



## ONTARIO LABOUR RELATIONS BOARD

OLRB Case No: **0333-22-R**

**Greater Toronto Electrical Contractors Association**, Applicant v  
International Brotherhood of Electrical Workers, Local 303, Responding  
Party

**BEFORE:** Danna Morrison, Vice-Chair

**DECISION OF THE BOARD:** June 24, 2022

1. This is an application for accreditation made pursuant to section 134 of the *Labour Relations Act, 1995*, S.O. 1995, c.1, as amended (the "Act") in which the applicant seeks to be accredited as the bargaining agent of employers of electricians and electricians' apprentices, network cabling specialists and network cabling specialists' apprentices and communications installers for whom the responding party holds bargaining rights in the residential sector of the construction industry in the Regional Municipality of Niagara and Haldimand County.
2. The parties have agreed on a description of the appropriate bargaining unit, the form of notice to the employers that may be affected by this application and the manner in which it is to be published, and the list of employers that come within the bargaining unit for which the applicant seeks accreditation.
3. Section 135 of the Act requires the Board, upon an application for accreditation, to determine "the unit of employers that is appropriate for collective bargaining in a particular geographic area and sector...". Section 135 also provides that the Board, in making that determination, "need not confine the unit to one geographic area or sector but may, if it considers it advisable, combine areas or sectors or both or parts thereof."
4. The bargaining unit description to which the parties have agreed is:

all employers of electricians and electricians' apprentices, network cabling specialists and network cabling specialists' apprentices and communications installers for whom the responding party holds bargaining rights in the residential sector of the construction industry in the Regional Municipality of Niagara and Haldimand County.

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

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

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

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

- The Toronto Star;
- Daily Commercial News;
- Niagara Falls Review; and
- The Haldimand Press.

The Board directs the applicant to arrange to have the notice appear as an advertisement once during the week ending **July 15, 2022**.

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

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

10. The Registrar has fixed the Employer Filing Date as **August 19, 2022**.

11. Any employer that is affected by this application or believes it may be affected must file an "Employer Filing, Application for Accreditation, Construction Industry" (Form A-94) with the Board on or before **August 19, 2022** in order to participate in these proceedings. Any employer that does not file a Form A-94 by the Employer Filing Date will not be entitled to any further notice in this matter. This matter may proceed and be determined based on the submissions filed with the Board without further notice to any employer that has not filed a Form A-94.

12. If a hearing is scheduled in this application, notice of that hearing will be provided to the parties and to the employers that had filed a Form A-94 on or before the Employer Filing Date.

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

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

"Danna Morrison"  
for the Board

**NOTICE TO ALL EMPLOYERS OF EMPLOYEES PERFORMING RESIDENTIAL WORK IN THE CONSTRUCTION INDUSTRY FOR WHOM THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL 303 HOLDS BARGAINING RIGHTS:**

The Greater Toronto Electrical Contractors Association (“GTECA”) has filed an application for accreditation pursuant to section 134 of the *Labour Relations Act, 1995* (the “**Application**”). The GTECA has applied for accreditation with respect to the following bargaining unit:

all employers of electricians and electricians’ apprentices, network cabling specialists and network cabling specialists’ apprentices and communications installers for whom the responding party holds bargaining rights in the residential sector of the construction industry in the Regional Municipality of Niagara and Haldimand County.

The International Brotherhood of Electrical Workers, Local 303 (“**Local 303**”) is the responding party to this Application. This Application affects all employers for whom Local 303 holds bargaining rights and who operate in the above-noted bargaining unit. If you are an employer that is or may be affected by this Application, you must file an “Employer Filing in Application for Accreditation, Construction Industry” (**Form A-94**) by the Employer Filing Date. The Employer Filing Date is **August 19, 2022**. This form is available on the Ontario Labour Relations Board’s website: <http://www.olrb.gov.on.ca/FormsByNumber-EN.asp>. There is no hearing date set in this matter. You can determine whether your company is affected by this application by inspecting the material filed in the Application (**OLRB File No. 0333-22-R**), which is available on the Ontario Labour Relations Board’s website. This material includes a copy of the pleadings in this matter, a list of employers who may be affected by the application, and a description of the proposed bargaining unit: <http://www.olrb.gov.on.ca/Construction-EN.asp>. Questions may be directed to Carolyn Tysoe, Senior Mediator, Ontario Labour Relations Board, by phone at 416-801-6758 or by email at [carolyn.tyso@ontario.ca](mailto:carolyn.tyso@ontario.ca). All employers are urged to confirm whether they are affected by this Application as no further notice of this matter will be given unless employers notify the Board, by filing an “Employer Filing” not later than **August 19, 2022**.