



ONTARIO LABOUR RELATIONS BOARD

APPLICATION FOR ACCREDITATION, CONSTRUCTION INDUSTRY *Labour Relations Act, 1995*

Form A-92

Fields marked with an asterisk (*) are mandatory.

Confirmation No. [20230926132143279](#)

Between: *

[Concrete Cutting & Drilling Association of Ontario](#)

Applicant

- and -

[Labourers' International Union of North America, Ontario Provincial District Council and its affiliated Local Unions 183, 493, 506, 527, 607, 625, 837, 1036, 1059, and 1089](#)

Responding Party

- 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 each Applicant, Responding Party and Intervenor below. If you wish to add additional parties, use the “Add” button or attach a separate page if completing the form by hand.
- For an organization, provide the name and contact information of an individual who will be able to respond on behalf of that organization. When adding multiple individuals at the same organization, “Add” an additional contact section, repeat the organization name and provide that individual’s contact information (e.g. name, email address, phone number).

1 (a). Applicant**Applicant 1**Type * Organization Individual

Organization Name

[Concrete Cutting & Drilling Association of Ontario](#)

First Name

Last Name

Position/Title

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

[2398 Haines Rd. Unit #1](#)

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

City/Town

[Mississauga](#)

Province/State

[ON](#)

Country

[Canada](#)

Postal/Zip Code

[L4Y 1Y6](#)

Telephone Number

[905-279-2660](#)

Ext.

Fax Number

[905-279-9165](#)

Email Address

chris@ontariocuttingandcoring.com

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

1 (b). Representative/Contact Person for the Applicant**Contact 1**Contact Person for * All Parties above Party No.(s) _____Indicate if this person is a Lawyer Paralegal

Organization Name

[Mathews, Dinsdale & Clark LLP](#)

First Name

[Andrew](#)

Last Name *

[Reynolds](#)

Position/Title

[Lawyer](#)

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

[8 Spadina Ave., 35th Floor](#)

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

City/Town

[Toronto](#)

Province/State

[ON](#)

Country

[Canada](#)

Postal/Zip Code

[M5V 2H6](#)

Telephone Number

[416-862-8280](#)

Ext.

[542](#)

Fax Number

[416-862-8247](#)

Email Address

areynolds@mathewsdinsdale.com

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

[Assistant: Sophie Giorno - sgiorno@mathewsdinsdale.com](#)**Contact 2**Contact Person for * All Parties above Party No.(s) _____Indicate if this person is a Lawyer Paralegal

Organization Name

[Mathews, Dinsdale & Clark LLP](#)

First Name

[Erich](#)

Last Name *

[Schafer](#)

Position/Title

[Lawyer](#)

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

[8 Spadina Ave., 35th Floor](#)

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

City/Town

[Toronto](#)

Province/State

[ON](#)

Country

[Canada](#)

Postal/Zip Code

[M5V 2H6](#)

Telephone Number

[416-862-8280](#)

Ext.

[539](#)

Fax Number

[416-862-8247](#)

Email Address

eschafer@mathewsdinsdale.com

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

Assistant: Corinne Webster - cwebster@mathewsdinsdale.com

2 (a). Responding Party

Responding Party 1

Type * Organization Individual

Organization Name

[Labourers' International Union of North America, Ontario Provincial District Council and its affiliated Local Unions 183](#)

First Name	Last Name	Position/Title

Full Address (Number, Street, Unit/Apartment, Building Name)	Other Address Details (e.g. PO Box, R.R. #, c/o)
1315 North Service Road East	Suite 701

City/Town	Province/State	Country	Postal/Zip Code
Oakville	ON	Canada	L6H 1A7

Telephone Number	Ext.	Fax Number	Email Address
289-291-3678		289-291-1120	smcfarling@liunaopdc.org

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

2 (b). Representative/Contact Person for the Responding Party, if known

3 (a). Affected Party

Contact information for any person, trade union, employer or employer's organization which may be affected by the application must be completed below.

Affected Party 1

Type * Organization Individual

Organization Name

[Construction Labour Relations Association of Ontario](#)

First Name	Last Name	Position/Title
Tony	Fanelli	

Full Address (Number, Street, Unit/Apartment, Building Name)	Other Address Details (e.g. PO Box, R.R. #, c/o)
4299 Airport Road, Suite 703	

City/Town	Province/State	Country	Postal/Zip Code
Mississauga	ON	Canada	L4V 1N3

Telephone Number	Ext.	Fax Number	Email Address
905-671-0888		905-671-8212	tfanelli@clrao.ca

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

3 (b). Representative/Contact Person for the Affected Party, if known

Contact 1

Contact Person for * All Parties above Party No.(s) _____

Indicate if this person is a Lawyer Paralegal

Organization Name

Mathews, Dinsdale & Clark LLP

First Name

Stephen

Last Name *

McArthur

Position/Title

Counsel

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

The Well, 8 Spadina Avenue, 35th Floor

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

City/Town

Toronto

Province/State

ON

Country

Canada

Postal/Zip Code

M5V 0S8

Telephone Number

416-862-8280

Ext.

