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Our File No. 25-1195

August 20, 2025

**E-FILED**

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

Dear Ms. Gilbert:

**Re: Crane Rental Association of Ontario v. International Union of Operating Engineers, Local 793  
OLRB Case No. 2973-24-R**

We are counsel to the Intervenors, Labourers' International Union of North America, Locals, 183, 493, 506, 527, 607, 625, 837, 1036, 1059 and 1089 (the "Labourers"), with respect to the above-noted matter.

In accordance with the Board's Decision dated July 22, 2025, the Labourers state that all of the issues listed in their intervention are still outstanding, and none of these issues have been resolved by the recent submissions filed by the Applicant or the Operating Engineers (the "OEs").

In particular, the Labourers raised the following issues in its Intervention:

- Whether the Labourers have standing to intervene in this Application as of right or, in the alternative, as of *amicus curiae*;
- Whether the Applicant, the Crane Rental Association of Ontario (the "Applicant"), is the "bargaining agent" designated as the Operating Engineers' Employer Bargaining Agency in accordance with sections 151 and 157 of the *Labour Relations Act, 1995* (the "Act");
- Whether the Applicant, the Crane Rental Association of Ontario (the "Applicant"), is the "bargaining agent" with respect to the collective agreement binding on the employers that are subject to this Application;
- Whether Schedule "A" of the Operating Engineers' Provincial ICI Agreement is a separate and distinct collective agreement between the Operating Engineers and the Applicant;
- Whether Schedule "A" of the Operating Engineers' Provincial ICI Agreement applies in the non-ICI sectors of the construction industry;

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- In the event that the Board finds Schedule “A” of the Operating Engineers’ Provincial ICI Collective Agreement is a collective agreement:
  - Whether Schedule “A” of the Operating Engineers’ Provincial ICI Collective Agreement is a lawful collective agreement;
  - Whether any employers allegedly bound to the Schedule “A” are in fact party to and bound by the Formwork Collective Agreement for all concrete forming construction work;
- Whether this Application pertains to maintenance work;
- Whether the Application pertains to employers who are party to and bound by the collective agreement between the Operating Engineers and the Ontario Concrete & Drain Contractors’ Association;
- Whether the applied-for bargaining unit is inappropriate and/or flawed;
- Whether the applied-for bargaining unit ought to be amended to exclude work covered by the collective agreement between the Labourers’ Local 183 and Ontario Concrete & Drain Contractors’ Association (the “OCDCA”) and the collective agreement between the Operating Engineers and the OCDCA; and
- Whether the applied-for bargaining unit ought to be amended to exclude all work covered by all accredited collective agreements that are binding on the Operating Engineers and applicable in the non-ICI sectors of the construction industry in Ontario.

The Labourers submit that all above issues remain outstanding.

Sincerely,



Hong Hua (Emily) Li

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c.c.     A. Camara  
          G. Williamson  
          M. Ryan  
          C. Principato  
          R. Ehrenworth  
          L. Carrozzi  
          A. Maltais  
          T. Varga  
          R. Petroni

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M. Vieau  
R. Persi  
S. Tinebra  
W. Scott  
B. MacKinnon  
L. Donohue  
T. Valenti  
J. Oliveira  
S. McFarling  
J. Schwartz and N. Caballero  
K. Bell  
J. McKeown  
M. Craig

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