



ONTARIO LABOUR RELATIONS BOARD

OLRB Case No: **1735-22-R**

The Greater Hamilton & Niagara Construction Association,
Applicant v International Union of Operating Engineers, Local 793,
Responding Party

BEFORE: Lindsay Lawrence, Alternate Chair

DECISION OF THE BOARD: January 4, 2023

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").

2. In a decision dated November 16, 2022, the Board directed, among other things, as follows:

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 **December 30, 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.

3. The Board received many submissions from employers in accordance with this direction before the due date. On December 30, 2022, the Board also received a request from Alfidome Construction for an extension of the deadline to file Form A-94 Employer Filing, Application for Accreditation, Construction Industry. This letter refers to "the time of year and difficulty in obtaining responses and necessary information in order to respond appropriately" and requested an extension to January 6, 2023. The applicant and the responding party union oppose the request.

4. As a practical matter, given the timing of the filing of the extension request and the Board's holiday closure, it is now January 4th. Alfidome Construction is to file its Form A-94 and Employee List as soon as possible and in any event no later than January 6, 2023.

5. The panel of the Board determining this matter will consider the request for extension and whether or not to consider any employer filing by Alfidome Construction in due course.

6. I am not seized.

"Lindsay Lawrence"

for the Board