employers and trade unions that are the freely designated representatives of the employees.
2. To recognize the importance of workplace parties adapting to change.
3. To promote flexibility, productivity and employee involvement in the workplace.
4. To encourage communication between employers and employees in the workplace.
5. To recognize the importance of economic growth as the foundation for mutually beneficial relations amongst employers, employees and trade unions.
6. To encourage co-operative participation of employers and trade unions in resolving workplace issues.
7. To promote the expeditious resolution of workplace disputes.

With this policy as a basis, the Act confers on the Board the authority over many important aspects of labour relations, including the certification of unions to represent employees, unfair labour practices, successor bargaining rights, strikes and lock-outs, first contract directions, jurisdictional disputes and the arbitration of grievances in the construction industry. In order to carry out this mandate, the full Board is composed of a Chair, an Alternate Chair, Vice-Chairs, and Board Members. These individuals draw upon specialized expertise in labour relations in hearing and determining cases before them. The Board strives to keep its procedures informal, expeditious and fair, and to avoid being overly technical or legalistic. However, it is important to recognize that legal rights are in issue, the statutory framework is often complex, and, these days, it is common for parties to be represented by lawyers.

Under section 114(1) of the *Labour Relations Act, 1995*, the Board has the exclusive jurisdiction to exercise the power conferred upon it and to determine all questions of fact or law that arise. Its decisions are not subject to appeal and a privative clause in the Act limits the scope of judicial review. The Board does have the power to reconsider any of its decisions, although it exercises this jurisdiction carefully in the interests of finality and fairness. The Board is also entitled to determine its own practices and procedures and to make rules. Those rules and the forms for commencing or responding to cases are available on the OLRB's website www.gov.on.ca/lab/olrb/eng/homeeng.htm or, directly, from the Board at 505 University Avenue, 2nd Floor, Toronto, Ontario, M5G 2P1, in both paper form and computer disk.

Order in Council (OIC) Appointments:

CHAIR

Kevin Whitaker

APPT. PERIOD

Sep 20/04 – Sep 19/12

ORIGINAL APPT.

Sep 20/01-C; Mar 22/95-VC;
PT- June 24/98-Dec 22/99

ALTERNATE CHAIR

Mary Ellen Cummings

Aug 13/05 – Aug 12/08

Jan 1/99 – Alt; Aug 13/97– VC

VICE-CHAIRS (Full Time) – 15

Ian B. Anderson

Mar 24/07 – Mar 23/12

March 24, 2004

Peter F. Chauvin

Mar 24/07 – Mar 23/12

March 24, 2004

Harry Freedman

July 08/04 – July 07/12

July 8, 1998

Patrick M. Kelly

May 18/05 – May 17/08

May 17, 1999

Mark Lewis

Sep 27/06 – Sep 26/09

September 27, 2006

David A. McKee

Apr 29/05 – Apr 28/08

April 29, 1999

Mary Anne McKellar

Jan 24/07 – Jan 23/12

January 24, 2001

Brian C. McLean

July 08/04 – July 07/12

July 8, 1998

Corinne F. Murray

Feb 03/06 – Feb 02/09

February 3, 2003

Caroline Rowan

May 06/05 – May 05/08

May 6, 1999

Timothy W. Sargeant

Feb 28/05 – Feb 27/08

February 28, 1996

PT Jun 30/07 – Jun 29/12

Susan J. Serena

May 28/06 – May 27/09

May 28/03

Marilyn Silverman

Apr 29/05 – Apr 28/08

April 29, 1999

Jack J. Slaughter

Feb 03/06 – Feb 02/09

February 3, 2003

Tanja Wacyk

May 28/06 – May 27/09

May 28, 2003

Kelly A. Waddingham

Jan 01/05 – Dec 31/07

PT April 7 – Dec 31, 2004

FT Jan 1/05

VICE-CHAIRS (Part Time) - 3

Christopher J. Albertyn

Sep 01/04 – Aug 30/12

PT Oct 7/94 - Mar 8/95;

FT Mar 9/95 - Aug. 31/04;

PT – Sep 1/04

Bruce Binning

Aug 25/04 – Aug. 24/12

PT August 24, 2004

Norman Jesin

Aug 25/04 – Aug 24/12

PT August 25, 2004

BOARD MEMBERS

EMPLOYERS – Full Time - 5

R.D. Paul LeMay

Dec 15/05 – Dec 14/08

December 15, 2005

Richard J. O'Connor

Nov 06/05 – Nov 05/08

November 6, 2002

Barry Roberts

May 16/07 - May 15/09

May 16, 2007

Judith A. Rundle

July 17/04 – July 16/12

July 17, 1986

John A. Tomlinson

Nov 06/05 – Nov 05/08

November 6, 2002

EMPLOYEES – Full Time - 5

Richard A. Baxter

Apr 03/06 – Apr 02/09

April 3, 2006

Alan Haward

Mar 25/07 – Mar 24/12

March 25, 1998

Shannon R. B. McManus

Dec. 15/05 – Dec. 14/08

December 15, 2005

Rene R. Montague

Mar 06/07 – Mar 05/12

March 6, 1986

David A. Patterson

Apr 02/07 – Apr 01/12

April 2, 1986

Board Staff and Key Activities

The OLRB's operations and staff can be broadly divided into: The Board, Administration, Field Services (mediation), and Legal Services. The administrative, field, and legal staff are civil service appointments. The Board is composed of a Chair, an Alternate Chair, Vice-Chairs and Board Members. The Chair, Alternate Chair, Vice-Chairs and Board Members are appointed by the Lieutenant Governor in Council as Order in Council appointments (OIC).

ADMINISTRATION:

Office of the Director and Registrar

The Director and Registrar is the chief administrative officer of the Board. He is responsible for the overall administration of the Board's businesses: operations, mediation and adjudication. The Director and Registrar oversees the effective processing and scheduling of each case, and communicates with the parties in matters relating to the mediation of cases, scheduling of hearings or on particular problems in the processing of any given case. Every application received by the Board enters the system through the Director and Registrar's office.

Manager of Administration

The Manager of Administration is responsible for the efficient operation of the Board through the effective and efficient coordination of the procurement and budget functions, human resources functions, client services, Information and Information Technology, and the provision of administrative direction for all shared/common services.

Library Services

Comprised of the former Ontario Labour Relations Board Library, the Workplace Safety and Insurance Appeals Tribunal Library and the Pay Equity Commission Library, the new Ontario Workplace Tribunals Library is situated in in the Board offices at 505 University Avenue, Toronto on the 7th floor.

Library holdings related to the OLRB include all reported OLRB decisions from 1944 to date, all judicial reviews of OLRB decisions from 1947 to date, all bargaining unit certificates issued by the OLRB from 1962 forward. In addition, the Library has a collection of all Employment Standards review decisions from 1970 to date and all Occupational Health and Safety appeal decisions from 1980 to date. Textbooks, journals and case reports in the areas of labour, administrative and constitutional law are also held.

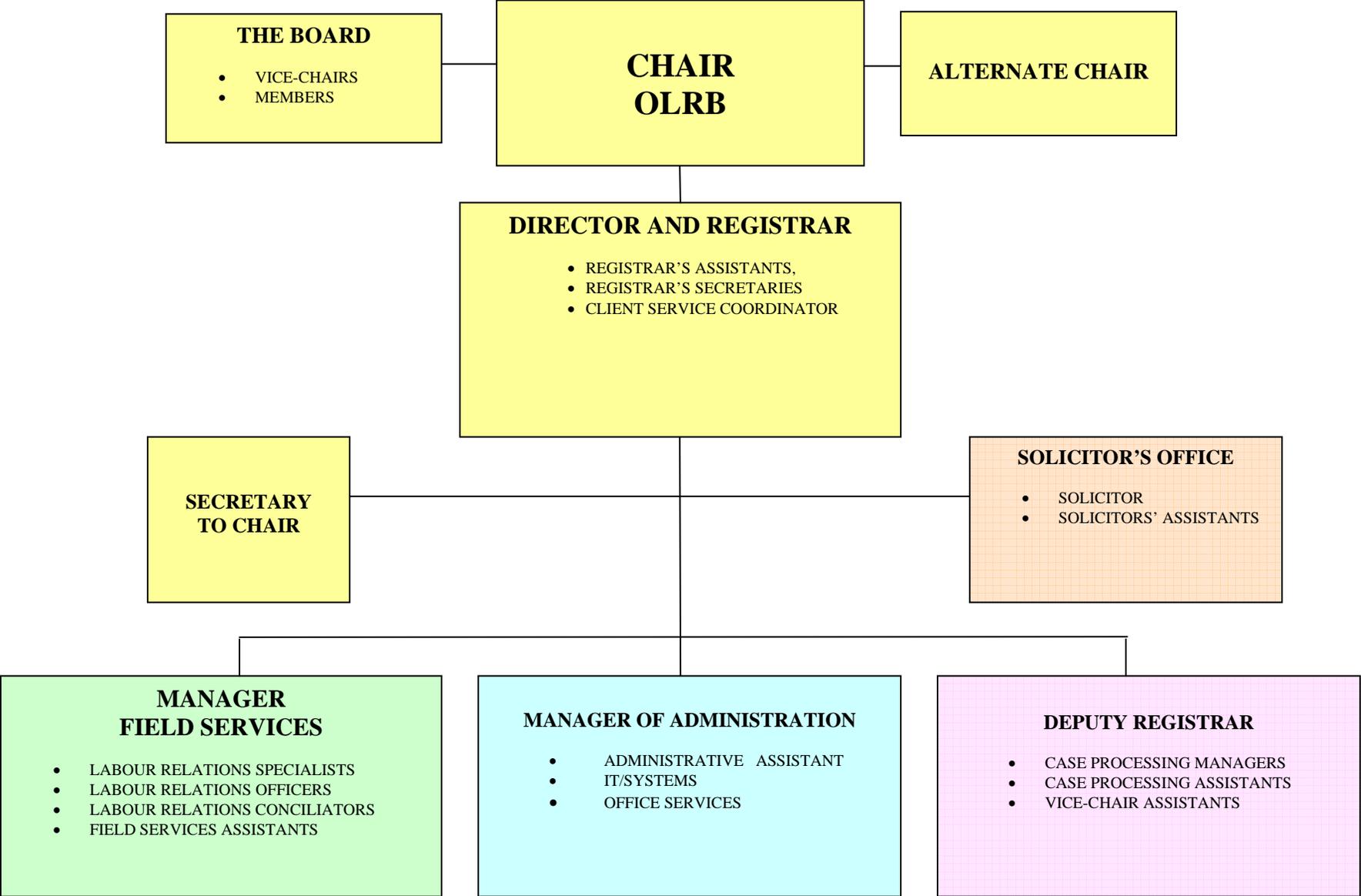
Field Services: (Mediation)

The Board is a pioneer in the area of alternative dispute resolution. The Manager of Field Services, Labour Relations Specialists, and Labour Relations Officers, are responsible for mediating settlements in all of the Board's cases. In addition to settling cases, Labour Relations Officers assist parties in identifying issues and streamlining the cases that do get adjudicated in order to avoid unnecessary litigation. They also, along with the Board's Conciliation Officers, carry out the Board's pre and post vote phone mediation program and conduct representation and final offer votes.

Legal Services:

Legal Services to the Board are provided by the Solicitors' Office, which consists of two Board Solicitors. The Solicitors provide legal research, advice, opinions and memoranda to the Chair, Vice-Chairs, Board Members, Labour Relations Officers and administrative staff. They are extensively involved in changes to the Board's rules of procedure and forms and contribute to the continuing education of staff. The Board's Solicitors also represent the Board in court proceedings, including applications for judicial review.

ONTARIO LABOUR RELATIONS BOARD



II Executive Summary – Overview of Results

Operational Performance:

- Caseload analysis
- Caseload and statistical tables

OLRB - Operational Performance:

CASELOAD ANALYSIS, CASE MANAGEMENT EFFICIENCIES and STATISTICAL TABLES/GRAPHS 2006-2007

Caseload Analysis

In fiscal year 2006-2007, the Board had a total caseload of 6,089 applications, appeals and complaints, a decrease of 2.7% from 2005-2006.

The Board received 4,194 new cases and 1,895 cases were carried over from the previous year. Of the total caseload, 3,949 were disposed of during the year and 2,140 were pending in various stages of processing/mediation/adjudication at March 31, 2007.

Note: The section numbers referred to below correspond to the Labour Relations Act, 1995, S.O. 1995, c.1, Schedule A ("Bill 7").

Labour Relations Officer Activity

Labour Relations Specialists and Officers are the Board's professional mediators. They are assigned to every Board case in an effort to facilitate settlements in matters brought before the Board, without the need for formal litigation before the Board itself. **(Table 3)**

Of those cases in which activity was completed and cases disposed by the end of the year, 83% of these cases were settled with the assistance of Labour Relations Officers. Officers referred 691 cases to the Board for decisions or proceedings; and settlement efforts were continuing in 2,140 cases at March 31, 2007.

