

Before The Ontario Labour Relations Board

[Amended certificate]

Metropolitan Toronto Sewer and Watermain
Contractors Association,

Applicant,

- and -

Teamsters' Local Union 230 and a Council of
Trade Unions acting as the representative and
agent of Teamsters' Local Union 230 and
Labourers' International Union of North America,
Local Union 183,

Respondents.

Certificate

Upon the application of the applicant and in accordance with the provisions of the Labour Relations Act, THIS BOARD DOTH ACCREDIT Metropolitan Toronto Sewer and Watermain Contractors Association as the bargaining agent for all employers of truck drivers, for whom the Teamsters' Local Union 230 has bargaining rights as at September 26, 1988 and, in accordance with the provisions of subsection 127(2) of the Labour Relations Act, for such other employers for whose employees the Teamsters' Local Union 230 may, after September 26, 1988, obtain bargaining rights through certification or voluntary recognition in the sector and geographic area hereinafter described, performing all sewer and/or watermain work including drainage in the sewers and watermains sector of the construction industry in the Municipality of Metropolitan Toronto, the Regional Municipalities of Peel and York, the Towns of Oakville and Halton Hills and that portion of the Town of Milton within the geographic Townships of Esquesing and Trafalgar, the Towns of Ajax and Pickering in the Regional Municipality of Durham, and Simcoe County, save and except:

- A. all such work on private property, inclusive of public housing or Crown corporations, both inside and outside any buildings or structures, regardless of the end use of the private property, save such work on private property:

- (i) ultimately assumed as an easement, right-of-way or road allowance, by federal, provincial or municipal government or any other governmental authority having jurisdiction, or
 - (ii) outside of buildings or structures on all private property sites greater than three (3) hectares in size other than residential end use private property sites, or
 - (iii) on an easement, right-of-way, private roadway or road allowance on residential end use private property sites greater than three (3) hectares in size; or
- B. notwithstanding the generality of the foregoing, the aforementioned bargaining unit description is subject to the following exclusions from the bargaining unit of employers performing work under the following collective agreements in accordance with past or existing practices as at the date hereof:
- (i) Teamsters' Local Union 230 and various hauler employers;
 - (ii) Labourers International Union of North America, Local 183 and Teamsters' Local Union 230 and the Metropolitan Toronto Road Builders Association;
 - (iii) The Ontario Allied Construction Trades Council and The Electrical Power Systems Construction Association;
 - (iv) The Toronto and District Excavators Association and Teamsters' Local Union 230;
 - (v) The Teamsters Mainline Pipeline Agreement for Canada between Pipe Line Contractors Association of Canada and the International Brotherhood of Teamsters; and
 - (vi) The Teamsters Distribution Pipeline Agreement for Canada between Pipe Line Contractors Association of Canada and the International Brotherhood of Teamsters.

This certificate is to be read subject to the terms of the Board's decision(s) in this matter, and, accordingly, the unit of employers described herein is to be read subject to any qualifications referred to in the said decision(s) of the Board.

DATED at Toronto this 3rd day of November, 1989.

ONTARIO LABOUR RELATIONS BOARD

T. A. INNISS

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