

INDEX

All references are to section numbers of the Labour Relations Act, 1995, S.O. 1995, c. 1, unless otherwise noted. References to PSLRTA, HLDAA or TARA indicate the Public Sector Labour Relations Transition Act, the Hospital Labour Disputes Arbitration Act or the Tribunal Adjudicative Records Act, 2019, respectively. References to the Rules indicate the Rules of Procedure of the Ontario Labour Relations Board.

A

ABANDONMENT, 65

ACCESS, RIGHT OF

- organizing/picketing
- expedited proceeding, 110(18), Rule 41
- where employees reside on employer's property, 13

ACCREDITED EMPLOYERS' ORGANIZATION

- accreditation
 - application for, 134, 136
 - determinations by Board, 136
 - effect, 137
 - ordered by board, 136(2)
 - rules of procedure, Rule 23
 - termination, 139
 - unit, appropriateness of, 135
 - when, not allowed, 136(5)
- defined, 1(1)
- duty of fair representation, 141
- fees, 143
- membership, termination of, 142

ADJOURNMENT, 110, Rule 38.3

ADMINISTRATION COST, 124

APPLICATION

- Act, 3, 4, 126.1

- rules of procedure, Rules 1.1–1.5

ARBITRATION

- arbitration, 50
- *Arbitration Act*, non-application of, 43(30), 48(20)
- appointment of arbitrator by Minister, 48(4), (6)
- award to be filed with Minister, Reg. 94/07
- construction industry, residential sector, 150.2(2)–(7)
- damages for unlawful strike/lockout, 103
- decisions
 - effect of, 48(18)
 - enforcement, 48(15), (19)
 - oral, 48(10)
 - time for rendering, 48(7)–(11)
- enforcement, 48(15), (19)
- extension of time, 48(16)
- fees, Reg. 94/07, s. 2
- first contract, 43, Rules 12.1–12.2
- hospitals
 - board, appointment of, HLDAA 6
 - board, duty of, HLDAA 9
 - board, powers of, HLDAA 6(19)
 - board, review of, HLDAA 7
 - board, time limitations, HLDAA 6

Index

ARBITRATION (*cont'd*)

- • collective agreement, HLDAA 10
- • decisions, filing with Minister, HLDAA 16
- • general, HLDAA 4
- • method of, HLDAA 6(7.1)–(7.4)
- • remuneration of arbitrators, HLDAA 9.1
- • several disputes, single arbitration of, HLDAA 8
- • single arbitrator, appointment of, HLDAA 5(1)
- • single arbitrator, powers of, HLDAA 5(2)
- • single arbitrator, review of, HLDAA 7
- interim orders, 48(12), 48(13)
- powers, 48(12)–(15)
- power generation, 178–189
- remuneration of arbitrators, 48(6)
- settlement officer, appointment of, 48(5)
- single arbitrator, referral to, 49, 163.3(1)
- voluntary, 40

ASSIGNMENT OF WORK, DISPUTES OVER, 99, Rules 13, 28

B

BARGAINING RIGHTS, TERMINATION, *see* TERMINATION OF BARGAINING RIGHTS

BARGAINING UNIT

- alteration
- • jurisdictional dispute, 99(8)
- appropriateness, 9
- construction industry, 128
- crafts unit, 9(3)
- defined, 1(1)
- dependant contractors, 9(5)

- disagreement by employer with union's estimate, 8.1
- municipalities, amalgamation of, PSLRTA 14 and 20–28
- professional engineers, 9(4)
- review of structure, 12.1
- security guards, 14

BOARD

- alternate chair, 110(3), (12)
- *Canada Labour Code*, powers under, 118.1
- chair to sit alone, 110(12)–(15)
- construction industry division, designation, 110(5)
- death or incapacity of member, 110(12)–(13)
- decision
 - • by majority, 110(11)
 - • final and conclusive, 114, 116
 - • not subject to review, 116
 - • • where none after six months, 115.1
- defined, 1(1)
- divisions, 110(4)–(5), (10)
- grievance, referral to, 133
- jurisdiction, general, 114
- oath of office, 110(8)
- office, 110(26)
- official seal, 110(25)
- orders not subject to review, 116
- powers
 - • *Canada Labour Code*, under, 118.1
 - • complaints, remedies, 96(4)
 - • determination of union membership, 111(3)
 - • direct copy of constitution to be filed, 91
 - • expedited proceedings, 110(18)–(22), Rule 41
 - • following resignation, 110(7)