Vice-Chair/Adjudicator Decisions

Vice-Chairs wrote 6,527 **decisions** covering 4,903 cases between April 1, 2006 and March 31, 2007.

Disposition Time – Major Categories

Table 6 provides statistics on the time taken by the Board to process the 3,064 cases disposed of in 2006-2007, excluding cases in which proceedings were adjourned sine die. Information is shown separately for the three major categories of cases handled by the Board – Certification applications, complaints of Contravention of the Act, and Referrals of Grievances under Construction Industry Collective Agreements – and for the remaining categories combined.

Overall median times to proceed from filing to disposition for the 3,064 cases **was 46 days. Median times for the three major categories of cases:** 642 certification applications were processed in a median of 16 days; 654 complaints of contravention of the Act took 64 days; 402 referrals of construction industry grievances required 11 days, and the remaining 1,366, for all other categories combined, took 72 days.

Certification of Bargaining Agents

In 2006-2007, the Board received 799 applications for certification of trade unions as bargaining agents of employees, an increase of 26.62 percent from 2005-2006. (Table 1)

In addition to the 799 applications received, 211 cases were carried over from last year, making a total certification caseload of 1,010 in 2006-2007. Of the total caseload, 713 were disposed of and 297 cases were pending at March 31, 2007. Of the 713 dispositions, certification was granted in 420 cases; 130 cases were dismissed; 1 cases were terminated; and 162 cases were settled. The certified cases represented 58.9 percent of the total dispositions. **(Table 1)**

Of the 550 applications that were either certified or dismissed, final decisions in a number of cases were based on the results of representation votes. Of the 384 votes conducted, 327 involved a single union on the ballot, 53 were between two unions, and 4 were between three unions. Applicants won in 276 of the votes and lost in the other 108. (Table 5)

A total of 23,589 employees were eligible to vote in the 384 elections, of whom 19,568 or 83.0 percent cast ballots. In the 276 votes that were won and resulted in certification, 10,640 or 81.6 percent of the 13,034 employees eligible to vote cast ballots. Of these voters, 7,930 or 77.8 percent favoured union representation. In the 108 elections that were lost and resulted in dismissals, 8,928 employees participated, and, of these, 3,307 or 37.0 percent voted for union representation. **(Table 5)**

Fifteen unions, each with more than 25 applications, accounted for 83.0 percent of the total filings: Labourers (153), Carpenters (60), Canadian Auto Workers (36), Canadian Union of Public Employees (CUPE) (50), Teamsters (43), Painters (32), Food and Commercial Workers (34), United Steelworkers (28), Bricklayers International (50), Christian Labour Association (32), Electrical Workers (IBEW) (28), International Operating Engineers (35), Plumbers (26), Service Employees International (29) and Other Unions, Including Employee Associations (26). In contrast, fourteen unions filed fewer than five applications each. These unions together accounted for 4.01 percent of the total certification filings. **(Table 7)**

Table 8 gives the industrial distribution of the certification applications received and disposed of during the year. Non-manufacturing industries accounted for 95.5 percent of the applications received, concentrated in construction (366) and other services (217). These two groups comprised 76.4 percent of the total non-manufacturing applications. The 36 applications involving establishments in manufacturing industries comprised 4.51 percent of the new applications.

Size and Composition of Bargaining Units

Small units continued to be the predominant pattern of union organizing efforts through the certification process in 2006-2007. The average size of the 413 bargaining units in the 409 applications that were certified was 33 employees, compared with 41 employees in 2005-2006. The 177 units in construction certifications averaged 9 employees, and the 232 units in non-construction certifications averaged 51 employees. 77.7 percent of the total certification applications involved units of fewer than 40 employees, and 43 percent applied to units of fewer than ten employees. The total number of employees covered by the certification applications granted decreased to 13,617 from 14,461 in 2005-2006. **(Table 9)**

Of the employees covered by the certification applications granted, 90, or 0.66 percent, were in bargaining units that comprised full-time employees or in units that excluded employees working 24 hours or less a week. Units composed of employees working 24 hours or less a week accounted for 49 employees. Full-time and part-time employees were represented in units covering 51 employees, including units that did not specifically exclude employees working 24 hours or less a week. **(Tables 11 and 12)**

Twenty-eight point nine (28.9) percent of the employees, or 3,928 were employed in production and related occupations. **(Tables 13 and 14)**

Disposition Time – Certifications Granted

A median time of 16 working days was required to complete the 421 certification applications granted from receipt to disposition. For non-construction certification, the median time was 16 days for 233 cases; and for construction certification, the median time was 10 days for 188 cases. **(Table 10)**

Eighty-three point four (83.4) percent of the 352 certification applications granted were disposed of in 84 days (3 months) or less. **(Table 10)**

Termination of Bargaining Rights

In 2006-2007, the Board received 110 applications under sections 63, 65, 66, 67, and 132 of the Act, seeking termination of the bargaining rights of trade unions. In addition, 32 cases were carried over from 2005-2006. **(Table 1)**

Of the 142 cases processed, bargaining rights were terminated in 2 cases, 25 cases were dismissed, 19 cases were settled and 57 cases were pending at March 31, 2007.

42 representation votes were held on 64 cases that were either granted or dismissed. A total of 2,119 employees were eligible to vote in the 42 elections that were held, of whom 1,729 or 81.6 percent cast ballots. Of those who cast ballots, 416 voted for continued representation by unions and 273 voted against. **(Table 5)**

Representation Votes

In 2006-2007, the Board's Labour Relations Officers and Conciliators conducted a total of 541 representation votes among employees in one or more bargaining units. Of the 541 votes conducted, 475 involved certification applications, and 66 were held in applications for termination of existing bargaining rights. **(Table 4)**

Of the certification votes, 373 involved a single union on the ballot, 88 involved two unions, and 14 involved three unions.

A total of 32,125 employees were eligible to vote in the 541 elections that were conducted, of whom 24,772 or 77.1 percent cast ballots. Of those who participated, 44.1 percent voted in favour of union representation. In the 475 elections in certification applications, 82.0 percent of the eligible voters cast ballots, with 44.6 percent of the participants voting for union representation.

In the 66 votes in applications for termination of bargaining rights, 84.2 percent of the eligible voters cast ballots, with only 36.8 percent of those who participated voting for the incumbent unions.

Final Offer Votes

In addition to taking votes ordered in its cases, the Board's Registrar was requested by the Minister to conduct votes among employees on employers' last offer for settlement of a collective agreement dispute under section 42(1) of the Act. Although the Board is not responsible for the administration of votes under that section, the Board's Registrar and field staff are assigned to conduct these votes because of their expertise and experience in conducting representation votes under the Act.

Of the 15 requests dealt with by the Board during the fiscal year, 1 cases were granted, 5 cases were dismissed, 4 cases were settled, and the remaining 5 were pending at March 31, 2007. (**Table 1**)

In the 10 votes held, employees accepted the employer's offer in 1 case and rejected the offer in 5 cases.

Declaration of Successor Trade Union

In 2006-2007, the Board dealt with 18 applications for declarations under section 68 of the Act concerning the bargaining rights of successor trade unions resulting from a union merger or transfer of jurisdiction. Affirmative declarations were issued by the Board in 8 cases. (**Table 1**)

Declaration of Successor or Common Employer Status

In 2006-2007, the Board dealt with 319 applications for declarations under section 69 of the Act concerning the bargaining rights of trade unions of a successor employer resulting from a business sale, or for declarations under section 1(4) to treat two companies as one employer. The two types of requests are often made in a single application.

Affirmative declarations were issued by the Board in 39 cases, 4 applications were dismissed, 101 cases were settled and 175 cases were pending at March 31, 2007. (**Table 1**)

Declaration/Direction of Unlawful Strike

In 2006-2007, the Board dealt with 11 applications seeking a declaration under section 100 regarding an alleged unlawful strike by employees in the non-construction industry. 6 cases were settled, one case was granted, and one dismissed. 3 cases were pending at March 31, 2007. (**Table 1**)

Consent to Prosecute

In 2006-2007, the Board dealt with 4 applications under section 109 of the Act requesting consent to institute prosecution in court against unions and employers for alleged commission of offences under the Act. One case was granted, one dismissed, and one settled, the remaining case was pending at March 31, 2007. (**Table 1**)

Complaints of Contravention of Act

Complaints alleging contravention of the Act may be filed with the Board under section 96 of the Act. In handling these cases the Board emphasizes settlements facilitated by its labour relations officers.

In 2006-2007, the Board received 823 complaints under this section. In complaints against employers, the principal charges were alleged illegal discharge of or discrimination against employees for union activity in violation of section 70 and 72 of the Act, illegal changes in wages and working conditions contrary to section 86, and failure to bargain in good faith under section 17. These charges were made mostly in connection with applications for certification. The principal charge against trade unions was alleged failure to represent employees fairly in grievances against their employer.

In addition to the complaints received, 532 cases were carried over from 2005-2006. Of the 1,382 cases processed, 615 were settled, and 559 cases were pending at March 31, 2007. (**Table 1**)

In 823, or 60.0 percent, of the 1,382 dispositions, settlements and withdrawals of the complaint were secured by labour relations officers (**Table 3**). Remedial orders were issued by the Board in 17 cases, 184 cases were dismissed, and 7 cases were terminated. (**Table 1**)

Construction Industry Grievances

Grievances over alleged violation of the provisions of a collective agreement in the construction industry may be referred to the Board for resolution under section 133 of the Act. As with complaints of contravention of the Act, the Board encourages settlement of these cases by the parties involved, with the assistance of a labour relations officer.

In 2006-2007, the Board received 855 cases under this section. The principal issues in these grievances were alleged failure by employers to make required contributions to health and welfare, pension and vacation funds, failure to deduct union dues, and alleged violation of the subcontracting and hiring arrangements in the collective agreement.

In addition to the cases received, 190 were carried over from 2005-2006. Of the total 1,045 processed, 834 were disposed of; of these, awards were made by the Board in 137 cases, 9 cases were dismissed, and 211 cases were pending at March 31, 2007. (**Table 1**)

In 834, or 79.8, percent of the 1,045 dispositions, settlements and withdrawal of the grievance were obtained by labour relations officers. (**Table 3**)

MISCELLANEOUS APPLICATIONS AND COMPLAINTS

Religious Exemption – Exemption from Union Security Provision in Collective Agreement

One application was processed under section 52 of the Act, seeking exemption for employees from the union security provisions of collective agreements because of their religious beliefs. One application was settled. **(Table 1)**

Early Termination of Collective Agreements

Nine applications were processed under section 58(3) of the Act, seeking early termination of collective agreements. Consent was granted in all nine cases. **(Table 1)**

Union Financial Statements

Three complaints were dealt with under section 92 of the Act, alleging failure by trade unions to furnish members with audited financial statements of the union's affairs. All three applications were settled. **(Table 1)**

Jurisdictional Disputes

Ninety-five complaints were dealt with under section 99 of the Act involving union work jurisdiction. An assignment of work in dispute was made by the Board in 9 cases, 35 cases were settled, 6 cases were dismissed, and 45 cases were pending at March 31, 2007. **(Table 1)**

Referral on Employee Status

The Board dealt with 32 applications under section 114(2) of the Act, seeking decisions on the status of individuals as employees under the Act. Thirteen cases were settled by the parties in discussions with labour relations officers. One case was terminated the remaining 18 cases were pending at March 31, 2007. **(Table 1)**

Referrals by Minister of Labour

In 2006-2007, the Board dealt with 14 cases referred by the Minister under section 115 of the Act for opinions or questions related to the Minister's authority to appoint a conciliation officer under section 18 of the Act, or an arbitrator under sections 48 or 49. Four applications were granted, one dismissed, four applications were settled, and the remaining five cases were pending at March 31, 2007. **(Table 1)**

The Board also dealt with 6 cases referred by the Minister under subsection 3(2) of the *Hospital Labour Disputes Arbitration Act*. Three applications were granted, one was dismissed, one was settled and the remaining case was pending at March 31, 2007. **(Table 1)**

First Agreement Arbitration

In 2006-2007, the Board processed 11 applications for directions to settle first agreements by arbitration. Six cases were settled, one was dismissed and four cases were pending at March 31, 2007. (**Table 1**)

Occupational Health and Safety Act

In 2006-2007, the Board received 113 complaints under section 50 of the *Occupational Health and Safety Act* alleging wrongful discipline or discharge for acting in compliance with the Act. Fifty-six cases were carried over from 2005-2006.

Of the total 169 cases processed, 101 cases were disposed of. Of these, 78 cases were settled by the parties in discussions with labour relations officers (**Table 3**). 22 cases were dismissed, one case was granted, and the remaining 68 were pending at March 31, 2007.

Appeals under The Employment Standard Act

The *Employment Standards Act* deals with workplace rights such as minimum wage, hours of work, overtime, vacation or public holiday pay, termination issues, and severance pay.

