

## 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.

### ABANDONMENT

Generally, **65**

### ACCESS, RIGHT OF

Organizing/picketing  
expedited proceeding, **Rule 41, 110(18)**

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

Generally, **Rule 38.3, 110**

### ADMINISTRATION COST

Generally, **124**

### APPLICATION

Act, **3, 4, 126.1**  
Rules of procedure, **Rules 1.1 to 1.5**

### ARBITRATION

Appointment of arbitrator by  
Minister, **48(4), 48(6)**  
Arbitration, **50**  
Arbitration Act, non-application of,  
**43(30), 48(20)**  
Award to be filed with Minister,  
**Reg. 94/07**  
Construction industry, residential  
sector, **150.2(2) to 150.2(7)**  
Damages for unlawful strike/  
lockout, **103**  
Decisions  
effect of, **48(18)**  
enforcement, **48(15), 48(19)**  
oral, **48(10)**  
time for rendering, **48(7) to 48(11)**  
Enforcement, **48(15), 48(19)**  
Extension of time, **48(16)**  
Fees, **Reg. 94/07, s. 2**  
First contract, **Rules 12.1 to 12.2, 43**  
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**  
collective agreement, **HLDAA 10**

**ARBITRATION—Cont'd**

Hospitals—Cont'd  
decisions, filing with Minister,  
**HLDAA 16**  
general, **HLDAA 4**  
method of, **HLDAA 6(7.1) to 6(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)**  
Power generation, **178 to 189**  
Powers, **48(12) to 48(15)**  
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**

Generally, **Rules 13, 28, 99**

**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**

**BARGAINING UNIT—Cont'd**

Municipalities, amalgamation of,  
**PSLRTA 14 and 20 to 28**  
Professional engineers, **9(4)**  
Review of structure, **12.1**  
Security guards, **14**

**BOARD**

Alternate chair, **110(3), 110(12)**  
Canada Labour Code, powers  
under, **118.1**  
Chair to sit alone, **110(12) to 110(15)**  
Construction industry division,  
designation, **110(5)**  
Death or incapacity of member,  
**110(12) to 110(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), 110(5), 110(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, **Rule 41, 110(18) to 110(22)**  
following resignation, **110(7)**  
general, **111(1), 114**  
interim orders, see **INTERIM  
ORDERS**

**BOARD—Cont'd**

## Powers—Cont'd

- practice and procedure, to determine, **110(16)**
- representation votes, **111(5) to 111(6)**
- rules of practice, to make, **110(17) to 110(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)****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) to 128.1(14)****CERTIFICATION—Cont'd**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 to 52**Defined, **1(1)**Discrimination prohibited, **54**Filing with Minister, **90**Hospitals, **HLDA 10**Lockouts, provision against, **46**Multiple agreements prohibited, **55**Municipalities, amalgamation of, **PSLRTA 15 and 29 to 32**

## Negotiation of, see COLLECTIVE BARGAINING

Operation of, **53 to 61**Permissive provisions, **51, 52**Prohibited, **53, 55**Recognition provisions, **45**Strikes, provision against, **46**Termination, early, **58(3), 58(4)**Term of operation, **58**Union business during working hours, **51(1)(b)**Union dues, deduction/remittance, **47**Union security, **51, 52**

**COLLECTIVE AGREEMENT**

—**Cont'd**

- 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
  - generally, **16**
  - construction industry, **129, 131**
  - 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, **Rule 16, 75**
- Duty of fair representation breach of, re, **Rule 16, 74**
- Filing of determinations, directions and orders in court, **96(6), 99(10), 102**
- Inquiry by officer, **96(1) to 96(3)**
- Interim order, **Rule 19, 98, 99(5), 99(12)**
- Jurisdictional disputes, re, **Rules 13, 28, 99**
- "Person," defined, **97**
- Protection for complainants/witnesses, **86, 87**
- Remedial powers of Board, **96(4), 96(8), 98 to 101**
- Settlement, effect of, **96(7)**
- Settlement, failure to comply with, **96(7)**

**COMPLAINTS—Cont'd**

- Unfair labour practices, re, **96**
- Unlawful lockout or strike, re, **Rule 7.3(b), 100 to 101**
- Work assignments, re, **Rules 13, 28, 99**