Index

BOARD (*cont'd*)

- general, 111(1), 114
- interim orders, *see* INTERIM ORDERS
- practice and procedure, to determine, 110(16)
- representation votes, 111(5)–(6)
- rules of practice, to make, 110(17)–(22)
- specific, 111(2)
- subsequent application for certification, 111(3)
- unlawful strike/lockout, declaration and directions, 100, 101, 144
- quorum, 110(9)
- re-institution of proceedings, 115.1(3)
- remuneration, 110(24)
- rules, *see* RULES OF PROCEDURE — BOARD
- sittings, 110(26)
- termination of proceedings, 115.1(2)
- testimony in civil proceedings, 117
- vacancies, 110(6)

C

CERTIFICATION

- application for
 - conciliation, after, 67
 - disagreement by employer with union's estimate, 8.1
 - employee list, 6.1
 - lawful strike, during, 67(3)
 - timing, 7, 8
- bargaining unit, *see* BARGAINING UNIT
- council of trade unions, of, 12
- discharge or discipline following, prohibition on, 12.1
- fraud, where certificate obtained by, 64
- order for certification made

- when Act contravened, 11
- order for certification not made, 15
- representation vote, 8, 10, 128.1(12)–(14)
- right of access, 13
- rules of procedure, *see* RULES OF PROCEDURE — BOARD
- subsequent application for, 111(3)
- timeliness, 67
- where collective agreement exists, 127.3
- where contravention of Act, 11

CHILDREN'S AID SOCIETIES

- amalgamation
- application of Act to, PSLRTA 8.1

COLLECTIVE AGREEMENT

- application for certification where collective agreement exists, 127.3
- arbitration provision, 48
- binding effect, 56, 57, 138, 163
- construction industry, 163
- contents, 45–52
- defined, 1(1)
- discrimination prohibited, 54
- filing with Minister, 90
- hospitals, HLDAA 10
- lockouts, provision against, 46
- multiple agreements prohibited, 55
- municipalities, amalgamation of, PSLRTA 15 and 29–32
- negotiation of, *see* COLLECTIVE BARGAINING
- operation of, 53–61
- permissive provisions, 51, 52
- prohibited, 53, 55
- recognition provisions, 45
- strikes, provision against, 46
- term of operation, 58
- termination, early, 58(3)–(4)

Index

- COLLECTIVE AGREEMENT** (*cont'd*)
- union business during working hours, 51(1)(b)
 - union dues, deduction/remittance, 47
 - union security, 51, 52
 - union's use of employer's premises, 51(1)(c)
 - where none within one year, 63
- COLLECTIVE BARGAINING**
- arbitration, *see* ARBITRATION
 - conciliation board, *see* CONCILIATION BOARD
 - conciliation officer, 18, 20, 36
 - Disputes Advisory Committee, 39
 - mediator, 19, 35
 - notice of desire to bargain
 - construction industry, 129, 131
 - generally, 16
 - new collective agreement, 59, 60, 122(4)
 - ratification vote, 41, 44, 79.1
 - special officer, 38
 - vote on employer's officer, 42
 - working conditions not to be altered, 86
- COMPLAINTS**
- burden of proof, 96(5)
 - duty of fair referral, breach of, re, 75, Rule 16
 - duty of fair representation breach of, re, 74, Rule 16
 - filing of determinations, directions and orders in court, 96(6), 99(10), 102
 - inquiry by officer, 96(1)–(3)
 - interim order, 98, 99(5), 99(12), Rule 19
 - jurisdictional disputes, re, 99, Rules 13, 28
 - “person”, defined, 97
 - protection for complainants/witnesses, 86, 87
 - remedial powers of Board, 96(4), (8), 98–101
 - settlement, effect of, 96(7)
 - settlement, failure to comply with, 96(7)
 - unfair labour practices, re, 96
 - unlawful lockout or strike, re, 100–101, Rule 7.3(b)
 - work assignments, re, 99, Rules 13, 28
- CONCILIATION BOARD**
- appointment of members, 21
 - casting vote, 32
 - competency of members as witnesses, 120
 - construction industry, 129(3)–(4)
 - duties, 27
 - notice to Minister of first sitting, 30
 - notice to parties of appointment, 23
 - oath of office, 26
 - powers, 33
 - presentation of evidence, 28(2)
 - procedure, 28
 - prohibited members, 22
 - quorum, 31
 - remuneration, 124.1
 - report, 34
 - sittings, 29
 - terms of reference, 25
 - vacancies, 24
- CONCILIATION OFFICER**, 18, 20, 36, 129(2)
- CONSTRUCTION INDUSTRY**
- accredited employers' organization, *see* ACCREDITED EMPLOYERS' ORGANIZATION
 - arbitration, residential sector, 150.2; Reg. 522/05