The Board dealt with 1,516 appeals during 2006-2007. Of the 991 cases that were disposed of, 59 were granted, 207 were dismissed, 637 cases were settled, 49 were terminated, and 564 cases were pending at March 31, 2007. (**Table 1**)

Appeals under The Occupational Health and Safety Act

The *Occupational Health and Safety Act* and its regulations ensure that workers' health and safety in the workplace is protected. Violations of the Act are investigated by health and safety inspectors; orders or decisions of inspectors are the subject of appeals to the Ontario Labour Relations Board.

Two hundred and ten appeals were dealt with by the Board in 2006-2007. Of the 127 cases that were disposed of, 9 appeals were granted, 17 were dismissed, 101 cases were settled and 83 cases were pending at March 31, 2007. (**Table 1**)

Applications under The Public Sector Labour Relations Transitions Act

The *Public Sector Labour Relations Transition Act, 1997* established a separate regime of successor rights governing matters that arise out of restructuring and amalgamations in the broader public sector. The Act gives the Board the power to determine new bargaining unit configurations, to appoint new bargaining agents, and to address other collective bargaining issues that may arise from municipal amalgamations, school board changes and hospital restructuring.

In 2006-2007, the Board processed 20 applications under *the Public Sector Labour Relations Transition Act, 1997*. Of the 4 cases that were disposed of, 1 case was granted and 3 were settled. 16 cases were pending at March 31, 2007. (**Table 1**)

COURT ACTIVITY 2006-2007

On April 1, 2006, there were thirteen Board matters pending before the Courts, eleven at Divisional Court, and two matters seeking leave before the Supreme Court of Canada.

During the 2006-2007 fiscal year, there were sixteen new applications for judicial review of Board decisions filed with the Divisional Court. The Board stated three cases for contempt to the Divisional Court. There were four applications for leave to the Court of Appeal. No one sought leave to be heard by the Supreme Court of Canada

One plaintiff sought to sue the Board in Superior Court. The claim was dismissed.

Of the three cases for contempt stated by the Board to Divisional Court: two were allowed (with the offending parties being fined) and one was abandoned.

The Divisional Court disposed of thirteen applications for judicial review: ten applications were dismissed; two were granted and one was abandoned.

At the Ontario Court of Appeal, one motion for leave to appeal was granted; three were still pending on March 31, 2007.

The Supreme Court of Canada dismissed two leave applications.

On March 31, 2007, there were eighteen outstanding court applications, fourteen applications for judicial review at Divisional Court, three motions for leave and one appeal on the merits at the Court of Appeal.

COURT ACTIVITY 2006-2007

| | Outstanding April 1, 2006 | Received | Disposed Of | | | | Pending March 31, 2007 |
|--|-------------------------------------|-----------------|--------------------|---------|-----------|-----------|----------------------------------|
| | | | Total* | Granted | Dismissed | Abandoned | |
| Divisional Court | 11 | 19 | 16 | 2 | 10 | 1 | 14 |
| Ontario Court of Appeal (Seeking Leave) | 0 | 4 | 1 | 1 | 0 | 0 | 3 |
| Ontario Court of Appeal (Merits) | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| Supreme Court of Canada (Seeking Leave) | 2 | 0 | 2 | 0 | 2 | 0 | 0 |
| Supreme Court of Canada (Merits) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

*2 stated cases for contempt were allowed

1 stated case for contempt was abandoned

In addition

One applicant sought to sue the Board in Superior Court. The claim was dismissed.

Table 1
Total Applications and Complaints Received, Disposed of and Pending
Fiscal Year 2006-07

| Type of Case | Caseload | | | Disposed of Fiscal Year 2006-07 | | | | | Pending March 31, 2007 |
|---|----------|-----------------------------|------------------------------------|---------------------------------|----------|-----------|------------|---------------------|------------------------------|
| | Total | Pending April 1, 2006 | Received Fiscal Year 2006-07 | Total | Granted* | Dismissed | Terminated | Settled | |
| | | | | | | | | Withdrawn/ Sine Die | |
| Total | 6,089 | 1,895 | 4,194 | 3,949 | 762 | 621 | 61 | 2,505 | 2,140 |
| CERTIFICATION OF BARGAINING AGENTS | 1,010 | 211 | 799 | 713 | 420 | 130 | 1 | 162 | 297 |
| DECLARATION OF TERMINATION OF BARGAINING RIGHTS | 142 | 32 | 110 | 85 | 39 | 25 | 2 | 19 | 57 |
| DECLARATION OF SUCCESSOR TRADE UNION | 18 | 12 | 6 | 13 | 8 | 2 | 0 | 3 | 5 |
| DECLARATION OF SUCCESSOR EMPLOYER OR COMMON EMPLOYER STATUS | 319 | 158 | 161 | 144 | 39 | 4 | 0 | 101 | 175 |
| ACCREDITATION | 4 | 2 | 2 | 3 | 1 | 0 | 0 | 2 | 1 |
| DECLARATION AND DIRECTION OF UNLAWFUL STRIKE | 11 | 2 | 9 | 8 | 1 | 1 | 0 | 6 | 3 |
| DECLARATION AND DIRECTION OF UNLAWFUL LOCKOUT | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| CONSENT TO PROSECUTE | 4 | 1 | 3 | 3 | 1 | 1 | 0 | 1 | 1 |
| CONTRAVENTION OF ACT | 1,382 | 532 | 850 | 823 | 17 | 184 | 7 | 615 | 559 |
| EXEMPTION FROM UNION SECURITY PROVISION IN COLLECTIVE AGREEMENT | 1 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 |
| EARLY TERMINATION OF COLLECTIVE AGREEMENT | 9 | 0 | 9 | 9 | 9 | 0 | 0 | 0 | 0 |
| TRADE UNION FINANCIAL STATEMENT | 3 | 0 | 3 | 3 | 0 | 0 | 0 | 3 | 0 |
| JURISDICTIONAL DISPUTE | 95 | 41 | 54 | 50 | 9 | 6 | 0 | 35 | 45 |
| REFERRAL ON EMPLOYEE STATUS | 32 | 16 | 16 | 14 | 0 | 0 | 1 | 13 | 18 |
| REFERRAL FROM MINISTER ON APPOINTMENT OF CONCILIATION OFFICER OR ARBITRATOR OR UNDER HLDA | 20 | 5 | 15 | 12 | 3 | 1 | 0 | 8 | 8 |
| REFERRAL OF CONSTRUCTION INDUSTRY GRIEVANCE | 1,045 | 190 | 855 | 834 | 137 | 9 | 0 | 688 | 211 |
| REFERRAL FROM MINISTER ON CONSTRUCTION BARGAINING AGENCY | 2 | 0 | 2 | 2 | 0 | 1 | 0 | 1 | 0 |
| COMPLAINT UNDER OCCUPATIONAL HEALTH AND SAFETY ACT | 169 | 56 | 113 | 101 | 1 | 22 | 0 | 78 | 68 |
| COMPLAINT UNDER THE ENVIRONMENTAL PROTECTION ACT | 4 | 1 | 3 | 3 | 0 | 0 | 0 | 3 | 1 |
| FIRST AGREEMENT ARBITRATION DIRECTION | 11 | 2 | 9 | 7 | 0 | 1 | 0 | 6 | 4 |
| DETERMINATION OF SECTOR OF CONSTRUCTION WORK | 10 | 8 | 2 | 5 | 2 | 1 | 0 | 2 | 5 |
| FINAL OFFER VOTE** | 15 | 1 | 14 | 10 | 1 | 5 | 0 | 4 | 5 |
| EMPLOYMENT STANDARDS ACT (APPEAL) | 1,516 | 525 | 991 | 952 | 59 | 207 | 49 | 637 | 564 |
| OCCUPATIONAL HEALTH AND SAFETY ACT (APPEAL) | 210 | 86 | 124 | 127 | 9 | 17 | 0 | 101 | 83 |
| PUBLIC SECTOR LABOUR RELATIONS TRANSITION ACT, 1997 | 20 | 2 | 18 | 4 | 1 | 0 | 0 | 3 | 16 |
| PROJECT AGREEMENT APPLICATION | 5 | 0 | 5 | 4 | 0 | 0 | 1 | 3 | 1 |
| AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001 | 8 | 3 | 5 | 6 | 3 | 0 | 0 | 3 | 2 |
| OTHER CASE TYPES | 23 | 8 | 15 | 13 | 2 | 4 | 0 | 7 | 10 |

Table 2**Applications and Complaints Received and Disposed of
Fiscal Years 2002-03 to 2006-07**

| Type of Case | Number Received, Fiscal Year | | | | | | Number Disposed of, Fiscal Year | | | | | |
|--|------------------------------|--------------|--------------|--------------|--------------|--------------|---------------------------------|--------------|--------------|--------------|--------------|--------------|
| | Total | 2002-03 | 2003-04 | 2004-05 | 2005-06 | 2006-07 | Total | 2002-03 | 2003-04 | 2004-05 | 2005-06 | 2006-07 |
| Total | 21,695 | 4,324 | 4,316 | 4,566 | 4,295 | 4,194 | 20,908 | 4,039 | 4,133 | 4,449 | 4,338 | 3,949 |
| CERTIFICATION OF BARGAINING AGENTS | 3,576 | 658 | 729 | 759 | 631 | 799 | 3,396 | 627 | 584 | 811 | 661 | 713 |
| DECLARATION OF TERMINATION OF BARGAINING RIGHTS | 558 | 108 | 113 | 132 | 95 | 110 | 550 | 125 | 102 | 141 | 97 | 85 |
| DECLARATION OF SUCCESSOR TRADE UNION | 173 | 13 | 3 | 123 | 28 | 6 | 171 | 15 | 4 | 70 | 69 | 13 |
| DECLARATION OF SUCCESSOR EMPLOYER OR COMMON EMPLOYER STATUS | 770 | 158 | 144 | 144 | 163 | 161 | 719 | 161 | 130 | 115 | 169 | 144 |
| ACCREDITATION | 7 | 1 | 1 | 0 | 3 | 2 | 7 | 0 | 2 | 1 | 1 | 3 |
| DECLARATION AND DIRECTION OF UNLAWFUL STRIKE | 79 | 22 | 16 | 21 | 11 | 9 | 80 | 21 | 21 | 18 | 12 | 8 |
| DECLARATION AND DIRECTION OF UNLAWFUL LOCKOUT | 7 | 2 | 1 | 0 | 4 | 0 | 8 | 3 | 2 | 0 | 3 | 0 |
| CONSENT TO PROSECUTE | 19 | 5 | 4 | 5 | 2 | 3 | 19 | 3 | 5 | 5 | 3 | 3 |
| CONTRAVENTION OF ACT | 4,508 | 912 | 879 | 913 | 954 | 850 | 4,334 | 837 | 848 | 916 | 910 | 823 |
| EXEMPTION FROM UNION SECURITY PROVISION IN COLLECTIVE AGREEMENT | 8 | 4 | 1 | 2 | 0 | 1 | 16 | 9 | 4 | 1 | 1 | 1 |
| EARLY TERMINATION OF COLLECTIVE AGREEMENT | 42 | 8 | 8 | 7 | 10 | 9 | 44 | 9 | 9 | 6 | 11 | 9 |
| TRADE UNION FINANCIAL STATEMENT | 22 | 9 | 4 | 3 | 3 | 3 | 23 | 2 | 6 | 8 | 4 | 3 |
| JURISDICTIONAL DISPUTE | 228 | 49 | 31 | 43 | 51 | 54 | 205 | 39 | 39 | 27 | 50 | 50 |
| REFERRAL ON EMPLOYEE STATUS | 101 | 33 | 12 | 26 | 14 | 16 | 104 | 44 | 12 | 19 | 15 | 14 |
| REFERRAL FROM MINISTER ON APPOINTMENT OF CONCILIATION OFFICER OR ARBITRATOR OR UNDER HLDAA | 57 | 13 | 11 | 7 | 11 | 15 | 56 | 15 | 13 | 7 | 9 | 12 |
| REFERRAL OF CONSTRUCTION INDUSTRY GRIEVANCE | 4,353 | 820 | 844 | 946 | 888 | 855 | 4,276 | 831 | 844 | 862 | 905 | 834 |
| REFERRAL FROM MINISTER ON CONSTRUCTION BARGAINING AGENCY | 2 | 0 | 0 | 0 | 0 | 2 | 3 | 1 | 0 | 0 | 0 | 2 |
| COMPLAINT UNDER OCCUPATIONAL HEALTH AND SAFETY ACT | 550 | 96 | 112 | 105 | 124 | 113 | 523 | 101 | 94 | 107 | 120 | 101 |
| COMPLAINT UNDER THE ENVIRONMENTAL PROTECTION ACT | 8 | 0 | 3 | 0 | 2 | 3 | 8 | 1 | 0 | 3 | 1 | 3 |
| COMPLAINT UNDER THE SMOKING IN THE WORKPLACE ACT | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 0 | 0 | 1 | 0 |
| FIRST AGREEMENT ARBITRATION DIRECTION | 43 | 9 | 11 | 6 | 8 | 9 | 41 | 9 | 9 | 4 | 12 | 7 |
| DETERMINATION OF SECTOR OF CONSTRUCTION WORK | 18 | 6 | 3 | 4 | 3 | 2 | 13 | 2 | 3 | 2 | 1 | 5 |
| FINAL OFFER VOTE | 82 | 17 | 15 | 19 | 17 | 14 | 80 | 19 | 13 | 21 | 17 | 10 |
| EMPLOYMENT STANDARDS ACT (APPEALS) | 5,441 | 1,024 | 1,221 | 1,161 | 1,044 | 991 | 5,214 | 834 | 1,211 | 1,171 | 1,046 | 952 |
| OCCUPATIONAL HEALTH AND SAFETY ACT (APPEAL) | 786 | 175 | 142 | 133 | 212 | 124 | 781 | 167 | 149 | 127 | 211 | 127 |
| PUBLIC SECTOR LABOUR RELATIONS TRANSITION ACT | 34 | 6 | 3 | 0 | 7 | 18 | 26 | 11 | 4 | 2 | 5 | 4 |
| PROJECT AGREEMENT APPLICATION | 7 | 1 | 1 | 0 | 0 | 5 | 5 | 0 | 1 | 0 | 0 | 4 |
| FIRE PROTECTION AND PREVENTION ACT | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 1 | 0 | 0 | 0 |
| AMBULANCE SERVICES COLLECTIVE BARGAINING ACT, 2001 | 16 | 2 | 3 | 5 | 1 | 5 | 14 | 0 | 2 | 4 | 2 | 6 |
| OTHER CASE TYPES | 200 | 173 | 1 | 2 | 9 | 15 | 188 | 151 | 21 | 1 | 2 | 13 |

