



ONTARIO LABOUR RELATIONS BOARD

Colleges Collective Bargaining Act, 2008

OLRB Case No: 0625-16-R
Certification (Industrial)

Ontario Public Service Employees Union ("OPSEU"), Applicant v College Employer Council, Responding Party

COVER LETTER

TO THE PARTIES LISTED ON APPENDIX A:

The Board is attaching the following document(s):

Decision - June 2, 2016
CCBA Notice to Employees (E)
CCBA Notice to Employees (F)
Confirmation of Posting (English)
Confirmation of Posting (French)

The French translation of the decision will be sent via email tomorrow (June 3, 2016).

DATED: June 2, 2016

Catherine Gilbert
Registrar

Website: www.olrb.gov.on.ca

Address all communication to:

The Registrar
Ontario Labour Relations Board
505 University Avenue, 2nd Floor
Toronto, Ontario M5G 2P1
Tel: 416-326-7500
Toll-free: 1-877-339-3335
Fax: 416-326-7531



ONTARIO LABOUR RELATIONS BOARD

THIS IS AN OFFICIAL NOTICE OF THE BOARD

OFFICIAL NOTICES OF THE BOARD MUST NOT BE REMOVED, DEFACED
OR DESTROYED

ALL NOTICES MUST IMMEDIATELY BE POSTED BY THE EMPLOYER (IN
LOCATIONS WHERE THEY ARE MOST LIKELY TO COME TO THE
ATTENTION OF EMPLOYEES OR OTHER INDIVIDUALS AFFECTED BY THE
APPLICATION) NEXT TO THE APPLICATION, THE BOARD'S NOTICE TO
EMPLOYEES OF APPLICATION, AND/OR THE BOARD'S DECISION

NOTICES MUST REMAIN POSTED FOR 45 BUSINESS DAYS



COMMISSION DES RELATIONS DE TRAVAIL DE
L'ONTARIO

Loi de 2008 sur la négociation collective dans les collèges

N° de cas de la CRTO : 0625-16-R
Certification syndicale (secteur industriel)

Syndicat des employés de la fonction publique de l'Ontario ("SEFPO"), requérant
c Conseils des employeurs des collèges, intimé

LETTRE D'ACCOMPAGNEMENT

À L'ATTENTION DES PARTIES INDIQUÉES À L'ANNEXE A :

La Commission joint à la présente les documents suivants :

Décision rendue le 2 juin 2016

Avis aux employés du dépôt d'une requête en accréditation - Loi de 2008 sur la
négociation collective dans les collèges (en anglais et français)

Confirmation de l'affichage (en anglais et en français)

La traduction au français de la décision sera remise par courriel demain (le
3 juin 2016).

FAIT LE : 2 juin 2016

A handwritten signature in black ink that reads 'Catherine Gilbert'.

Catherine Gilbert
Greffière

site Web : www.olrb.gov.on.ca

Toutes les communications
doivent être adressées à :

La greffière
Commission des relations de travail de
l'Ontario
505, avenue University, 2^e étage
Toronto (Ontario) M5G 2P1
Téléphone : 416-326-7500
Sans frais : 1-877-339-3335
Télécopieur : 416-326-7531



COMMISSION DES RELATIONS DE TRAVAIL DE
L'ONTARIO

CET AVIS OFFICIEL DE LA COMMISSION
NE DOIT PAS **ÊTRE ENLEVÉ**, **ALTÉRÉ** OU **DÉTRUIT**

L'EMPLOYEUR DOIT AFFICHER IMMÉDIATEMENT CETTE DÉCISION (AUX
ENDROITS **OU** ELLE EST LE PLUS SUSCEPTIBLE D'ATTIRER L'ATTENTION
DES EMPLOYÉS ET AUTRES PERSONNES TOUCHÉES PAR LA REQUÊTE), **À**
CÔTÉ DE LA REQUÊTE, DE L'AVIS DU **DÉPÔT** DE LA REQUÊTE **DONNÉ** PAR
LA COMMISSION AUX EMPLOYÉS ET/OU DE TOUTES LES AUTRES
DÉCISIONS DE LA COMMISSION.

LE **PRÉSENT** AVIS DOIT RESTER AFFICHÉ PENDANT 45 JOURS
OUVRABLES.



ONTARIO LABOUR RELATIONS BOARD

OLRB Case No: **0625-16-R**

Ontario Public Service Employees Union ("OPSEU"), Applicant v
College Employer Council, Responding Party

BEFORE: Brian McLean, Alternate Chair

DECISION OF THE BOARD: June 2, 2016

1. This is an application for certification brought pursuant to s.79 of the *Colleges Collective Bargaining Act, 2008*, S.O. 2008 c.15 (the CCBA"). The application was filed on May 31, 2016.
2. The parties have agreed that all communication between the parties and the Board regarding this application will be by way of email.
3. The parties also agreed to file submissions with respect to the following issues and agreed to a schedule for the filing of those submissions:
 - i) the date by which the responding party must file its response; and
 - ii) the date any representation vote should be held.
4. The responding party filed submissions outside of the agreed to schedule. I have not taken those submission into consideration in making this decision and, in fact, this decision was largely completed before the submissions were received.

Date for Filing of Response

5. The applicant asserts the responding party should file its response by June 6, 2016. The responding party asserts it should be

permitted to file its response by no later than June 14, 2016. It notes there are a great number of colleges and employees without any central register as to the number of employees (and other employment information) who might be affected by the application. It also notes that in previous applications the applicant agreed that a response could be filed within two to three weeks of the application date.

6. The applicant notes those agreements were made in a different context than this application. In this application the applicant is seeking a quick vote and if the response time is too late then that vote cannot take place. In previous applications, the applicant was not seeking a quick vote.

7. In my view the appropriate date by which the Council must file its response is June 8, 2016. I note that the response time for applications filed under the Labour Relations Act is two days and this application is similar to a number of such applications being filed on the same day. The extra time beyond the normal two day period is required to ensure that the employee information filed by the colleges can be properly compiled.

Date of Vote

8. I am unable to, at this point, determine the date to hold any representation vote in this matter. The appropriate date can only be determined once the Board knows, at least generally, how many employees remain working at the colleges.

9. Accordingly, when the Council files its response it should also file supplemental submissions regarding the date of the vote, having regard to the number of employees at work. The union will then have as many as two days to file response supplemental submissions. The Council's reply supplemental submissions are due one day after receipt of the union's supplemental submissions.

10. The Board has modified its "Notice to Employees of Application for Certification" and provides it, attached to this decision. The Council is directed to arrange for the immediate posting of the "Notice to Employees of Application for Certification" at all Colleges of Applied Arts and Technology and associated work locations where employees may be affected by this application. The Council is directed to then

immediately return the "Confirmation of Posting" (form attached) to the Board.

11. The Council is directed to arrange for the posting of this decision, alongside the Notice to Employees. These copies must remain posted for 45 business days.

12. I am not seized.

"Brian McLean"
for the Board

APPENDIX A / ANNEXE A

Ryder Wright Blair & Holmes LLP
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