Index

CONSTRUCTION INDUSTRY (*cont'd*)

- application of Act, 126.1
- bargain, notice of desire to, 129, 131
- bargaining rights, termination, 127.2, 132, Rules 26, 27
- bargaining units, 128
- certification, 7–15, 126.1(2), 154, 158–160, Rule 25
- collective agreement
 - binding effect, 138
 - what deemed to be, 130
- conflict, provisions of Act, 126.1
- definitions, 1(1), 126
- directions re unlawful agreements, 108, 144(3)–(4)
- directions re unlawful lockouts, 108, 144(2), (4)
- direction re unlawful strike, 108, 144(1), (4)
- employers' organizations, *see* ACCREDITED EMPLOYERS' ORGANIZATION
- grievances, 133, Rules 30–37, 41
- ICI sector, *see* PROVINCE-WIDE BARGAINING
- individual bargaining prohibited, 140(1)
- non-construction employers, 126, 127, 127.1, 127.2, Rule 27
- Ontario Construction Secretariat, Reg. 187/93
- parent/local trade unions, 146–150
- project agreements, 163.1, 163.1.1, 163.5(10)
- residential sector, 150.1–150.3; Reg. 522/05
- rules of procedure, Rules 23–29, *see also* RULES OF PROCEDURE — BOARD
- termination of bargaining rights, 127.2, 132, Rules 26, 27

CONTRAVENTION OF ACT

- complaints, *see* COMPLAINTS
- offences, *see* OFFENCES

COUNCIL OF TRADE UNIONS

- certification, 12
- defined, 1(1)
- dissolution, 61

COURT, FILING OF ORDERS IN

- arbitration decision, 48(19)
- complaints, 96(6)
- jurisdictional disputes, 99(10)
- unlawful strike or lockout, directions re, 102, 144(4)

CROWN EMPLOYEES

- application of Act, 4
- excluded from Act, 5
- application of *Hospital Labour Disputes Arbitration Act*, HLDAA 2(3)

CURATIVE PROVISION, 123

CRAFTS UNIT, 9(3)

D

DEPENDENT CONTRACTORS

- bargaining unit, appropriateness, 9(5)
- defined, 1(1)

DISPUTES ADVISORY COMMITTEE, 39

DUTY OF FAIR REFERRAL, 75, Rule 16

DUTY OF FAIR REPRESENTATION

- employers' organization, by, 141
- trade union, 74, Rule 16

E

EMERGENCIES

- Notice to Community, Rule 1.5
- conflict with Rules, 1.5

Index

EMPLOYEE

- confidential, 1(3)(b)
- definition, 1(1)
- construction industry, 126(1)
- generally, 1(1)
- deeming provisions, 1(2), (3)
- list, application for, 6.1
- power generation, 169
- reinstatement after strike, 80
- seniority, amalgamation of municipalities, PSLRTA 33–36
- status determination applications, 110(18), 114(2), Rules 41.2, 41.3