Table 3
Labour Relations Officer Activity in Cases Processed *
Fiscal Year 2006-07

| Type of Case | Total Cases Assigned | Cases in Which Activity Completed | | | | | |
|--|----------------------------|-----------------------------------|--------------|-------------|----------------------|------------|--------------|
| | | Pending April 1, 2006 | | | | | |
| | | Total | Number | Percent | Referred to Board | Sine Die | Pending** |
| Total | 6,089 | 3,949 | 3,278 | 83.0 | 671 | 885 | 2,140 |
| CERTIFICATION OF BARGAINING AGENTS | 1,010 | 713 | 604 | 84.7 | 109 | 70 | 297 |
| SUCCESSOR EMPLOYER OR COMMON EMPLOYER STATUS | 319 | 144 | 97 | 67.4 | 47 | 51 | 175 |
| REFERRAL ON EMPLOYEE STATUS | 32 | 14 | 14 | 100.0 | 0 | 5 | 18 |
| CONTRAVENTION OF ACT | 1,382 | 823 | 690 | 83.8 | 133 | 169 | 559 |
| REFERRAL OF CONSTRUCTION INDUSTRY GRIEVANCE | 1,045 | 834 | 749 | 89.8 | 85 | 432 | 211 |
| COMPLAINT UNDER THE OCCUPATIONAL HEALTH AND SAFETY ACT | 169 | 101 | 86 | 85.1 | 15 | 12 | 68 |
| EMPLOYMENT STANDARD ACTS (APPEAL) | 1,516 | 952 | 712 | 74.8 | 240 | 57 | 564 |
| OCCUPATIONAL HEALTH AND SAFETY ACT (APPEALS) | 210 | 127 | 124 | 97.6 | 3 | 35 | 83 |
| ALL OTHER CASE TYPES | 406 | 241 | 202 | 83.8 | 39 | 54 | 165 |

*Includes all cases assigned to labour relations officers, which may or may not have been disposed of by the end of the year.

**Includes all cases in which the officer activity may or may not be complete but which was not disposed of by the end of the year.

Table 4
Results of Representation Votes Conducted *
Fiscal Year 2006-07

| Type of Case | Number of Votes | Eligible Employees | Ballots Cast | |
|----------------------------------|--------------------|-----------------------|--------------|------------------------|
| | | | Total | In Favour of Unions |
| Total | 541 | 32,125 | 24,772 | 10,913 |
| Certification | 475 | 29,931 | 22,924 | 10,233 |
| Construction cases | | | | |
| One union | 26 | 466 | 450 | 181 |
| Two unions | 66 | 943 | 1,020 | 79 |
| Three unions | 10 | 167 | 120 | 21 |
| Regular cases | | | | |
| One union | 347 | 26,560 | 19,960 | 8,597 |
| Two unions | 22 | 1,341 | 1,124 | 1,007 |
| Three unions | 4 | 454 | 250 | 348 |
| Termination of Bargaining Rights | | | | |
| One union | 66 | 2,194 | 1,848 | 680 |

* Refers to all representation votes conducted and the results counted during the fiscal year, regardless of whether or not the case was disposed of during the year.

Table 5**Results of Representation Votes in cases Disposed of *****Fiscal Year 2006-07**

| Type of Case | Number of Votes | | | Eligible Votes | | | All Ballots Cast | | | Ballots Cast in Favour of Unions | | |
|--------------------|-----------------|-----------|------------|----------------|--------|--------|------------------|--------|-------|----------------------------------|-------|-------|
| | Total | Appl. Won | Appl. Lost | In Votes | | | In Votes | | | In Votes | | |
| | | | | Total | Won | Lost | Total | Won | Lost | Total | Won | Lost |
| Total | 426 | 303 | 122 | 25,708 | 14,475 | 11,233 | 21,297 | 11,794 | 9,503 | 11,300 | 7,720 | 3,580 |
| Certification | 384 | 276 | 108 | 23,589 | 13,034 | 10,555 | 19,568 | 10,640 | 8,928 | 10,611 | 7,304 | 3,307 |
| Construction cases | | | | | | | | | | | | |
| One union | 24 | 12 | 12 | 487 | 318 | 169 | 438 | 260 | 178 | 248 | 224 | 24 |
| Two unions | 31 | 28 | 3 | 447 | 379 | 68 | 525 | 447 | 78 | 424 | 414 | 10 |
| Regular cases | | | | | | | | | | | | |
| One union | 303 | 219 | 84 | 21,036 | 11,506 | 9,530 | 17,398 | 9,301 | 8,097 | 8,680 | 6,060 | 2,620 |
| Two unions | 22 | 16 | 6 | 1,165 | 738 | 427 | 957 | 562 | 395 | 911 | 537 | 374 |
| Three unions | 4 | 1 | 3 | 454 | 93 | 361 | 250 | 70 | 180 | 348 | 69 | 279 |
| Termination | | | | | | | | | | | | |
| One union | 42 | 27 | 14 | 2,119 | 1,441 | 678 | 1,729 | 1,154 | 575 | 689 | 416 | 273 |

* Refers to final representation votes conducted in cases disposed of during the fiscal year. This table should not be confused with Table 4 which refers to all representation votes conducted during the year regardless of whether or not the case was disposed of during the year.

Table 6
Time Required to Process Applications and Complaints Disposed of *,
by Major Type of Case, Fiscal Year 2006-07

| Time Taken (No. of Days) | All Cases | | Certification Cases | | Contravention of the Act Cases | | Construction Industry Grievances Cases | | All Other Cases | |
|-----------------------------|-------------------|----------------------------|---------------------|----------------------------|-----------------------------------|----------------------------|---|----------------------------|-------------------|----------------------------|
| | Dispo- sitions | Cumu- lative Percent | Dispo- sitions | Cumu- lative Percent | Dispo- sitions | Cumu- lative Percent | Dispo- sitions | Cumu- lative Percent | Dispo- sitions | Cumu- lative Percent |
| Total | 3064 | 100.0 | 642 | 100.0 | 654 | 100.0 | 402 | 100.0 | 1,366 | 100.0 |
| Under 8 days | 329 | 10.7 | 148 | 23.1 | 36 | 5.5 | 94 | 23.4 | 51 | 3.7 |
| 8-14 days | 417 | 24.3 | 147 | 46.0 | 48 | 12.8 | 155 | 61.9 | 67 | 8.6 |
| 15-21 days | 253 | 32.6 | 107 | 62.6 | 30 | 17.4 | 45 | 73.1 | 71 | 13.8 |
| 22-28 days | 162 | 37.9 | 40 | 68.8 | 32 | 22.3 | 25 | 79.4 | 65 | 18.6 |
| 29-35 days | 144 | 42.6 | 24 | 72.6 | 29 | 26.8 | 11 | 82.1 | 80 | 24.5 |
| 36-42 days | 158 | 47.7 | 14 | 74.8 | 43 | 33.3 | 12 | 85.1 | 89 | 31.0 |
| 43-49 days | 126 | 51.9 | 11 | 76.5 | 35 | 38.7 | 5 | 86.3 | 75 | 36.5 |
| 50-56 days | 111 | 55.5 | 9 | 77.9 | 34 | 43.9 | 3 | 87.1 | 65 | 41.2 |
| 57-63 days | 113 | 59.2 | 8 | 79.1 | 36 | 49.4 | 7 | 88.8 | 62 | 45.8 |
| 64-70 days | 83 | 61.9 | 7 | 80.2 | 23 | 52.9 | 4 | 89.8 | 49 | 49.3 |
| 71-77 days | 88 | 64.8 | 8 | 81.5 | 31 | 57.6 | 3 | 90.5 | 46 | 52.7 |
| 78-84 days | 79 | 67.3 | 7 | 82.6 | 21 | 60.9 | 2 | 91.0 | 49 | 56.3 |
| 85-91 days | 65 | 69.5 | 6 | 83.5 | 10 | 62.4 | 2 | 91.5 | 47 | 59.7 |
| 92-98 days | 58 | 71.3 | 10 | 85.0 | 9 | 63.8 | 1 | 91.8 | 38 | 62.5 |
| 99-105 days | 52 | 73.0 | 4 | 85.7 | 9 | 65.1 | 1 | 92.0 | 38 | 65.3 |
| 106-126 days | 138 | 77.5 | 15 | 88.0 | 26 | 69.1 | 3 | 92.8 | 94 | 72.2 |
| 127-147 days | 99 | 80.8 | 5 | 88.8 | 30 | 73.7 | 0 | 92.8 | 64 | 76.9 |
| 148-168 days | 82 | 83.5 | 4 | 89.4 | 25 | 77.5 | 1 | 93.0 | 52 | 80.7 |
| Over 168 days | 507 | 100.0 | 68 | 100.0 | 147 | 100.0 | 28 | 100.0 | 264 | 100.0 |

* Excludes cases in which proceedings were adjourned sine die

Table 7
Union Distribution of Certification Applications Received and Disposed of
Fiscal Year 2006-07

| Union | Number of Applications Received | Number of Applications Disposed of | | | |
|---|---------------------------------|------------------------------------|-----------|------------|-----------|
| | | Total | Certified | Dismissed* | Settled** |
| All Unions | 798 | 642 | 420 | 130 | 92 |
| ASBESTOS WORKERS | 1 | 0 | 0 | 0 | 0 |
| AUTO WORKERS | 3 | 2 | 1 | 1 | 0 |
| BREWERY AND SOFT DRINK WORKERS | 22 | 22 | 18 | 1 | 3 |
| BRICKLAYERS INTERNATIONAL | 50 | 7 | 5 | 0 | 2 |
| CANADIAN AUTO WORKERS | 36 | 31 | 15 | 15 | 1 |
| CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE) | 50 | 47 | 31 | 6 | 10 |
| CARPENTERS | 60 | 65 | 53 | 1 | 11 |
| CHRISTIAN LABOUR ASSOCIATION | 32 | 24 | 15 | 7 | 2 |
| CLOTHING AND TEXTILE WORKERS | 6 | 3 | 2 | 1 | 0 |
| COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA | 7 | 8 | 5 | 3 | 0 |
| ELECTRICAL WORKERS (IBEW) | 28 | 25 | 23 | 1 | 1 |
| FOOD AND COMMERCIAL WORKERS | 34 | 30 | 15 | 12 | 3 |
| FOOD AND SERVICE WORKERS | 3 | 2 | 1 | 1 | 0 |
| GRAPHIC COMMUNICATION UNION | 1 | 0 | 0 | 0 | 0 |
| HOTEL EMPLOYEES | 4 | 2 | 1 | 1 | 0 |
| INDEPENDENT LOCAL UNION | 1 | 1 | 1 | 0 | 0 |
| INTERNATIONAL OPERATING ENGINEERS | 35 | 13 | 10 | 1 | 2 |
| LABOURERS | 153 | 129 | 70 | 30 | 29 |
| MACHINISTS | 10 | 9 | 5 | 3 | 1 |
| NEWSPAPER GUILD | 2 | 4 | 4 | 0 | 0 |
| OCCASSIONAL TEACHERS ASSOCIATION | 1 | 1 | 1 | 0 | 0 |
| OFFICE AND PROFESSIONAL EMPLOYEES | 5 | 3 | 2 | 1 | 0 |
| ONTARIO NURSES ASSOCIATION | 10 | 10 | 8 | 1 | 1 |
| ONTARIO PUBLIC SCHOOL TEACHERS | 1 | 1 | 0 | 1 | 0 |
| ONTARIO PUBLIC SERVICE EMPLOYEES | 16 | 15 | 11 | 2 | 2 |
| ONTARIO SECONDARY SCHOOL TEACHERS | 2 | 1 | 0 | 0 | 1 |
| PAINTERS | 32 | 24 | 15 | 4 | 5 |
| PLASTERERS | 4 | 3 | 3 | 0 | 0 |
| PLUMBERS | 26 | 19 | 16 | 1 | 2 |
| POSTAL WORKERS | 6 | 5 | 3 | 2 | 0 |
| RETAIL WHOLESALE EMPLOYEES | 5 | 6 | 3 | 2 | 1 |
| SEAFARERS | 2 | 1 | 1 | 0 | 0 |
| SERVICE EMPLOYEES INTERNATIONAL | 29 | 33 | 25 | 6 | 2 |
| SHEET METAL WORKERS | 12 | 4 | 4 | 0 | 0 |
| STRUCTURAL IRON WORKERS | 5 | 2 | 1 | 0 | 1 |
| TEAMSTERS | 43 | 40 | 23 | 14 | 3 |
| THEATRICAL STAGE EMPLOYEES | 4 | 5 | 2 | 2 | 1 |
| UNITED STEELWORKERS | 28 | 32 | 20 | 5 | 7 |
| OTHER UNIONS, INCLUDING EMPLOYEE ASSOCIATIONS | 26 | 9 | 6 | 2 | 1 |
| UNION AFFILIATION NOT ENTERED | 3 | 4 | 1 | 3 | 0 |