**CONCILIATION BOARD**

- Appointment of members, **21**
- Casting vote, **32**
- Competency of members as witnesses, **120**
- Construction industry, **129(3), 129(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**

- Generally, **18, 20, 36, 129(2)**

**CONSTRUCTION INDUSTRY**

- Accredited employers' organization, see **ACCREDITED EMPLOYERS' ORGANIZATION**
- Application of Act, **126.1**
- Arbitration, residential sector, **Reg. 522/05, 150.2**
- Bargain, notice of desire to, **129, 131**
- Bargaining rights, termination, **Rules 26, 27, 127.2, 132**
- Bargaining units, **128**
- Certification, **Rule 25, 7 to 15, 126.1(2), 154, 158 to 160**

**CONSTRUCTION INDUSTRY****—Cont'd**

- Collective agreement
  - binding effect, **138**
  - deemed expiry, **150.2**
  - what deemed to be, **130**
- Conflict, provisions of Act, **126.1**
- Definitions, **1(1), 126**
- Direction re unlawful strike, **108, 144(1), 144(4)**
- Directions re unlawful agreements, **108, 144(3), 144(4)**
- Directions re unlawful lockouts
  - 108, 144(2), 1, **44(4)**
- Employers' organizations, see ACCREDITED EMPLOYERS' ORGANIZATION
- Grievances, **Rules 30 to 37, 41, 133**
- ICI sector, see PROVINCE-WIDE BARGAINING
- Individual bargaining prohibited, **140(1)**
- Non-construction employers, **Rule 27, 126, 127, 127.1, 127.2**
- Ontario Construction Secretariat, **Reg. 187/93**
- Parent/local trade unions, **146 to 150**
- Project agreements, **163.1, 163.1.1, 163.5(10)**
- Residential sector, **Reg. 522/05, 150.1 to 150.3**
- Rules of procedure, **Rules 23 to 29**
  - see also RULES OF PROCEDURE—BOARD
- Termination of bargaining rights, **Rules 26, 27, 127.2, 132**

**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)**

**CRAFTS UNIT**

- Generally, **9(3)**

**CROWN EMPLOYEES**

- Application of Act, **4**
- Application of Hospital Labour Disputes Arbitration Act, **HLDA 2(3)**
- Excluded from Act, **5**

**CURATIVE PROVISION**

- Generally, **123**

**DEPENDENT CONTRACTORS**

- Bargaining unit, appropriateness, **9(5)**
- Defined, **1(1)**

**DISPUTES ADVISORY COMMITTEE**

- Generally, **39**

**DUTY OF FAIR REFERRAL**

- Generally, **Rule 16, 75**

**DUTY OF FAIR REPRESENTATION**

- Employers' organization, by, **141**
- Trade union, **Rule 16, 74**

**EMERGENCIES**

- Conflict with Rules, **1.5**
- Notice to Community, **Rule 1.5**

**EMPLOYEE**

- Confidential, **1(3)(b)**
- Deeming provisions, **1(2), 1(3)**
- Definition, **1(1)**
  - generally, **1(1)**
  - construction industry, **126(1)**
- List, application for, **6.1**
- Power generation, **169**

**EMPLOYEE—Cont'd**

- Reinstatement after strike, **80**
- Seniority, amalgamation of municipalities, **PSLRTA 33 to 36**
- Status determination applications, **Rules 41.2, 41.3, 110(18), 114(2)**

**EMPLOYERS**

- Defined, construction industry, **126(1)**
- Interference with bargaining rights, **73**
- Interference with employees' rights, **72**
- Interference with unions, **70**
- Power generation, **169**
- Related, **Rule 15, 1(4), 1(5)**
- Sale of business, **Rule 15, 69**
- Unfair practices, **70 to 88**
- Unlawful lockout, **82, 83**

**EMPLOYERS' ORGANIZATION**

- Accredited, see ACCREDITED EMPLOYERS' ORGANIZATION
- Defined
  - generally, **1(1)**
  - construction industry, **126(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**