EMPLOYERS

- defined, construction industry, 126(1)
- related, 1(4)–(5), Rule 15
- sale of business, 69, Rule 15
- unfair practices, 70–88
- interference with bargaining rights, 73
- interference with employees' rights, 72
- interference with unions, 70
- power generation, 169
- unlawful lockout, 82, 83

EMPLOYERS' ORGANIZATION

- accredited, *see* ACCREDITED EMPLOYERS' ORGANIZATION
- defined
- construction industry, 126(1)
- generally, 1(1)
- duty of fair representation, 141
- membership in, right to, 6
- vicarious liability, 107(2)

ENFORCEMENT, *see also* COMPLAINTS

- filing of orders in court, *see* COURT, FILING OF ORDERS IN
- proceedings in Superior Court of Justice, 108

ENGINEER

- bargaining unit, appropriateness, 9(4)
- professional engineer, defined, 1(1)

EXPEDITED PROCEEDINGS, 110(18); Rule 41

F

FIREFIGHTER

- excluded from Act, 3(e)

FIRST AGREEMENT ARBITRATION, 43, Rule 12

FREEDOMS

- membership in employers' organization, 6
- membership in trade union, 5, 52
- religion, of, 52

FREEZE PERIOD, 43(16), 86

G

GOOD FAITH

- obligation to bargain in, 17

GRIEVANCE, *see* ARBITRATION; CONSTRUCTION INDUSTRY

GUARDS, *see* SECURITY GUARDS

H

HORTICULTURIST

- excluded from Act, 3(c)

HOSPITALS

- application of Labour Relations Act, HLDAA 2(2)
- application of *Hospital Labour Disputes Arbitration Act*, HLDAA 2(1)
- arbitration
- collective agreement, HLDAA 10
- decisions, filing with Minister, HLDAA 16, O. Reg. 504/18
- general, HLDAA 4

Index

HOSPITALS (*cont'd*)

- board, appointment of, HLDAA 6
- board, duty of, HLDAA 9
- board, powers of, HLDAA 6(19)
- board, review of, HLDAA 7
- board, time limitations, HLDAA 6
- method of, HLDAA 6(7.1)–(7.4)
- remuneration of arbitrators, HLDAA 9.1
- several disputes, single arbitration of, HLDAA 8
- single arbitrator, appointment of, HLDAA 5(1)
- single arbitrator, powers of, HLDAA 5(2)
- single arbitrator, review of, HLDAA 7
- lock-out, HLDAA 11(1)
- strike, HLDAA 11(1)

HUNTERS

- excluded from Act, 3(b)

I

INDUSTRIAL INQUIRY COMMISSION, 37

INQUIRY, 96, 97, 108

INTERIM ORDERS

- generally, 98
- jurisdictional disputes, 99(5), 99(12)
- rules of practice, Rules 19, 41

J

JUDGES

- excluded from Act, 3(i)

JURISDICTIONAL DISPUTES, 99,
Rules 13, 28

L

LABOUR RELATIONS OFFICERS

- grievance referrals, construction industry, 133(5)–(6)
- inquiries by, 96
- rules of procedure, Rule 40.10
- secrecy, duty of, 119(4), (5)

LOCK-OUT

- causing unlawful, 83
- declaration re unlawful, 101, 102, Rule 7.3(b)
- defined, 1(1)
- direction re unlawful, 144, Rule 7.3(b)
- discharge or discipline following, prohibition on, 80.1
- effect of amalgamation of municipalities, PSLRTA 19
- hospital employees, HLDAA 11(1)
- notice of claim for damages, 103, 108
- power generation, 172–176
- prohibited while collective agreement in operation, 79
- termination when first agreement arbitration initiated, 43(14)

M

MAILED NOTICES, 122

MANAGERS, 1(3)(b)

MEDIATORS

- appointment, 19
- confidentiality, 119
- duties, 35(1), 119
- excluded from application of Act, 3(j)
- notice to Minister, 30, 35(3)
- powers, 33, 35(2)
- remuneration, 124.1
- report, 34, 35(4)

Index

MEMBER

- defined, 1(1)

MINISTER

- defined, 1(1)

MUNICIPALITIES

- amalgamation
- application of Act to, PSLRTA 13
- successor rights, PSLRTA 14–20