*Includes cases which were closed for administrative purposes

**Excludes cases in which proceedings were adjourned sine die

Table 8
Industry Distribution of Certification Applications Received and Disposed of
Fiscal Year 2006-07

| Industry | Number of Applications Received | Number of Applications Disposed of | | | |
|------------------------------|---------------------------------|------------------------------------|------------|------------|-----------|
| | | Total | Certified | Dismissed* | Settled** |
| All Industries | 799 | 641 | 418 | 131 | 92 |
| Manufacturing | 36 | 33 | 17 | 14 | 2 |
| CHEMICALS | 3 | 2 | 2 | 0 | 0 |
| FABRICATED METALS | 1 | 1 | 1 | 0 | 0 |
| FOOD, BEVERAGES | 13 | 13 | 5 | 6 | 2 |
| MACHINERY | 2 | 2 | 0 | 2 | 0 |
| PAPER | 1 | 1 | 0 | 1 | 0 |
| PRIMARY METALS | 1 | 1 | 1 | 0 | 0 |
| PRINTING, PUBLISHING | 6 | 6 | 5 | 1 | 0 |
| RUBBER, PLASTICS | 1 | 1 | 0 | 1 | 0 |
| TRANSPORTATION EQUIPMENT | 2 | 1 | 0 | 1 | 0 |
| OTHER MANUFACTURING | 6 | 7 | 5 | 2 | 0 |
| Non-Manufacturing | 763 | 608 | 401 | 117 | 90 |
| ACCOMMODATION, FOOD SERVICES | 13 | 13 | 11 | 2 | 0 |
| CONSTRUCTION | 366 | 253 | 182 | 27 | 44 |
| EDUCATION, RELATED SERVICES | 6 | 5 | 4 | 1 | 0 |
| FINANCE, INSURANCE CARRIERS | 2 | 2 | 2 | 0 | 0 |
| HEALTH, WELFARE SERVICES | 44 | 42 | 34 | 4 | 4 |
| HOSPITAL | 6 | 8 | 5 | 1 | 2 |
| LOCAL GOVERNMENT | 4 | 3 | 2 | 1 | 0 |
| MUNICIPAL | 1 | 1 | 1 | 0 | 0 |
| PERSONAL SERVICES | 4 | 4 | 4 | 0 | 0 |
| RECREATIONAL SERVICES | 3 | 4 | 3 | 1 | 0 |
| RETAIL TRADE | 4 | 3 | 0 | 2 | 1 |
| TRANSPORTATION | 4 | 3 | 1 | 2 | 0 |
| WHOLESALE TRADE | 1 | 1 | 1 | 0 | 0 |
| OTHER | 79 | 69 | 37 | 20 | 12 |
| OTHER SERVICES | 217 | 197 | 114 | 56 | 27 |
| INDUSTRY CODE NOT ENTERED | 9 | 0 | 0 | 0 | 0 |

*Includes cases which were closed for administrative purposes

**Excludes cases in which proceedings were adjourned sine die

Table 9
Size of Bargaining Units in Certification Applications Granted
Fiscal Year 2006-07

| Employee Size * | Total | | Construction ** | | Non-Construction | |
|-----------------------|------------------------|---------------------|------------------------|---------------------|------------------------|---------------------|
| | Number of Applications | Number of Employees | Number of Applications | Number of Employees | Number of Applications | Number of Employees |
| Total | 409 | 13,617 | 177 | 1,673 | 232 | 11,944 |
| 0-9 employees | 176 | 826 | 127 | 548 | 49 | 278 |
| 10-19 employees | 90 | 1,266 | 33 | 429 | 57 | 837 |
| 20-39 employees | 52 | 1,431 | 10 | 268 | 42 | 1,163 |
| 40-99 employees | 59 | 3,511 | 5 | 227 | 54 | 3,284 |
| 100-199 employees | 23 | 3,133 | 2 | 201 | 21 | 2,932 |
| 200-499 employees | 7 | 1,990 | 0 | 0 | 7 | 1,990 |
| 500 employees or more | 2 | 1,460 | 0 | 0 | 2 | 1,460 |

* Refers to the total number of employees in one or more bargaining units certified in an application. A total of 413 bargaining units were certified in the 409 applications in which certification was granted.

** Refers to cases processed under the construction industry provisions of the Act. This figure should not be confused with the figure in Table 10, which includes all applications involving construction employers whether processed under the construction industry provisions of the Act or not.

Table 10
Time Required to Process Certification Applications Granted *
Fiscal Year 2006-07

| Working Days (including adjourments requested by the parties) | Total Certified | | Non-Construction | | Construction | |
|---|-----------------|-----------------------|------------------|-----------------------|--------------|-----------------------|
| | Number | Cumulative Percent | Number | Cumulative Percent | Number | Cumulative Percent |
| Total | 421 | 100 | 233 | 100.0 | 188 | 100.0 |
| Under 8 days | 90 | 21.4 | 0 | 0.0 | 90 | 47.9 |
| 8-14 days | 101 | 45.4 | 95 | 40.8 | 6 | 51.1 |
| 15-21 days | 77 | 63.7 | 73 | 72.1 | 4 | 53.2 |
| 22-28 days | 28 | 70.3 | 21 | 81.1 | 7 | 56.9 |
| 29-35 days | 13 | 73.4 | 9 | 85.0 | 4 | 59.0 |
| 36-42 days | 11 | 76.0 | 6 | 87.6 | 5 | 61.7 |
| 43-49 days | 5 | 77.2 | 3 | 88.8 | 2 | 62.8 |
| 50-56 days | 7 | 78.9 | 2 | 89.7 | 5 | 65.4 |
| 57-63 days | 3 | 79.6 | 2 | 90.6 | 1 | 66.0 |
| 64-70 days | 6 | 81.0 | 3 | 91.8 | 3 | 67.6 |
| 71-77 days | 5 | 82.2 | 2 | 92.7 | 3 | 69.1 |
| 78-84 days | 5 | 83.4 | 3 | 94.0 | 2 | 70.2 |
| 85-91 days | 2 | 83.8 | 2 | 94.8 | 0 | 70.2 |
| 92-98 days | 8 | 85.7 | 2 | 95.7 | 6 | 73.4 |
| 99-105 days | 3 | 86.5 | 0 | 95.7 | 3 | 75.0 |
| 106-126 days | 9 | 88.6 | 2 | 96.6 | 7 | 78.7 |
| 127-147 days | 4 | 89.5 | 0 | 96.6 | 4 | 80.9 |
| 148-168 days | 3 | 90.3 | 2 | 97.4 | 1 | 81.4 |
| Over 168 days | 41 | 100.0 | 6 | 100.0 | 35 | 100.0 |

* Refers only to applications in which certification was granted. This table should not be confused with Table which refers to all certification applications disposed of during the year regardless of the method of

Table 11
Employment Status of Employee in Bargaining Units Certified by Industry
Fiscal Year 2006-07

| Industry | All Units | | Full-time | | Part-time | | Full-time & Part-time | | All Employees No Exclusion Specified | |
|-----------------------------|-----------|--------|-----------|--------|-----------|--------|-----------------------|--------|--------------------------------------|--------|
| | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. |
| All Industries | 424 | 13,617 | 2 | 90 | 1 | 49 | 4 | 51 | 417 | 13,427 |
| Manufacturing | 19 | 920 | 0 | 0 | 0 | 0 | 1 | 40 | 18 | 880 |
| CHEMICALS | 2 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 11 |
| FOOD, BEVERAGES | 5 | 214 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 214 |
| PRINTING, PUBLISHING | 5 | 349 | 0 | 0 | 0 | 0 | 1 | 40 | 4 | 309 |
| PRIMARY METALS | 1 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 85 |
| FABRICATED METALS | 1 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 27 |
| OTHER MANUFACTURING | 5 | 234 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 234 |
| Non-Manufacturing | 405 | 12,697 | 2 | 90 | 1 | 49 | 3 | 11 | 399 | 12,547 |
| ACCOMODATION, FOOD SERVICES | 11 | 462 | 0 | 0 | 0 | 0 | 0 | 0 | 11 | 462 |
| CONSTRUCTION | 184 | 1,653 | 0 | 0 | 0 | 0 | 1 | 2 | 183 | 1,651 |
| EDUCATION, RELATED SERVICES | 4 | 57 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 57 |
| FINANCE, WHOLESALE CARRIERS | 2 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 50 |
| HEALTH, WELFARE SERVICES | 34 | 1,929 | 1 | 24 | 1 | 49 | 0 | 0 | 32 | 1,856 |
| HOSPITAL | 5 | 889 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 889 |
| LOCAL GOVERNMENT | 2 | 89 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 89 |
| MUNICIPAL | 1 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 19 |
| PERSONAL SERVICES | 4 | 159 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 159 |
| RECREATIONAL SERVICES | 3 | 131 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 131 |
| TRANSPORTATION | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 3 |
| WHOLESALE TRADE | 1 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 10 |
| OTHER SERVICES | 116 | 5,601 | 1 | 66 | 0 | 0 | 0 | 0 | 115 | 5,535 |
| OTHER NON-MANUFACTURING | 37 | 1,645 | 0 | 0 | 0 | 0 | 2 | 9 | 35 | 1,636 |

Table 12
Employment Status of Employees in Bargaining Units Certified by Union
Fiscal Year 2006-07

| | All Units | | Full-time | | Part-time | | Full-time & Part-time | | All Employees No Exclusion Specified | |
|--|------------|--------|-----------|--------|-----------|--------|-----------------------|--------|--------------------------------------|--------|
| | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. |
| | All Unions | 423 | 13,590 | 2 | 90 | 1 | 49 | 4 | 51 | 416 |
| AUTO WORKERS | 1 | 66 | 1 | 66 | 0 | 0 | 0 | 0 | 0 | 0 |
| BREWERY AND SOFT DRINK WORKERS | 18 | 410 | 0 | 0 | 0 | 0 | 0 | 0 | 18 | 410 |
| BRICKLAYERS INTERNATIONAL | 5 | 24 | 0 | 0 | 0 | 0 | 1 | 5 | 4 | 19 |
| CANADIAN AUTO WORKERS | 15 | 1,625 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 1,625 |
| CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE) | 31 | 1,871 | 0 | 0 | 0 | 0 | 0 | 0 | 31 | 1,871 |
| CARPENTERS | 53 | 569 | 0 | 0 | 0 | 0 | 1 | 2 | 52 | 567 |
| CHRISTIAN LABOUR ASSOCIATION | 15 | 207 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 207 |
| CLOTHING AND TEXTILE WORKERS | 2 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 85 |
| COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF | 5 | 291 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 291 |
| ELECTRICAL WORKERS (IBEW) | 23 | 189 | 0 | 0 | 0 | 0 | 0 | 0 | 23 | 189 |
| FOOD AND COMMERCIAL WORKERS | 15 | 467 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 467 |
| FOOD AND SERVICE WORKERS | 1 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 22 |
| HOTEL EMPLOYEES | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 |
| INDEPENDENT LOCAL UNION | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 7 |
| INTERNATIONAL OPERATING ENGINEERS | 10 | 99 | 0 | 0 | 0 | 0 | 0 | 0 | 10 | 99 |
| LABOURERS | 71 | 1,042 | 0 | 0 | 0 | 0 | 0 | 0 | 71 | 1,042 |
| MACHINISTS | 5 | 126 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 126 |
| NEWSPAPER GUILD | 4 | 202 | 0 | 0 | 0 | 0 | 1 | 40 | 3 | 162 |
| OCCASIONAL TEACHERS ASSOCIATION | 1 | 55 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 55 |
| OFFICE AND PROFESSIONAL EMPLOYEES | 2 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 29 |
| ONTARIO NURSES ASSOCIATION | 8 | 854 | 0 | 0 | 0 | 0 | 0 | 0 | 8 | 854 |
| ONTARIO PUBLIC SERVICE EMPLOYEES | 11 | 650 | 1 | 24 | 1 | 49 | 0 | 0 | 9 | 577 |
| PAINTERS | 16 | 83 | 0 | 0 | 0 | 0 | 1 | 4 | 15 | 79 |
| PLASTERERS | 3 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 12 |
| PLUMBERS | 16 | 127 | 0 | 0 | 0 | 0 | 0 | 0 | 16 | 127 |
| POSTAL WORKERS | 4 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 32 |
| RETAIL WHOLESALE EMPLOYEES | 3 | 202 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 202 |
| SEAFARERS | 1 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 34 |
| SERVICE EMPLOYEES INTERNATIONAL | 25 | 1,470 | 0 | 0 | 0 | 0 | 0 | 0 | 25 | 1,470 |
| SHEET METAL WORKERS | 4 | 24 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 24 |
| STRUCTURAL IRON WORKERS | 1 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 8 |
| TEAMSTERS | 23 | 480 | 0 | 0 | 0 | 0 | 0 | 0 | 23 | 480 |
| THEATRICAL STAGE EMPLOYEES | 2 | 38 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 38 |
| UNITED STEELWORKERS | 21 | 1,642 | 0 | 0 | 0 | 0 | 0 | 0 | 21 | 1,642 |
| OTHER UNIONS, INCLUDING EMPLOYEE ASSOCIATIONS | 6 | 544 | 0 | 0 | 0 | 0 | 0 | 0 | 6 | 544 |