- Generally, **Rule 41, 110(18)**

**FIREFIGHTER**

- Excluded from Act, **3(e)**

**FIRST AGREEMENT ARBITRATION**

- Generally, **Rule 12, 43**

**FREEDOMS**

- Membership in employers' organization, **6**
- Membership in trade union, **5, 52**
- Religion, of, **52**

**FREEZE PERIOD**

- Generally, **43(16), 86**

**GOOD FAITH**

- Obligation to bargain in, **17**

**GRIEVANCE**

- See ARBITRATION; CONSTRUCTION INDUSTRY

**GUARDS**

- See SECURITY GUARDS

**HORTICULTURIST**

- Excluded from Act, **3(c)**

**HOSPITALS**

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

**HOSPITALS—Cont'd**

- Arbitration—Cont'd
  - general, **HLDA 4**
  - method of, **HLDA 6(7.1) to 6(7.4)**
  - remuneration of arbitrators, **HLDA 9.1**
  - several disputes, single arbitration of, **HLDA 8**
  - single arbitrator, appointment of, **HLDA 5(1)**
  - single arbitrator, powers of, **HLDA 5(2)**
  - single arbitrator, review of, **HLDA 7**
- Lock-out, **HLDA 11(1)**
- Strike, **HLDA 11(1)**

**HUNTERS**

- Excluded from Act, **3(b)**

**INDUSTRIAL INQUIRY COMMISSION**

- Generally, **37**

**INQUIRY**

- Generally, **96, 97, 108**

**INTERIM ORDERS**

- Generally, **98**
- Jurisdictional disputes, **99(5), 99(12)**
- Rules of practice, **Rules 19, 41**

**JUDGES**

- Excluded from Act, **3(i)**

**JURISDICTIONAL DISPUTES**

- Generally, **Rules 13, 28, 99**

**LABOUR RELATIONS OFFICERS**

- Grievance referrals, construction industry, **133(5), 133(6)**
- Inquiries by, **96**
- Rules of procedure, **Rule 40.10**
- Secrecy, duty of, **119(4), 119(5)**

**LOCK-OUT**

- Causing unlawful, **83**
- Declaration re unlawful, **Rule 7.3(b), 101, 102**
- Defined, **1(1)**
- Direction re unlawful, **Rule 7.3(b), 144**
- Discharge or discipline following, prohibition on, **80.1**
- Effect of amalgamation of municipalities, **PSLRTA 19**
- Hospital employees, **HLDA 11(1)**
- Notice of claim for damages, **103, 108**
- Power generation, **172 to 176**
- Prohibited while collective agreement in operation, **79**
- Termination when first agreement arbitration initiated, **43(14)**

**MAILED NOTICES**

- Generally, **122**

**MANAGERS**

- Generally, **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)**

**MEMBER**

- Defined, **1(1)**

**MINISTER**

- Defined, **1(1)**

**MUNICIPALITIES**

- Amalgamation
  - application of Act to, **PSLRTA 13**

**MUNICIPALITIES—Cont'd**

Amalgamation—Cont'd  
successor rights, **PSLRTA 14 to 20**

**NEGOTIATION OF AGREEMENTS**

See **COLLECTIVE BARGAINING**

**NON-CONSTRUCTION EMPLOYER**

Application of Act to, **127.1**  
Deemed, **Rule 27, 127**  
Defined, **126(1)**  
Grandparented, **127.1(1)**  
Termination, application for, **Rule 27, 127.2**

**NOTICE OF DESIRE TO BARGAIN**

Generally, **16**  
Construction industry, **129, 131**  
New collective agreement, **59, 60, 122(4)**

**NOTICE TO COMMUNITY**

Conflict with Rules, **Rule 1.5**  
Emergencies, **Rule 1.5**

**OFFENCES**

Consent required for prosecution, **109(1)**  
Continued, **104(2)**  
Defence, **122(3)**  
Hospital Labour Disputes Arbitration Act, **HLDA 14**  
Information, **105, 109(2)**  
Parties, **106**  
Penalty, **104(1)**  
Style of prosecution, **107(2)**  
Vicarious liability, **107(2)**