N

NEGOTIATION OF AGREEMENTS, *see* COLLECTIVE BARGAINING

NON-CONSTRUCTION EMPLOYER

- application of Act to, 127.1
- deemed, 127, Rule 27
- defined, 126(1)
- grandparented, 127.1(1)
- termination, application for, 127.2, Rule 27

NOTICE OF DESIRE TO BARGAIN

- construction industry, 129, 131
- generally, 16
- new collective agreement, 59, 60, 122(4)

NOTICE TO COMMUNITY

- conflict with Rules, Rule 1.5
- emergencies, Rule 1.5

O

OFFENCES

- consent required for prosecution, 109(1)
- continued, 104(2)
- defence, 122(3)
- *Hospital Labour Disputes Arbitration Act*, HLDAA 14
- information, 105, 109(2)
- parties, 106

- penalty, 104(1)
- style of prosecution, 107(2)
- vicarious liability, 107(2)

ONTARIO CONSTRUCTION

SECRETARIAT, O.Reg. 187/93

ONTARIO POWER GENERATION,

see POWER GENERATION
INDUSTRY

P

PARTIES, MISTAKES IN NAMES **OF**, 112

PICKETING

- right of access, *see* ACCESS, RIGHT
OF

POWER GENERATION INDUSTRY

- incorporation of *Protecting a Sustainable Public Sector for Future Generations Act, 2019*, 190
- Ontario Power Generation, 169–189

PRIVATIVE CLAUSE, 116

PROFESSIONAL ENGINEERS, *see* ENGINEER

PROVINCE-WIDE BARGAINING

- accreditation of employer bargaining agency, 155, 157, Rule 23
- application for certification, 158
- bargaining agency not to act in bad faith, 167
- certification after representation vote, 160
- certification of employee bargaining agency, 154, 156
- corporation to facilitate bargaining, 168
- deemed abandonment of bargaining rights, Reg. 105/01
- deemed provisions in provincial agreements re hiring, 163.5
- defined, 151(1)

Index

PROVINCE-WIDE

BARGAINING (*cont'd*)

- designation of employee bargaining agency, 153, 156
- designation of employer bargaining agency, 153, 157
- determination of questions, 166
- election of employer re hiring, 163.5
- lock-outs, 163.5(8), 164, 165
- project agreements, 163.1–163.1.1
- provincial agreement
 - amendments, 163.2–163.4
 - binding, 161(3)–(5), 163
 - default provisions re hiring, 163.5
 - defined, 151(1)
 - expiry of, 162(3)
 - only one, 162(1), (2)
 - ratification, 165
- representation vote, 159, 165
- strikes, 163.5(8), 164, 165
- termination of collective agreements, 161
- voluntary recognition agreements, 158(3)-(4)
- voting, 159, 165

PUBLICATIONS, 95

R

RATIFICATION VOTE, 41, 42, 44, 79.1, 165

RECONSIDERATION, 114, Rule 18

REFERENCE OF QUESTIONS, 115, 153(4), HLDAA 3(2)

REGULATIONS

- power to make, 125

RELATED EMPLOYER, 52; 1(4)–(5), 126(2)–(4), Rule 15

REPRESENTATION VOTE

- additional votes, 111 (5)-(6)

- certification, 8, 10
- province-wide bargaining, 159, 165
- rules of practice, Rule 11
- termination of bargaining rights, 63, 63.1
- where multiple unions, 111(6)

RIGHT OF ACCESS, *see* ACCESS, RIGHT OF

RULES OF PROCEDURE — BOARD

- access, request for, Rule 43
- adding/removing parties, Rule 40.8
- adjournment, 57
- adjudicative record, TARA 1, TARA 2, Rule 42.1
- application of rules, Rules 1.1–1.5
- certification, Rules 9, 25
- confidentiality order, TARA 1, TARA 5, Rule 44
- consolidation, Rule 40.9
- construction industry
 - accreditation, Rule 23
 - certification, Rule 25
 - general, 41, Rule 1.4
 - grievance referrals
 - applications under s. 133, Rule 34
 - default by responding party, Rule 36
 - definitions, Rule 30.1
 - fees, Rules 31-32
 - general, Rule 41
 - notice to accredited employers' organizations in I.C.I. sector, Rule 33
 - notice to Employee Bargaining Agency in I.C.I. sector, Rule 33
 - request for hearing, Rule 35
 - responses, Rule 37.1
- non-construction employers, Rule 27