Table 13
Occupational Groups in Bargaining Units Certified by Industry
Fiscal Year 2006-07

| | All Groups | | Production & Related | | Office Clerical & Technical | | Professional | | Sales | | Other | |
|-----------------------------|------------|--------|-------------------------|--------|-----------------------------------|--------|--------------|--------|--------|--------|--------|--------|
| | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. |
| All Industries | 424 | 13,617 | 186 | 3,928 | 1 | 5 | 3 | 45 | 0 | 0 | 134 | 9,639 |
| Manufacturing | 19 | 920 | 4 | 180 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 740 |
| CHEMICALS | 2 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 11 |
| FABRICATED METAL | 1 | 27 | 1 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| FOOD, BEVERAGES | 5 | 214 | 3 | 153 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 61 |
| PRIMARY METALS | 1 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 85 |
| PRINTING, PUBLISHING | 5 | 349 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 349 |
| OTHER MANUFACTURING | 5 | 234 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 234 |
| Non-Manufacturing | 405 | 12,697 | 182 | 3,748 | 1 | 5 | 3 | 45 | 0 | 0 | 119 | 8,899 |
| ACCOMODATION, FOOD SERVICES | 11 | 462 | 2 | 77 | 1 | 5 | 0 | 0 | 0 | 0 | 8 | 380 |
| CONSTRUCTION | 184 | 1,653 | 149 | 1,360 | 0 | 0 | 0 | 0 | 0 | 0 | 35 | 293 |
| EDUCATION, RELATED SERVICES | 4 | 57 | 2 | 33 | 0 | 0 | 1 | 12 | 0 | 0 | 1 | 12 |
| FINANCE, INSURANCE CARRIERS | 2 | 50 | 2 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| HEALTH, WELFARE SERVICES | 34 | 1,929 | 16 | 1,089 | 0 | 0 | 1 | 23 | 0 | 0 | 17 | 817 |
| HOSPITAL | 5 | 889 | 5 | 889 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| LOCAL GOVERNMENT | 2 | 89 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 89 |
| MUNICIPAL | 1 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 19 |
| PERSONAL SERVICES | 4 | 159 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 159 |
| RECREATIONAL SERVICES | 3 | 131 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 131 |
| TRANSPORTATION | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 3 |
| WHOLESALE TRADE | 1 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 10 |
| OTHER SERVICES | 116 | 5,601 | 4 | 71 | 0 | 0 | 1 | 10 | 0 | 0 | 11 | 5,520 |
| OTHER NON-MANUFACTURING | 37 | 1,645 | 2 | 179 | 0 | 0 | 0 | 0 | 0 | 0 | 35 | 1,466 |

Table 14
Occupational Groups in Bargaining Units Certified by Union
Fiscal Year 2006-07

| | All Groups | | Production & Related | | Office Clerical & Technical | | Professional | | Sales | | Other | |
|---|------------|--------|----------------------|--------|-----------------------------|--------|--------------|--------|--------|--------|--------|--------|
| | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. | Number | Empls. |
| | All Unions | 423 | 13,575 | 185 | 3,901 | 1 | 5 | 3 | 45 | 0 | 0 | 234 |
| AUTO WORKERS | 1 | 66 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 66 |
| BREWERY AND SOFT DRINK WORKERS | 18 | 410 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 18 | 410 |
| BRICKLAYERS INTERNATIONAL | 5 | 24 | 2 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 17 |
| CANADIAN AUTO WORKERS | 15 | 1,625 | 2 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 13 | 1,591 |
| CANADIAN UNION OF PUBLIC EMPLOYEES (CUPE) | 31 | 1,871 | 4 | 403 | 1 | 5 | 1 | 12 | 0 | 0 | 25 | 1,451 |
| CARPENTERS | 53 | 569 | 38 | 408 | 0 | 0 | 0 | 0 | 0 | 0 | 15 | 161 |
| CLOTHING AND TEXTILE WORKERS | 2 | 85 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 85 |
| CHRISTIAN LABOUR ASSOCIATION | 15 | 207 | 9 | 127 | 0 | 0 | 0 | 0 | 0 | 0 | 6 | 80 |
| COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION OF CANADA | 5 | 291 | 1 | 141 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 150 |
| ELECTRICAL WORKERS (IBEW) | 23 | 189 | 21 | 122 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 67 |
| FOOD AND COMMERCIAL WORKERS | 15 | 467 | 2 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 13 | 458 |
| FOOD AND SERVICE WORKERS | 1 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 22 |
| HOTEL EMPLOYEES | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 |
| INDEPENDENT LOCAL UNION | 1 | 7 | 1 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| INTERNATIONAL OPERATING ENGINEERS | 10 | 99 | 4 | 32 | 0 | 0 | 1 | 10 | 0 | 0 | 5 | 57 |
| LABOURERS | 71 | 1,042 | 49 | 541 | 0 | 0 | 0 | 0 | 0 | 0 | 22 | 501 |
| MACHINISTS | 5 | 126 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 122 |
| NEWSPAPER GUILD | 4 | 202 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 202 |
| OCCASSIONAL TEACHERS ASSOCIATION | 1 | 55 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 55 |
| OFFICE AND PROFESSIONAL EMPLOYEES | 2 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 29 |
| ONTARIO NURSES ASSOCIATION | 8 | 854 | 4 | 740 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 114 |
| ONTARIO PUBLIC SERVICE EMPLOYEES | 11 | 650 | 3 | 339 | 0 | 0 | 1 | 23 | 0 | 0 | 7 | 288 |
| PAINTERS | 16 | 83 | 9 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | 51 |
| PLASTERERS | 3 | 12 | 3 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| PLUMBERS | 16 | 127 | 11 | 95 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 32 |
| POSTAL WORKERS | 4 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 32 |
| RETAIL WHOLESALE EMPLOYEES | 3 | 202 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 202 |
| SEAFARERS | 1 | 34 | 1 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| SERVICE EMPLOYEES INTERNATIONAL | 25 | 1,470 | 8 | 499 | 0 | 0 | 0 | 0 | 0 | 0 | 17 | 971 |
| SHEET METAL WORKERS | 4 | 24 | 3 | 18 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 |
| STRUCTURAL IRON WORKERS | 1 | 8 | 1 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| TEAMSTERS | 23 | 480 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 22 | 471 |
| THEATRICAL STAGE EMPLOYEES | 2 | 23 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 38 |
| UNITED STEEL WORKERS | 21 | 1,642 | 3 | 244 | 0 | 0 | 0 | 0 | 0 | 0 | 18 | 1,398 |
| OTHER UNIONS, INCLUDING EMPLOYEE ASSOCIATIONS | 6 | 544 | 4 | 36 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 508 |

Table 15

**CERTIFICATION CASES TO VOTE, WITH APPLICATION DATES BETWEEN
APRIL 1, 2006 AND MARCH 31, 2007**

| | Number of Cases | | | | | | | | | | Total |
|--------------|--|------------|-----------|-----------|-----------|----------|----------|----------|----------|----------|------------|
| | Number of Days between application date and date vote held | | | | | | | | | | |
| Fiscal 06/07 | Under 5 | 5 | 6 | 7 | 8 | 9 | 10 | 11-15 | 16-20 | Over 20 | |
| Industrial | 1 | 347 | 10 | 4 | 2 | 0 | 0 | 0 | 0 | 0 | 364 |
| Construction | 0 | 17 | 45 | 14 | 12 | 1 | 0 | 0 | 0 | 0 | 89 |
| Total | 1 | 364 | 55 | 18 | 14 | 1 | 0 | 0 | 0 | 0 | 453 |

| | Percentage of Cases | | | | | | | | | | |
|--------------|--|---------------|---------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--|
| | Number of Days between application date and date vote held | | | | | | | | | | |
| | Under 5 | 5 | 6 | 7 | 8 | 9 | 10 | 11-15 | 16-20 | Over 20 | |
| Industrial | 0.27% | 95.33% | 2.75% | 1.10% | 0.55% | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | |
| Construction | 0.00% | 19.10% | 50.56% | 15.73% | 13.48% | 1.12% | 0.00% | 0.00% | 0.00% | 0.00% | |
| Total | 0.22% | 80.35% | 12.14% | 3.97% | 3.09% | 0.22% | 0.00% | 0.00% | 0.00% | 0.00% | |

| | Summary | | |
|--------------|----------------------------------|----------------|-----------------|
| | Percentages of votes held within | | |
| | 5 days or less | 7 days or less | 10 days or less |
| Industrial | 95.60% | 99.45% | 100.00% |
| Construction | 19.10% | 85.39% | 100.00% |
| Total | 80.57% | 96.69% | 100.00% |

16A

New Certification Applications Received
By Quarter, April 1, 1998 to March 31, 2007

