



September 9, 2025

VIA E-FILE

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

Dear Ms. Gilbert:

RE: Ontario Association of Demolition Contractors ("Applicant") and The Labourers' International Union of North America, Ontario Provincial District Counsel and its affiliated Local Unions 183, 493, 506, 527, 607, 625, 837, 1036, 1059 and 1089 ("Responding Party")

OLRB File No.: 1323-25-R

Our File No.: 21081-015

As you are aware we are counsel to the Applicant, the Ontario Association of Demolition Contractors ("OADC"), in the above matter.

The OADC writes in objection to the Operating Engineers', Local 793 ("OE's") request to Intervene in this Application for Accreditation. The OADC submits that the Board should refuse to grant the OE's standing to intervene because it does not have a direct legal interest in this accreditation application.

The proposed unit consists of "employers of employees for whom [the Responding Party] holds bargaining rights and who are engaged in the wrecking, demolition, dismantling, salvage, abatement or remediation of all manner and types of buildings, structures, equipment, soils, materials or things..."

As the Board has stated in numerous cases, most recently in [*Residential Hardwood and Carpet Association v Labourers' International Union of North America*, 2025 CanLII 41080 \(ON LRB\)](#), accreditation applications, if granted, only regulate bargaining between the applicant and the responding party and "neither creates bargaining rights for that trade union or council nor diminishes the bargaining rights of any other trade union" (para. 28). Accreditation applications merely consolidate existing bargaining rights and patterns, they do not create new or expand existing bargaining rights.

This accreditation application does not create bargaining rights beyond that which the Responding Party ("Labourers") already holds with any affected employers. In particular, under s.153 of the *Act*, the Labourers bargaining rights for demolition contractors in the ICI sector are governed by its demolition designation which describes the provincial unit that it represents. The Applicant's proposed unit of employers does not and cannot alter these ICI bargaining rights which are mandated by statute. This accreditation does not affect nor diminish the OE's own bargaining rights in any way.

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Whether intentionally or obtusely, the OE's are conflating the issue of bargaining rights with work jurisdiction. The real issue for the OE's is that Labourers members have a longstanding and historic practice of operating heavy equipment in the demolition industry that pre-dates the designation scheme and goes back to the 1970s. Through its intervention, the OE's are attempting to make a collateral attack on the Labourers jurisdiction over this work. The OE's request for an exclusion is completely unnecessary and is only designed to gain a strategic jurisdictional advantage. The boundaries of work jurisdiction between the Labourers' and OE's should be addressed in their proper forum, through a jurisdictional dispute.

For these reasons the OADC respectfully requests that the OE's request to Intervene be dismissed. If the Board is not prepared to dismiss the OE's request to Intervene based solely on written submissions then we respectfully request the Board schedule a hearing of this most fundamental preliminary matter as soon as possible.

All of which is respectfully submitted.

Yours very truly,

CRAWFORD CHONDON & PARTNERS LLP

Per:

A handwritten signature in black ink, appearing to be 'JR' or similar, written in a cursive style.

Jay Rider

JAR:ck

C: Client
Yu-Sung Soh, LiUNA, OPDC
Robert Gibson, Gibson&Barnes LLP