



400 University Avenue
14th Floor
Toronto ON M7A 1T7
Tel: 416 326-7600
Fax: 416 326-1449

400, avenue University
14^e étage
Toronto ON M7A 1T7
Tél.: 416 326-7600
Télééc.: 416 326-1449

EMPLOYEE BARGAINING AGENCY DESIGNATION

The designation of The Labourers' International Union of North America and The Labourers' International Union of North America, Ontario Provincial District Council dated April 21, 1978, amended July 13, 1978, December 6, 1978, and September 30, 1983, is further amended pursuant to my authority under subsections 153(3) and (5) of the *Labour Relations Act, 1995*, S.O. 1995, c.1., Schedule A, as amended (hereinafter "*Labour Relations Act, 1995*"), by limiting the geographic application of the exclusion from this designation, made pursuant to subsection 153 (2) of the *Labour Relations Act, 1995* (previously subsection 139 (2) of *The Labour Relations Act*, R.S.O. 1980, c.228, as amended (hereinafter "*The Labour Relations Act*")) of the bargaining relationship between the Formwork Council of Ontario and the Ontario Form Work Association so that the designation reads as follows:

Pursuant to clause 153 (1)(a) of the *Labour Relations Act, 1995*, (previously clause 139(1) (a) of *The Labour Relations Act*), I hereby designate The Labourers' International Union of North America and The Labourers' International Union of North America, Ontario Provincial District Council as the employee bargaining agency to represent in bargaining all construction labourers, including masons' or bricklayers' tenders, plasterers and plasterers' apprentices and all employees engaged in cement finishing, waterproofing or restoration work, represented by the following affiliated bargaining agents:

1. The Labourers' International Union of North America; or
2. The Labourers' International Union of North America, Ontario Provincial District Council; or
3. The following Local Unions: 183, 247, 491, 493, 506, 527, 597, 607, 625, 749, 837, 1036, 1059, 1081 and 1089; or
4. 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, plasterers and plasterers' apprentices, and all employees engaged in cement finishing, waterproofing or restoration work;

(Which Council and Unions are hereinafter collectively referred to as "the Unions"), in the industrial, commercial and institutional sector of the construction industry in the Province of Ontario, and without limiting the generality of the foregoing, to represent in bargaining as aforesaid all employees bound by or parties to:

- (a) certificates of the Ontario Labour Relations Board granted to the Unions or any of them;
- (b) voluntary recognition agreements with the Unions or any of them;
- (c) collective agreements to which the Unions or any of them have been or are party to or bound by, covering the industrial, commercial and institutional sector of the construction industry in the Province of Ontario.


For purposes of clarity, it should be noted that notwithstanding the fact that locals set out in paragraph 3 above are affiliated bargaining agents within the meaning of subsection 151(1) of the *Labour Relations Act, 1995* (previously clause 137(1)(a) of *The Labour Relations 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 *Labour Relations Act, 1995* (previously clause 137(1)(a) of *The Labour Relations Act*), nor are they included in or covered by this designation under subsection 153(1) of the *Labour Relations Act, 1995* (previously subsection 139(1) of *The Labour Relations Act*), nor are they or the said collective agreements and bargaining thereunder affected by section 142 of the *Labour Relations Act, 1995* (previously section 133 of *The Labour Relations Act*).

Pursuant to subsection 153(2) of the *Labour Relations Act, 1995* (previously subsection 139 (2) of *The Labour Relations Act*), I hereby exclude from this designation the bargaining relationship between the Formwork Council of Ontario and the Ontario Form Work Association; and, pursuant to subsection 153 (3) of the *Labour Relations Act, 1995*, I hereby limit that exclusion to all Ontario Labour Relations Board (OLRB) geographic areas other than OLRB geographic areas 6, 7, 8, 9, 10, 11, 12, 18, 27 and 29, as those areas where set on January 1, 2018.

Pursuant to subsection 153(2) of the *Labour Relations Act, 1995* (previously subsection 139 (2) of *The Labour Relations 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.

MAY 08 2018

DATE



Kevin Flynn, Minister of Labour