



ONTARIO LABOUR RELATIONS BOARD

EMPLOYER FILING – APPLICATION FOR ACCREDITATION, CONSTRUCTION INDUSTRY *Labour Relations Act, 1995*

Form A-94

Fields marked with an asterisk (*) are mandatory.

Confirmation No. [20251202113613050](#)

OLRB File Number [1689-25-R](#)

Between: *

[SOUTH WESTERN ONTARIO ROAD BUILDERS ASSOCIATION](#)

Applicant

- and -

[INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 793](#)

Responding Party

- and -

Intervenor(s)

- Review Information Bulletin No. 33 – “Accreditation in the Construction Industry under s.136 of the *Labour Relations Act*, 1995 (Non-ICI)”, the Filing Guide and the Board’s Rules of Procedure on acceptable methods of delivery and filing **before** completing this form to avoid any delay in processing.
- All forms, Notices, Information Bulletins, the Filing Guide and the Rules of Procedure may be obtained from the Board’s website (<http://www.olrb.gov.on.ca>).
- To print a paper copy of this form, use **only** the “Print” buttons located within the form.
- Save a copy of your completed form and any attachments as the Board will not return them to you. To save the form at any time, use the “Save” buttons located within the form.
- If there is insufficient space on the form, attach additional pages clearly identifying the relevant section of the form. For e-filing, you may attach files by selecting the “Attach documents electronically” option.

Part A Contact Information

Instructions

- Provide the contact information for the employer on whose behalf this form is being completed below. Provide the name and contact information of an individual who will be able to respond on behalf of the employer.

1. Employer

Employer 1

Type * ☒ Organization ☐ Individual

Organization Name

Capital Paving Inc

First Name

James

Last Name

Kelly

Position/Title

President

Full Address (Number, Street, Unit/Apartment, Building Name)

P.O. Box 815

Other Address Details (e.g. PO Box, R.R. #, c/o)

4459 Concession 7 Puslinch ON N0B 2J0

City/Town

Guelph

Province/State

Ontario

Country

Canada

Postal/Zip Code

N1H 6L8

Telephone Number

519 822 4511

Ext.

203

Fax Number

519 822 1454

Email Address

jkelly@capitalpaving.on.ca

Additional Contact Information, if any (Assistant's Email Address, Alternate Telephone Numbers)

Part B The Employer States:

2. Is the employer an employer in the construction industry?

☒ Yes

☐ No

3. Is the Responding Party entitled to bargain on behalf of the employees of the employer affected by the application?

☒ Yes

☐ No

4. Has the employer employed employees affected by the application within one year before the date of the making of the application?

☒ Yes

☐ No

5. Are the number of employees on the payroll for the weekly payroll period immediately before the date of the application representative of the number of employee affected by this application that are normally employed by the employer?

☐ Yes

☒ No

Where the number is not representative, provide details:

Capital only had one asphalt crew working in Board Area 3 in the week prior to application. Capital works in various board areas in South West Onario and employees approximately 35 operators.

6. List of Employees: *

☒ A completed and verified List of Employees is attached to this filing.

7. If the employer wishes to make submissions at the hearing of this application, provide those submissions below.
If you require more space, attach a separate document.

8. Attached documents:

Provide a list of the documents you are filing together with this form as instructed below.

Name your documents/attachments so that they are easily identifiable.

If you are e-filing this form, select the “Attach documents electronically” option below and attach each document using the “Add File” button.

If you are filing in a manner other than e-filing, provide the numbered list of documents in the box below.

☒ Attach documents electronically

Note: If your attachments exceed 15MB, you may not e-file. File a paper copy of this form with all attachments using an alternative method permitted by the Board’s Rules of Procedure.

No.	File	Description	Size (MB)	
1	2025-12-02 - Letter to Gilbert re Capital Pav	Ltr to OLRB Registrar	0.21	☐
2	List of Employees Operators(2871384.1).pd	List of Employees	0.06	☐
		Total Size	0.27	
		Total space left over	14.73	
		Number of attachments	2	

The Board's forms, Notices, Information Bulletins, Rules of Procedure and Filing Guide may be obtained from its website <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. 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 e-filing 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. Some summaries and decisions may be found on the Board's website.

Documents to be Delivered

Before filing this Employer Filing with the Board, you must deliver the following documents to each Applicant, Responding Party and Affected Party named in Part A of the application or response/intervention:

- A completed copy of this Employer Filing - Application for Accreditation (Form A-94), **including all documents you are filing with this form**; and
- A completed and verified List of Employees.

Once the above-listed documents have been delivered to the other parties, you must complete the following Certificate of Delivery before filing the completed form and attachments with the Board.

☒ I have reviewed this form to confirm it is complete *	Date (yyyy/mm/dd) * 2025/12/02
---	-----------------------------------

Certificate of Delivery

I, Gina Radin, Legal Assistant to Danny Parker,
Name * Title

certify that the documents identified above were delivered to each of the parties as set out below:

Note: You must complete delivery information for each party separately.

Use the "Add" button below if completing electronically.

Delivered To

Name of organization (if applicable) and name and title of person to whom the documents were delivered *

[International Union of Operating Engineers, Local 793](#)

[Attn: Farnaz Talebpour, Legal Counsel,](#)

Address or fax number to which the documents were delivered *

[Via Email: ftalebpour@iuoelocal793.org](#)

Method of delivery *

☐ Hand Delivered ☐ Courier ☐ Fax ☐ Regular Mail ☒ Other

Other Details *

Please provide details as to whom, when and how the documents were delivered.

[Via Email: ftalebpour@iuoelocal793.org on December 2, 2025 at 11:12 am](#)

Delivered To

Name of organization (if applicable) and name and title of person to whom the documents were delivered *

[South Western Ontario Road Builders Association](#)

[Attn: Peter Hamstra](#)

Address or fax number to which the documents were delivered *

[via email - sworba@ldca.on.ca](#)

Method of delivery *

☐ Hand Delivered ☐ Courier ☐ Fax ☐ Regular Mail ☒ Other

Other Details *

Please provide details as to whom, when and how the documents were delivered.

[via email - sworba@ldca.on.ca on December 2, 2025 at 11:12 am](#)

File with the Board

- File the completed form and any attachments using a method permitted by the Board's Rules of Procedure.
- Save and Print a copy of your completed form and all attachments as the Board will not return them to you.
- To e-file, click the "Submit" button below. You will receive a confirmation email once the form has been successfully submitted.
- If you choose not to e-file, print this form by clicking on the "Print" button below and then file with the Board together with any attachments.

For E-Filing only

You must provide a valid email address in order to file this form electronically so that a confirmation email may be sent to you. If you do not have a valid email address, file a paper copy of this form using an alternative method permitted by the Board's Rules of Procedure.

Submitted By:

First Name *

Gina

Last Name *

Radin

Email Address *

gradin@filionlaw.com

Confirm Email Address *

gradin@filionlaw.com