**ONTARIO CONSTRUCTION SECRETARIAT**

Generally, **O.Reg. 187/93**

**ONTARIO POWER GENERATION**

See **POWER GENERATION INDUSTRY**

**PARTIES, MISTAKES IN NAMES OF**

Generally, **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 to 189**

**PRIVATIVE CLAUSE**

Generally, **116**

**PROFESSIONAL ENGINEERS**

See **ENGINEER**

**PROVINCE-WIDE BARGAINING**

Accreditation of employer bargaining agency, **Rule 23, 155, 157**  
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)**  
Designation of employee bargaining agency, **153, 156**  
Designation of employer bargaining agency, **153, 157**



**PROVINCE-WIDE BARGAINING****—Cont'd**

- 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 to 163.4**
  - binding, **161(3) to 161(5), 163**
  - default provisions re hiring, **163.5**
  - defined, **151(1)**
  - expiry of, **162(3)**
  - only one, **162(1), 162(2)**
  - ratification, **165**
- Representation vote, **159, 165**
- Strikes, **163.5(8), 164, 165**
- Termination of collective agreements, **161**
- Voluntary recognition agreements, **158(3), 158(4)**
- Voting, **159, 165**

**PUBLICATIONS**

- Generally, **95**

**RATIFICATION VOTE**

- Generally, **41, 42, 44, 79.1, 165**

**RECONSIDERATION**

- Generally, **Rule 18, 114**

**REFERENCE OF QUESTIONS**

- Generally, **HLDA 3(2), 115, 153(4)**

**REGULATIONS**

- Power to make, **125**

**RELATED EMPLOYER**

- Generally, **Rule 15, 1(4), 1(5), 52, 126(2) to 126(4)**

**REPRESENTATION VOTE**

- Additional votes, **111(5), 111(6)**
- Certification, **8, 10**
- Province-wide bargaining, **159, 165**

**REPRESENTATION VOTE****—Cont'd**

- 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**
- Accreditation and Termination, **Rule 23**
- Adding/removing parties, **Rule 40.8**
- Adjournment, **57**
- Adjudicative record, **Rule 42.1, TARA 1, TARA 2**
- Application of rules, **Rules 1.1 to 1.5**
- Applications for Interim Order, **Rule 19**
- Applications under Section 69 and/or Subsection 1(4), **Rule 15**
- Applications under Section 133 of Act, **Rule 34**
- Applications under the Public Sector Labour Relations Transition Act, **Rule 20**
- Building Opportunities in the Skilled Trades Act, Notice of Contravention, **Rule 22A**
- Certification, **Rules 9, 25**
- Commencement, delivery, and filing, **Rule 6, 8**
- Confidentiality order, **Rule 44, TARA 1, TARA 5**
- Conflict between general and specific rules, **Rule 1.3**
- Consolidation, **Rule 40.9**
- Constitutional challenges, **Rule 4.1**
- Construction industry
  - accreditation, **Rule 23**
  - certification, **Rule 25**
  - general, **Rule 1.4, 41**

**RULES OF  
PROCEDURE—BOARD  
—Cont’d**

Construction industry—Cont’d  
grievance referrals  
applications under s. 133, **Rule 34**  
default by responding party,  
**Rule 36**  
definitions, **Rule 30.1**  
fees, **Rules 31 to 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**  
termination of accreditation,  
**Rule 23**  
termination of bargaining rights  
under s. 127.2 of the Act,  
**Rule 27**  
termination of bargaining rights  
under s. 63 or 132 of the  
Act, **Rule 26**

Consultation  
dismissal without, **Rule 39.1**  
failure to attend or participate in,  
**Rule 38.6**  
notice of, **Rules 38.1 to 38.2**

Definitions, **Rules 1.5, 30.1, 42**

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 applica-  
tions, **Rule 16**

Electronic filing, **Rule 1.6**

Electronic hearings, **53**

**RULES OF  
PROCEDURE—BOARD  
—Cont’d**

Employment Standards Act, 2000  
applications, **Rule 21**

Expedited proceedings, **Rule 41**

Failing to file fees, **Rule 32**

Fees, **Rule 31**

Filing and delivery, **Rules 6 to 8,  
24.1 to 24.3, 40.5**

Filing copies of documents, **Rules  
8.3 to 8.4**

Filings, amended, **Rule 40.5**

First agreement arbitration, **Rule 12**

Forms, power to set, **Rule 40.1**

Forms of notices, **Rule 40**

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 to 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**

