

Ministry of Labour

Ministère du Travail

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EMPLOYER BARGAINING AGENCY DESIGNATION

The association representing concrete floor contractors has incorporated and changed its name to the "Cement Finishing Labour Relations Association", so it has become necessary to replace a Designation dated March 27, 2000 regarding the "labourers" employer bargaining agency.

THEREFORE, pursuant to my authority under subsection 153(5) of the *Labour Relations Act, 1995*, I hereby revoke the above-mentioned Designation and substitute the following Designation:

Pursuant to clause 153(1)(b) of the *Labour Relations Act, 1995* ("Act"), I hereby designate the "Provincial Employer Bargaining Agency – Labourers", consisting of,

- (a) the Cement Finishing Labour Relations Association;
- (b) the Industrial Contractors Association;
- (c) the Construction Labour Relations Association of Ontario;
- (d) the Ontario Masonry Contractors Association; and
- (e) the Waterproofing Contractors Association of Ontario,

as the employer bargaining agency to represent in bargaining in the industrial, commercial and institutional ("ICI") sector of the construction industry in Ontario all employers whose employees are represented by,

- (f) The Labourers' International Union of North America; or
- (g) The Labourers' International Union of North America, Ontario Provincial District Council;
or
- (h) Local Unions 183, 247, 491, 493, 506, 527, 597, 607, 625, 749, 837, 1036, 1059, 1081 and 1089; or



- (i) any other Local of the Labourers' International Union of North America which in the future may be chartered to represent construction labourers, including masons' or bricklayers' tenders, and employees engaged in cement finishing, waterproofing or restoration work,
- (hereinafter collectively referred to as the "Unions") and all employers bound by or parties to,
- (j) a certificate of the Ontario Labour Relations Board granted to the Unions or any of them;
- (k) a voluntary recognition agreement between the Unions or any of them and any employers; or
- (l) a collective agreement to which the Unions or any of them have been or are party to or bound by,

covering the ICI sector of the construction industry in Ontario.

For purposes of clarity, it should be noted that even though the locals specified in clause (h) above are "affiliated bargaining agents" within the meaning of subsection 151(1) of the *Act*, certain of them have or may acquire bargaining rights or are, or may become, bound by certain collective agreements affecting all sectors of the construction industry covering all employees engaged in concrete forming construction, namely, the agreement between Locals 183 and 1081, and the Ontario Form Work Association and between Local 493 and Romm Construction Company Limited, whereby they represent employees who do not commonly bargain separately and apart from other employees.

Therefore, with respect to bargaining on behalf of employees of members of the Ontario Form Work Association and Romm Construction Company Limited, and such other employers for whom any of the local unions have or may acquire bargaining rights for all employees engaged in concrete forming construction, such locals are not "affiliated bargaining agents" within the meaning of subsection 151(1) of the *Act*, nor are they included in or covered by this designation under subsection 153(1) of the *Act*.

Pursuant to subsection 153(2) of the *Act*, I hereby exclude from this designation the bargaining relationship between the Form Work Council of Ontario and the Ontario Form Work Association.

Pursuant to subsection 153(2) of the *Act*, I hereby exclude from this designation the bargaining relationship between the Metropolitan Toronto House Wreckers Association and The Labourers' International Union of North America and The Labourers' International Union of North America, Ontario Provincial District Council.

JAN 18 2010

Date



PETER FONSECA
Minister of Labour