Index

RULES OF PROCEDURE —

BOARD (*cont'd*)

- • termination of accreditation, Rule 23
- • termination of bargaining rights under s. 63 or 132 of the Act, Rule 26
- • termination of bargaining rights under s. 127.2 of the Act, Rule 27
- conflict between general and specific rules, Rule 1.3
- constitutional challenges, Rule 4.1
- consultation
 - • dismissal without, Rule 39.1
 - • failure to attend or participate in, Rule 38.6
 - • notice of, Rules 38.1-38.2
- definitions, Rules 1.5, 30.1
- delivery to parties, Rules 6, 8
- director references, Rule 17
- dismissal without consultation or hearing, Rule 39.1
- duty of fair referral applications, Rule 16
- duty of fair representation applications, Rule 16
- electronic filing, Rule 1.6
- *Employment Standards Act, 2000* applications, Rule 21
- expedited proceedings, Rule 41
- electronic hearings, 53
- filing and delivery, Rules 6-8, 24.1-24.3, 40.5
- filing copies of documents, Rules 8.3-8.4
- filings, amended, Rule 40.5
- first agreement arbitration, Rule 12
- forms of notices, Rule 40
- forms, power to set, Rule 40.1
- hearings
 - • dismissal without, Rule 39.1
 - • electronic, Rule 38.5
 - • failure to attend or participate in, Rule 38.6
 - • notice of, Rule 4.1, 38.1-38.2
- improper conduct, allegations of, Rule 5.1
- interim orders, applications for, Rules 19.1-19.2, 41
- jurisdictional disputes, Rules 13, 28, 41
- labour relations officers, Rule 40.10
- making of representations not set out in application or response and filed promptly, Rule 2.4
- matters not covered by rules, Rule 1.2
- ministerial references, Rule 17
- non-compliance with, Rules 2, 40.6, 40.7
- notice of hearing, Rules 4.1, 38
- notices, power to set, Rule 40.1
- posting, Rules 40.2-40.4
- posting, Rules 40.2-40.4
- presentation of evidence not set out in application or response and filed promptly, Rule 2.4
- *Public Sector Labour Relations Transition Act, 1997*, applications, Rule 20
- reconsideration, requests for, Rule 18
- related employer applications, Rules 7-8, 15
- representation votes, Rule 11
- responses, Rules 6, 7, 37.1, 41
- sale of business applications, Rules 7-8, 15
- sending of documents, Rule 40.8
- successor rights (trade union) applications, Rules 14.1-14.2
- terminal dates, Rule 3.3
- termination of bargaining rights, Rules 6.11-6.13, 10, 26-27

Index

RULES OF PROCEDURE — BOARD (*cont'd*)

- time, Rule 3.1
- time periods, lengthening/shortening, Rule 3.2
- *Tribunal Adjudicative Records Act*, Rule 42–45
- unlawful strikes or lockouts, Rule 7.3(b)

S

SALE OF BUSINESS, 69, 126(2), 126(5), Rules 7-8, 15

SECURITY GUARDS

- composition of bargaining unit, 14
- expedited proceedings, 110(18), Rule 41
- rules of practice, Rule 41
- status determination, 114(2)

SERVICE

- representative for service of process, 94
- rules of procedure, Rules 6.4–6.7, 8.1–8.4

SETTLEMENT OFFICER, 48(5), 49(6)

SETTLEMENTS, 96(7)

SOLICITATION DURING WORKING HOURS, 77

SPECIAL OFFICER

- appointment of, 38(1)
- duties of, 38(2)
- qualifications of, 38(3)
- renumeration of, 124.1

STRIKE

- application for certification during, 67
- application for termination during, 67
- breaking prohibited, 78
- causing unlawful, 83