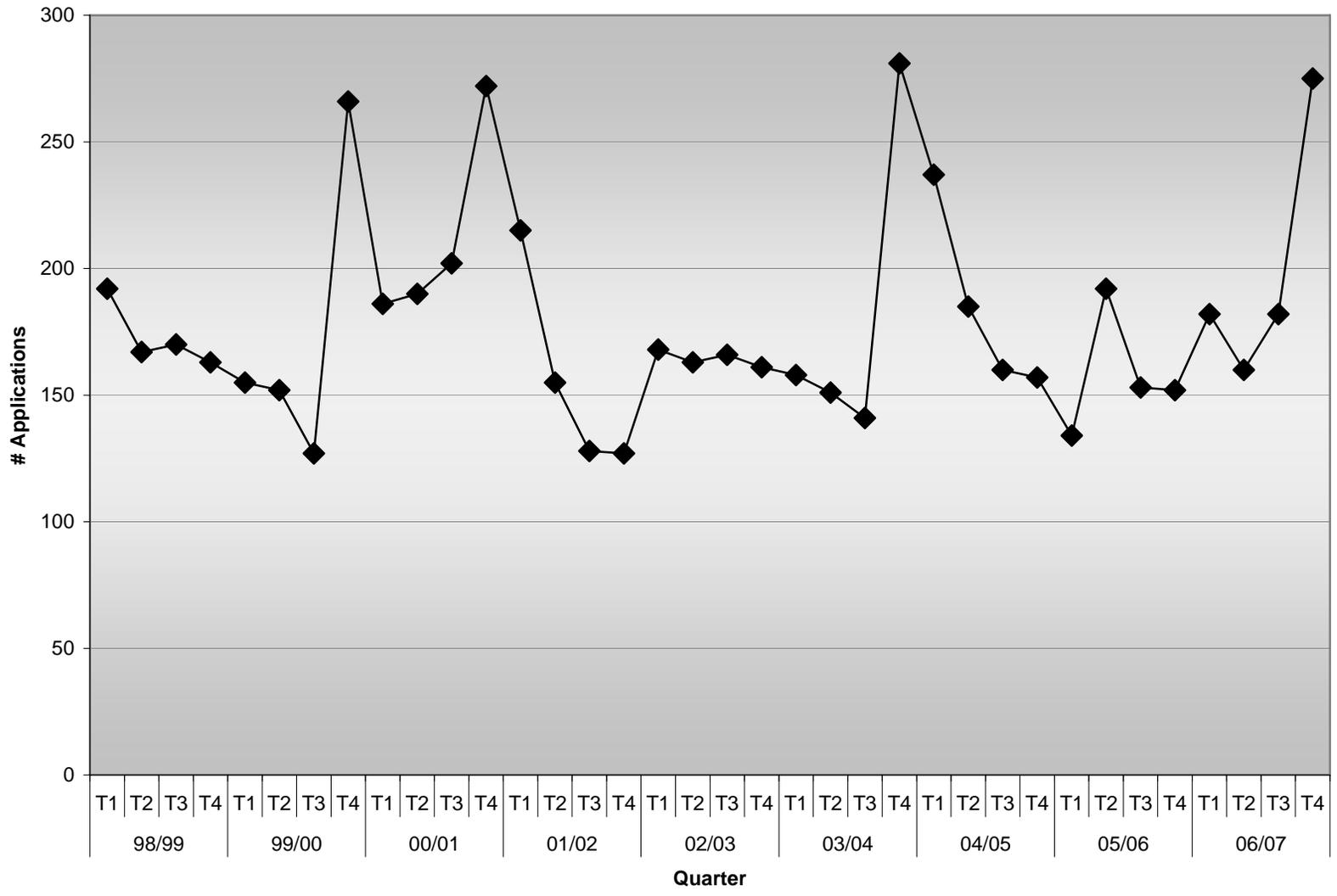


Table 16**NEW CERTIFICATION APPLICATIONS RECEIVED**

By Quarter, April 1, 1998 to March 31, 2007

| Fiscal Year | 1st | 2nd | 3rd | 4th | Total |
|--------------------|-------------|-------------|-------------|-------------|--------------|
| 98/99 | 192 | 167 | 170 | 163 | 692 |
| 99/00 | 155 | 152 | 127 | 266 | 700 |
| 00/01 | 186 | 190 | 202 | 272 | 850 |
| 01/02 | 215 | 155 | 128 | 127 | 625 |
| 02/03 | 168 | 163 | 166 | 161 | 658 |
| 03/04 | 158 | 151 | 141 | 281 | 731 |
| 04/05 | 237 | 185 | 160 | 157 | 739 |
| 05/06 | 134 | 192 | 153 | 152 | 631 |
| 06/07 | 182 | 160 | 182 | 275 | 799 |
| Total | 1627 | 1515 | 1429 | 1854 | 6425 |

Table 17

**TERMINATION CASES TO VOTE, WITH APPLICATION DATES BETWEEN
APRIL 1, 2006 AND MARCH 31, 2007**

| | Number of Cases | | | | | | | | | | Total |
|--------------|--|----|----|----|----|---|----|-------|-------|---------|-------|
| | Number of Days between application date and date vote held | | | | | | | | | | |
| | Under 5 | 5 | 6 | 7 | 8 | 9 | 10 | 11-15 | 16-20 | Over 20 | |
| Fiscal 06/07 | 0 | 29 | 12 | 15 | 11 | 3 | 0 | 0 | 0 | 1 | 71 |

| | Percentage of Cases | | | | | | | | | |
|--|--|--------|--------|--------|--------|-------|-------|-------|-------|---------|
| | Number of Days between application date and date vote held | | | | | | | | | |
| | Under 5 | 5 | 6 | 7 | 8 | 9 | 10 | 11-15 | 16-20 | Over 20 |
| | 0.00% | 40.85% | 16.90% | 21.13% | 15.49% | 4.23% | 0.00% | 0.00% | 0.00% | 1.41% |

| Summary | | |
|----------------------------------|----------------|-----------------|
| Percentages of votes held within | | |
| 5 days or less | 7 days or less | 10 days or less |
| 40.85% | 78.87% | 98.59% |

18A

New Termination Applications Received
By Quarter, April 1, 1998 to March 31, 2007

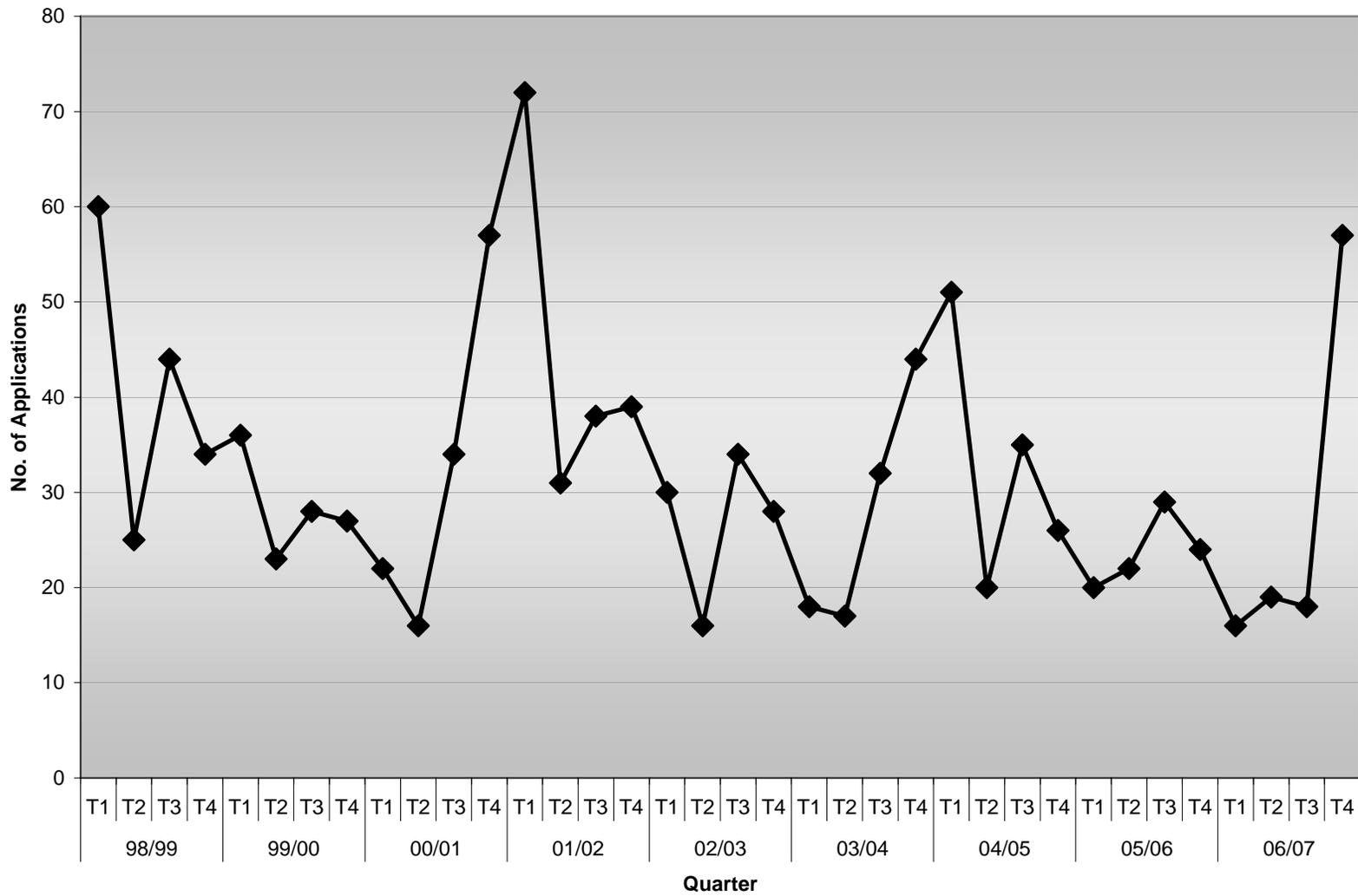


Table 18**NEW TERMINATION APPLICATIONS RECEIVED**

By Quarter, April 1, 1998 to March 31, 2007

| Fiscal Year | 1st | 2nd | 3rd | 4th | Total |
|--------------------|------------|------------|------------|------------|--------------|
| 98/99 | 60 | 25 | 44 | 34 | 163 |
| 99/00 | 36 | 23 | 28 | 27 | 114 |
| 00/01 | 22 | 16 | 34 | 57 | 129 |
| 01/02 | 72 | 31 | 38 | 39 | 180 |
| 02/03 | 30 | 16 | 34 | 28 | 108 |
| 03/04 | 18 | 17 | 32 | 44 | 111 |
| 04/05 | 51 | 20 | 35 | 26 | 132 |
| 05/06 | 20 | 22 | 29 | 24 | 95 |
| 06/07 | 16 | 19 | 18 | 57 | 110 |
| Total | 325 | 189 | 292 | 336 | 1142 |

19A

New Unfair Labour Practice Applications Received
By Quarter, April 1, 1998 to March 31, 2007

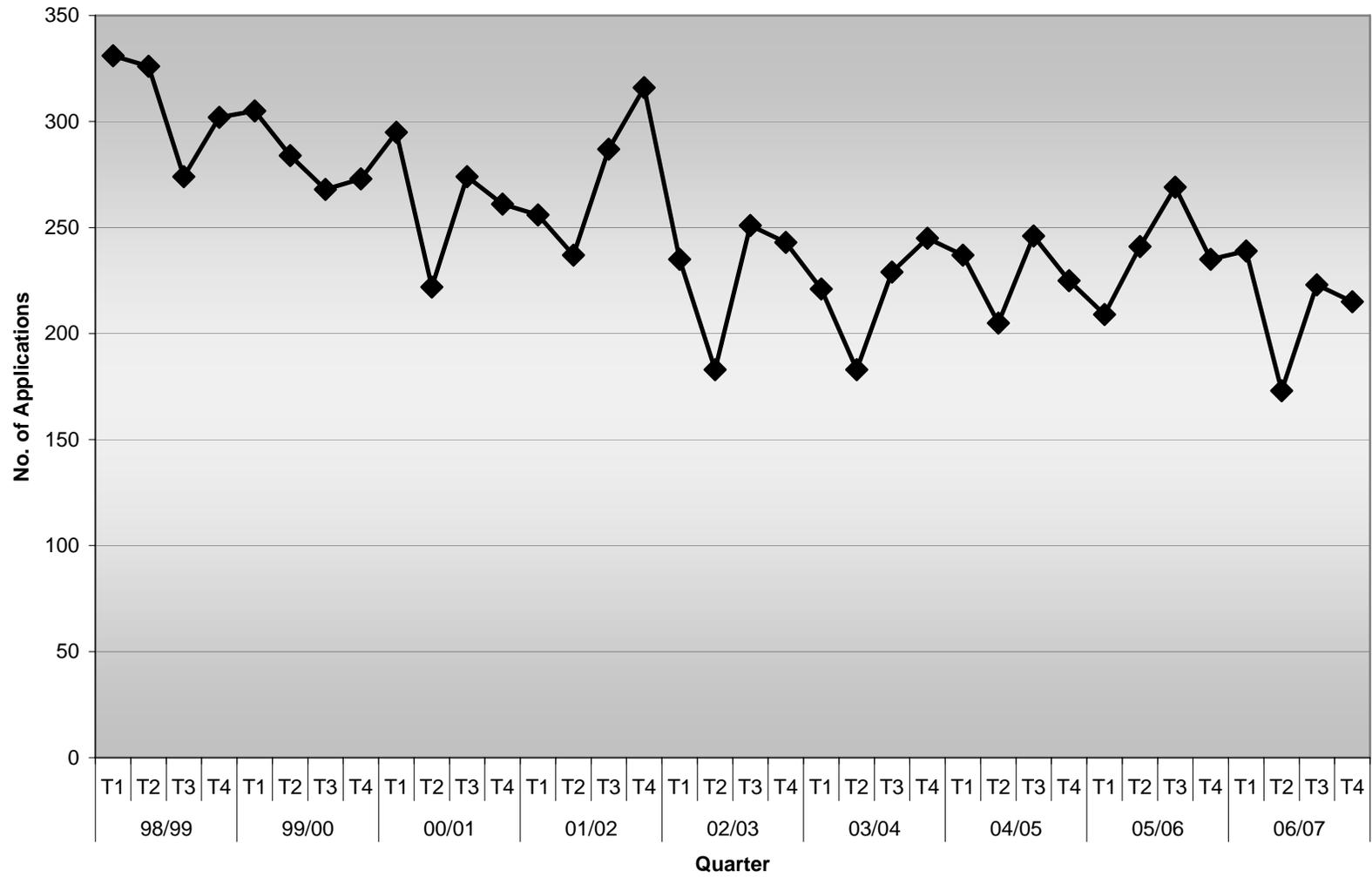


Table 19**NEW UNFAIR LABOUR PRACTICE APPLICATIONS RECEIVED**

By Quarter, April 1, 1998 to March 31, 2007

| Fiscal Year | 1st | 2nd | 3rd | 4th | Total |
|--------------------|-------------|-------------|-------------|-------------|--------------|
| 98/99 | 331 | 326 | 274 | 302 | 1233 |
| 99/00 | 305 | 284 | 268 | 273 | 1130 |
| 00/01 | 295 | 222 | 274 | 261 | 1052 |
| 01/02 | 256 | 237 | 287 | 316 | 1096 |
| 02/03 | 235 | 183 | 251 | 243 | 912 |
| 03/04 | 221 | 183 | 229 | 245 | 878 |
| 04/05 | 237 | 205 | 246 | 225 | 913 |
| 05/06 | 209 | 241 | 269 | 235 | 954 |
| 06/07 | 239 | 173 | 223 | 215 | 850 |
| Total | 2328 | 2054 | 2321 | 2315 | 9018 |