Fax Number

416-862-8247

Email Address

smcarthur@mathewsdinsdale.com

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

Corinne Webster - cwebster@mathewsdinsdale.com

3 (c). The person, trade union, employer or employers' organization named above is affected by the application for the following reason(s):

Part B Material Facts and Relief Sought

4. In support of its status as an employers' organization, the Applicant files the following documents with this application: (check all that apply)

- Charter
- Constitution
- Bylaws
- Other: _____

5. The Responding Party Trade Union or Council of Trade Unions has been certified or has been granted voluntary recognition or has entered into a collective agreement with two or more employers in the unit of employers proposed by the Applicant. List at least two such employers and include the dates of the documents relied on:

Controlled Demolition Group Inc. - Voluntary Recognition Agreement dated April 20th, 2007 (Tab 1)

Ontario Cutting & Coring Ltd. - Collective Agreement dated September 7th, 2016 (Tab 2)

6. Provide a detailed description of the unit of employers that the Applicant claims to be appropriate for accreditation:

Reference **must** be made to the sector(s) of the construction industry and the geographic area(s) or parts thereof claimed. If you require more space, attach a separate document.

All employers of employees engaged in concrete sawing and drilling for whom the Labourers' International Union of North America, Ontario Provincial District Council and any of its Locals 183, 493, 506, 527, 607, 625, 837, 1036, 1059, and 1089 (the "Union") holds bargaining rights in the industrial, commercial and institutional ("ICI") and residential sectors of the construction industry in the Province of Ontario, save and except non-working foremen and those above the rank of non-working foreman and save and except employers bound by and performing work under the following collective agreements:

- the Provincial ICI Collective Agreement between the Provincial Employer Bargaining Agency - Labourers and the

Union; and

- the Demolition Agreement between the Ontario Association of Demolition Contractors Inc. and the Union.

7. Provide representations as to the appropriateness of the unit described above, including the history of collective bargaining, if any, of the Applicant and the Responding Party:

If you require more space, attach a separate document.

The Applicant is an organization which represents in collective bargaining contractors engaged in concrete sawing and drilling work in the ICI and residential sectors of the construction industry in the province of Ontario.

The Responding Party has certified or entered into voluntary recognition agreements with contractors which are members of the Applicant for the bargaining unit that is the subject of this Application. Those member contractors have all delegated bargaining authority to the Applicant.

The Applicant and the Responding Party have negotiated numerous renewal collective agreements binding upon the Applicant, contractors and the Responding Party, referred to as the Provincial Concrete Sawing & Drilling Agreement, the current term of which is effective through to April 30, 2025 and continuing thereafter in accordance with its terms and by statute (the "Collective Agreement"). That Collective Agreement applies to the bargaining unit that is the subject of this Application. The collective bargaining between the Applicant and Responding Party pertaining to the current Collective Agreement took place on May 10, 11 and 12, 2022. The Collective Agreement was subsequently ratified by members of the Responding Party and/or its constituent local unions on May 18, 2022. The Responding Party negotiated the Collective Agreement on behalf of member contractors who have delegated bargaining authority to the Applicant.

8. State the approximate number of employers in the unit described in question 6:

Thirty-two (32)

9. List the employers in the unit described in question 6:

If you require more space, attach a separate document.

Please see Schedule "A", attached

10. State the approximate number of employees of employers in the unit described in question 6 on the payroll of each such employer for the weekly payroll period immediately preceding the date of this application:

Three hundred and twenty-three (323)

11. State the nature of the authority relied upon by the Applicant to act as bargaining agent for employers in the unit of employers:

For example, authority to act as bargaining agent may, in the case of memberships in the Applicant, stem from the Applicant's constitution or by laws; or in the case of members or non-members, from a specific authorization by an employer.

By-laws (Tab 3) and membership application forms (to be provided)

Constitution (Tab 4)

12. Other relevant statements:

13. 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	Schedule A (1).docx		0.03	<input type="checkbox"/>
2	Supporting Documents.pdf		3.29	<input type="checkbox"/>
3	Notice to RP - C-39.pdf		0.19	<input type="checkbox"/>
4	Accreditation - Cover Letter.pdf		0.28	<input type="checkbox"/>
		Total Size	3.79	
		Total space left over	11.21	
		Number of attachments	4	

DECLARATION

I, Bart Fudala, the Director of the Applicant
(name) (office)

herein, declare that:

1. I have knowledge of the affairs of the Applicant;
2. The Applicant is an employers' organization that represents employers who operate businesses in the construction industry.

Date (yyyy/mm/dd): 2023/09/26

If you are not submitting this form electronically, sign below.

Signature

If you are submitting this form electronically, check this box in the place of your signature affirming your declaration.

IMPORTANT NOTES

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 your application with the Board, you must deliver the following documents to each Responding Party and Affected Party named in Part A of this application:

- A completed copy of this Application for Accreditation, Construction Industry (Form A-92), **including all documents you are filing with this form**; and
- A Notice to Responding Party and/or Affected Party of Application for Accreditation, Construction Industry (Form C-39) **with the names of the parties and the date inserted**.

Note to each Responding Party and Affected Party: The documents listed above should have been delivered to you by the Applicant. The applicable response/intervention form is **Form A-93**.

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) *

2023/09/26

Certificate of Delivery

I, Corinne Webster, Legal Assistant,
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 *
[Labourers' International Union of North America, Ontario Provincial District Council, Sean McFarling, Counsel](#)

Address or fax number to which the documents were delivered *
[Via email \(on consent\)](#)

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 to: smcfarling@liunaopdc.org on September 26, 2023](#)

Delivered To

Name of organization (if applicable) and name and title of person to whom the documents were delivered *
[Construction Labour Relations Association of Ontario c/o Mathews, Dinsdale & Clark, Mr. Stephen McArthur, Counsel](#)

Address or fax number to which the documents were delivered *
[Via email](#)

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 to: smcarthur@mathewsdinsdale.com on September 26, 2023](#)

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 *	Last Name *
Corinne	Webster
Email Address *	Confirm Email Address *
cwebster@mathewsdinsdale.com	cwebster@mathewsdinsdale.com