- declaration re unlawful, 100, 102, Rule 7.3(b)
- defined, 1(1)
- direction re unlawful, 144, Rule 7.3(b)
- discharge or discipline following, prohibition on, 80.1
- effect of amalgamation of municipalities, PSLRTA 19
- generally, 79
- hospital employees, HLDAA 11(1)
- notice of claim for damages, 103, 108
- power generation, 171, 173–176
- prohibited while collective agreement in operation, 79
- prohibition during first agreement arbitration period, 43(14)
- provision against, in collective agreement, 46
- ratification vote, 41, 44
- reinstatement of employee, 80
- saving, 84
- termination when first agreement arbitration initiated, 43(14)
- timing when no collective agreement, 79(2)
- unlawful, 79, 81, 83, 85, 100, 102, 103, 144

STRIKE-BREAKING MISCONDUCT, 78

SUCCESSOR RIGHTS

- generally, 68–69.1
- building services, 69.1
- declaration of successor union, 68, Rule 14
- municipalities, amalgamation of, PSLRTA 14–20
- municipalities, successor, 69(11)
- sale of business, 69, Rules 7-8, 15

SUPERVISORY OFFICER

- excluded from Act, 3(f)

SWEET-HEART DEALS, 15**T****TEACHER**

- excluded from Act, 3(f)

TERMINATION OF BARGAINING RIGHTS

- application for termination, 63, 63.1, 67, 127.2, 132
 - construction industry, 132
 - construction industry, non-construction employer, 127.2
 - strike, during, 67
- deemed abandonment, Reg. 105/01
- effect of certification, 62
- failure to bargain, 65(2)
- failure to give notice, 65(1)
- fraud, 64
- rules of procedure, Rules 6.11–6.13, 10, 26-27
- strike, during, 67
- timeliness, 67
- hospitals, HLDAA 12
- voluntary recognition, 66

TRADE UNION, *see also***CERTIFICATION; UNFAIR LABOUR PRACTICES**

- defined
 - construction industry, 126(1)
 - generally, 1(1)
- dues, deduction and remittance, 47
- duty of fair referral, *see* DUTY OF FAIR REFERRAL
- duty of fair representation, *see* DUTY OF FAIR REPRESENTATION
- employment benefit plan, construction industry, 150
- financial statement
 - annual filing, 93
 - copy to members, 92

- interference with local, 89.1
- membership in, 5, 51(1)(a), 52, 118, 119
- not to interfere with
 - bargaining rights, 73
 - employers' organizations, 71
- not to punish for refusal to engage in unlawful strike, 85
- parent/local jurisdiction, construction industry, 146–150
- religious objections to membership, 52
- right of access, *see* ACCESS, RIGHT OF
- security provisions, 51(4)
- status, proof of, 113
- successor rights, 68, Rule 14
- trusteeship over local unions, 89
- uncertifiable, 15
- vicarious liability, 107(2)

TRAPPERS

- excluded from Act, 3(b)

TRIBUNAL ADJUDICATIVE RECORDS ACT

- adjudicative record, TARA 1, TARA 2, Rule 42.1
- confidentiality order, TARA 1, TARA 5, Rule 44
- conflicting legislation, TARA Reg. 211/19
- tribunals, prescribed, TARA Reg. 211/19
- request for access, Rule 43
- rules, Rule 42–45

U**UNFAIR LABOUR PRACTICES, *see also* COMPLAINTS**

- complainants, threatening, 87, 97
- interference with
 - bargaining rights, 73

Index

UNFAIR LABOUR

PRACTICES (*cont'd*)

- employees' rights, 72
- employers' organizations, 71
- posted notices, 88
- trade unions, 70
- intimidation and coercion, 76
- threatening
 - lock-out/strike, 79(6), 81-83
 - witnesses, 87, 97

UNION DUES, *see* TRADE UNION

UNIONS, *see* TRADE UNION

UNLAWFUL LOCK-OUT, *see* LOCK-OUT

UNLAWFUL STRIKE, *see* STRIKE

W

WITNESS

- competency as, 120
- protection for, 87, 97

WORKING CONDITIONS NOT TO BE ALTERED, 86

- hospitals, HLDA 13