20A

New Construction Industry Grievances Applications Received

By Quarter, April 1, 1998 to March 31, 2007

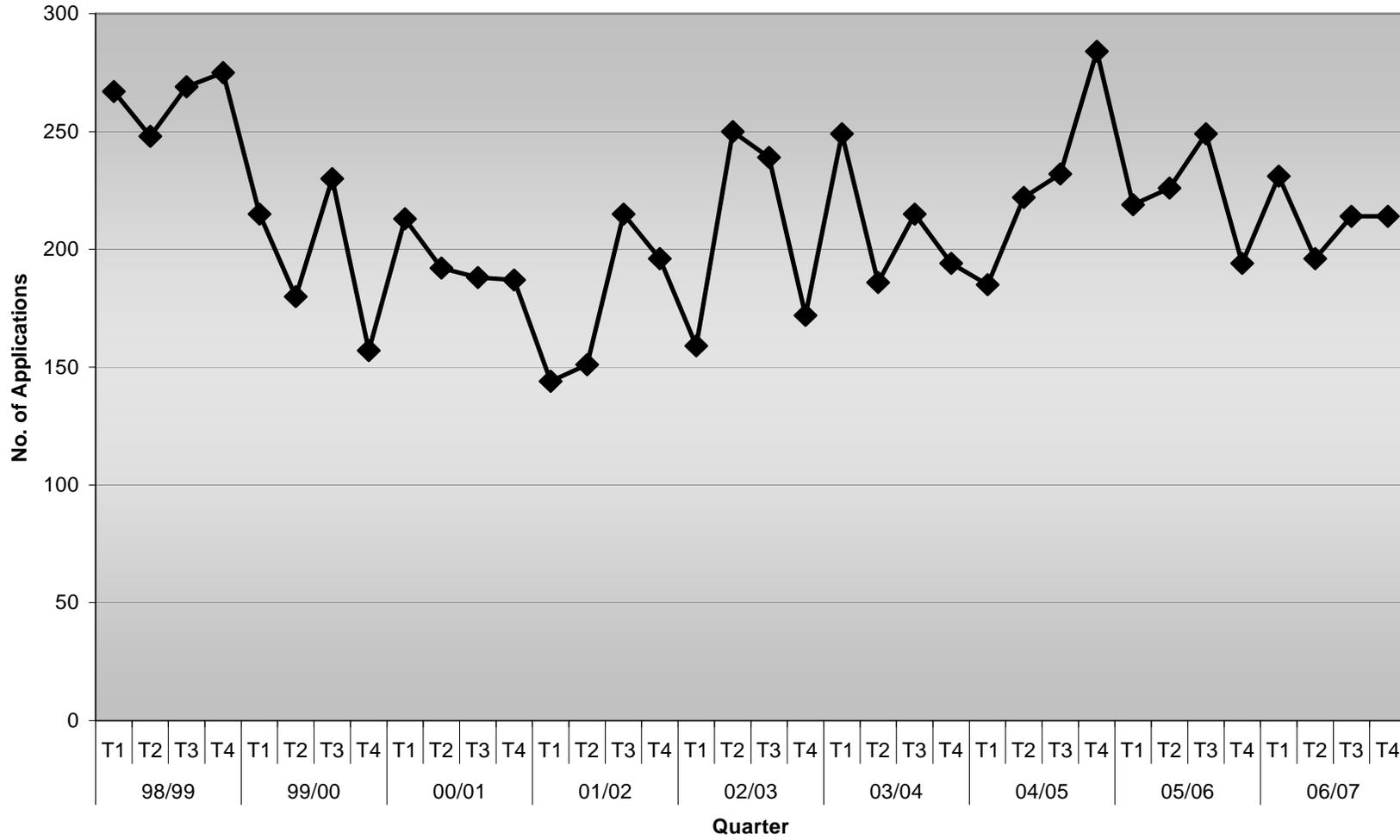


Table 20

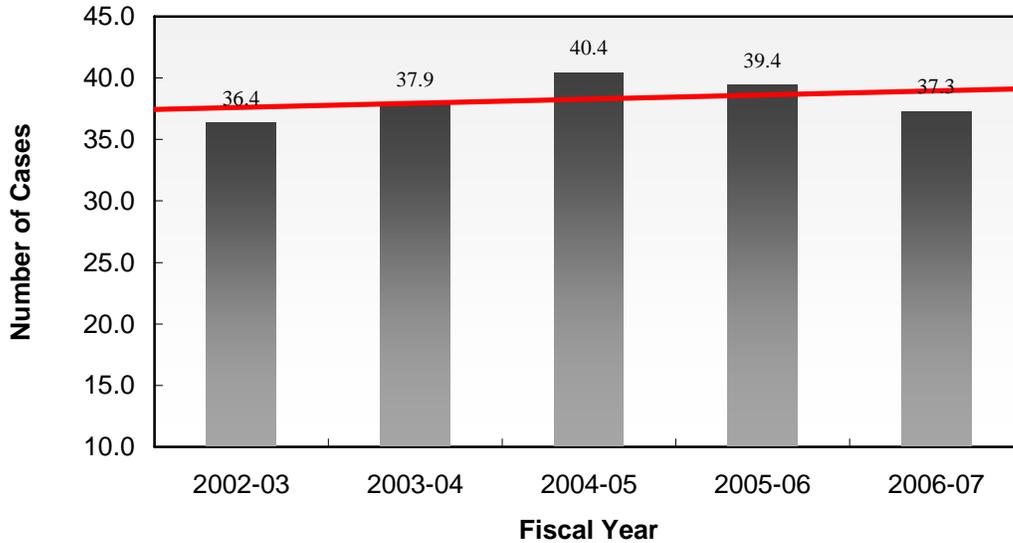
NEW CONSTRUCTION INDUSTRY GRIEVANCE APPLICATIONS RECEIVED
By Quarter, April 1, 1998 to March 31, 2007

| Fiscal Year | 1st | 2nd | 3rd | 4th | Total |
|--------------------|-------------|-------------|-------------|-------------|--------------|
| 98/99 | 267 | 248 | 269 | 275 | 1059 |
| 99/00 | 215 | 180 | 230 | 157 | 782 |
| 00/01 | 213 | 192 | 188 | 187 | 780 |
| 01/02 | 144 | 151 | 215 | 196 | 706 |
| 02/03 | 159 | 250 | 239 | 172 | 820 |
| 03/04 | 249 | 186 | 215 | 194 | 844 |
| 04/05 | 185 | 222 | 232 | 284 | 923 |
| 05/06 | 219 | 226 | 249 | 194 | 888 |
| 06/07 | 231 | 196 | 214 | 214 | 855 |
| Total | 1882 | 1851 | 2051 | 1873 | 7657 |

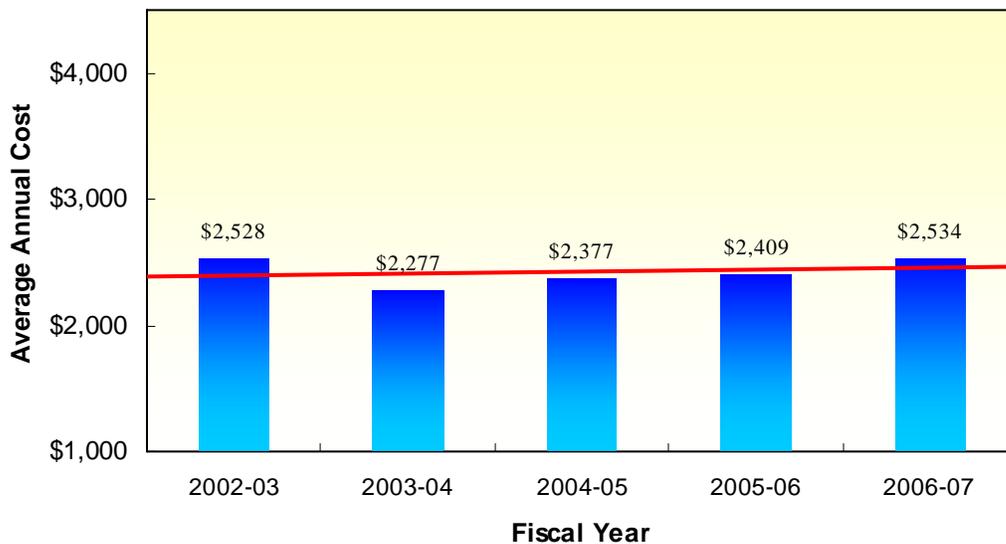
OLRB Case Management Efficiencies 1996-2007

Each year the Board undertakes an analysis of its case management efficiencies and reports back on its annual disposition costs. The analysis reviews the number of cases disposed of per FTE (full time employee) and the average annual cost per case calculations and compares the results against the previous fiscal years.

Average Annual Disposed Cases per FTE



Average Annual Disposition Cost per Case



III OLRB – Measuring Performance – Achieving Goals

Each year the OLRB provides a broad accountability of progress achieved on our core performance measures. We take each of our goals and track progress on a series of performance measures designed to assess whether the Board is measuring up to corporate standards and program targets/commitments.

| Measure | Standard / Target | 2006-2007 Commitments | 2006-2007 Achievements |
|---|---|--|---|
| <u>Fiscal Measures:</u> % variance between year end allocation and expenditure | Less than 2% variance between year end allocation and expenditure | Less than 2% variance between year end allocation and expenditure | Actual: Exceeded commitment + 1.7% variance Approved budget = 12,033.0 Actual expenditure = 11, 828.7 |
| <u>Program Effectiveness Measures:</u> Meeting legislated time lines | 90% Industrial cert. votes held within 5-7 days. 95% held within 7-10 days 5% or less held within more than 10 days | 90% cert. votes held within 5-7 days. 95% held within 7-10 days 5% or less held within more than 10 days | Actual: Exceeded commitment 95.6% of votes held within 5-7 days or less 99.5% of votes held within 7-10 days or less .5% of votes held in more than 10 days |
| % of LRA cases settled by mediation | 85% of LRA cases settled through mediation | 85% of LRA cases settled through mediation | Actual: *Exceeded commitment –avg. 86.1% *Based on completed case activity in certification/ unfair labour practices/grievances. |
| % of ES and HS appeal cases settled by mediation | ES cases = 75% HS cases = 75% | ES cases = 75% HS cases = 75% | Actual: Met/Exceeded commitment ES – 75.0% HS – 97.6% |
| % of judicial reviews upheld | 90-100% of judicial reviews upheld Board decision | 90-100% of judicial reviews upheld Board decision | Actual: Met commitment *Based on 16 disposed cases: 2 granted 10 dismissed, 1 abandoned + 2 stated cases for contempt allowed; 1 abandoned |

IV OLRB - Financial Performance – Managing the Dollars

The OLRB is established as an independent administrative tribunal, and operates at arm's length from the Ministry of Labour. However, from a budgetary perspective, the OLRB is an Adjudicative Agency accountable to the Minister of Labour. The Board's annual operating budget is part of the Ministry's estimates and allocation process and the Board is required to report quarterly on its expenditures and planned commitments.

The Deputy Minister of Labour has delegated authority for specific financial and administrative transactions to the Chair of the Board, the Director and Managers.

The OLRB is subject to audit review and expenditure constraints and its managers are accountable for following established management practices and using public resources for authorized purposes.

Fiscal Year – 2006/2007

All figures in \$000.0 thousand

| Account | Final Budget | Total Actual Expenditure | Variance | % of Variance | Explanation |
|--|-----------------|--------------------------|--------------|---------------|---------------------------------|
| Salaries & Wages | 8,015.0 | 7,586.1 | 428.9 | 5.4% | Vacancy savings* |
| Benefits | 984.5 | 1,004.5 | (20.0) | (2%) | |
| Transp. & Comm. | 717.2 | 649.2 | 68.0 | 9.5% | Reduced travel costs |
| Services (incl. Lease) | 2,193.3 | 2,484.2 | (290.9) | (13.3%) | IT and Shared Service Pressures |
| Supplies & Equipment | 123.0 | 104.7 | 18.3 | 14.9% | Constraints applied |
| Total ODOE | 3,033.5 | 3,238.1 | (204.6) | (6.7%) | |
| Total *** | 12,033.0 | 11,828.7 | 204.3 | 1.7% | |
| *Savings used to offset costs/expenditures | | | | | |

| Revenues Generated From: | Forecast | Total Actual Revenue | Variance | % of Variance | Explanation |
|--------------------------|--------------|----------------------|-------------|---------------|---|
| Construction Grievances | 400.0 | 430.2 | +30.2 | 13% | Higher activity levels in construction industry |
| Subscriptions | 35.0 | 34.1 | (0.9) | - | |
| Total | 435.0 | 464.3 | 29.3 | 7% | |