Obligation to make allegations  
promptly, **Rule 4**

Occupational Health and Safety  
Act, **Rule 22**

Posting, **Rules 40.2 to 40.4**

- RULES OF PROCEDURE—BOARD—Cont'd**
- 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 to 8, 15**
  - Representation votes, **Rule 11**
  - Responding party defaults, **Rule 36**
  - Responses, **Rules 6, 7, 37.1, 41**
  - Sale of business applications, **Rules 7 to 8, 15**
  - Sector dispute, **Rule 29**
  - Sending of documents, **Rule 40.8**
  - Successor rights (trade union) applications, **Rules 14.1 to 14.2**
  - Terminal dates, **Rule 3.3**
  - Termination of bargaining rights, **Rules 6.11 to 6.13, 10, 26, 27**
  - Time, **Rule 3.1**
  - Time periods, lengthening/shortening, **Rule 3.2**
  - Tribunal Adjudicative Records Act, **Rule 42 to 45**
  - Unlawful strikes or lockouts, **Rule 7.3(b)**
- SALE OF BUSINESS**
- Generally, **Rules 7, 8, 15, 69, 126(2), 126(5)**
- SECURITY GUARDS**
- Composition of bargaining unit, **14**
  - Expedited proceedings, **Rule 41, 110(18)**
  - Rules of practice, **Rule 41**
  - Status determination, **114(2)**
- SERVICE**
- Representative for service of process, **94**
- SERVICE—Cont'd**
- Rules of procedure, **Rules 6.4 to 6.7, 8.1 to 8.4**
- SETTLEMENT OFFICER**
- Generally, **48(5), 49(6)**
- SETTLEMENTS**
- Generally, **96(7)**
- SOLICITATION DURING WORKING HOURS**
- Generally, **77**
- SPECIAL OFFICER**
- Appointment of, **38(1)**
  - Duties of, **38(2)**
  - Qualifications of, **38(3)**
  - Remuneration of, **124.1**
- STRIKE**
- Generally, **79**
  - Application for certification during, **67**
  - Application for termination during, **67**
  - Breaking prohibited, **78**
  - Causing unlawful, **83**
  - Declaration re unlawful, **Rule 7.3(b), 100, 102**
  - Defined, **1(1)**
  - Direction re unlawful, **Rule 7.3(b), 144**
  - 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, **171, 173 to 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**

**STRIKE—Cont'd**

- 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**

- Generally, **78**

**SUCCESSOR RIGHTS**

- Generally, **68 to 69.1**
- Building services, **69.1**
- Declaration of successor union, **Rule 14, 68**
- Municipalities, amalgamation of, **PSLRTA 14 to 20**
- Municipalities, successor, **69(11)**
- Sale of business, **Rules 7 to 8, 15, 69**

**SUPERVISORY OFFICER**

- Excluded from Act, **3(f)**

**SWEET-HEART DEALS**

- Generally, **15**

**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**

**TERMINATION OF BARGAINING RIGHTS**

**—Cont'd**

- Hospitals, **HLDA 12**
- Rules of procedure, **Rules 6.11 to 6.13, 10, 26, 27**
- Strike, during, **67**
- Timeliness, **67**
- Voluntary recognition, **66**

**TRADE UNION**

- See also **CERTIFICATION; UNFAIR LABOUR PRACTICES**
- Defined
  - generally, **1(1)**
  - construction industry, **126(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 to 150**
- Religious objections to membership, **52**
- Right of access, see **ACCESS, RIGHT OF**
- Security provisions, **51(4)**
- Status, proof of, **113**
- Successor rights, **Rule 14, 68**
- Trusteeship over local unions, **89**

**TRADE UNION—Cont'd**  
 Uncertifiable, **15**  
 Vicarious liability, **107(2)**

**TRAPPERS**  
 Excluded from Act, **3(b)**

**TRIBUNAL ADJUDICATIVE RECORDS ACT**  
 Adjudicative record, **Rule 42.1, TARA 1, TARA 2**  
 Confidentiality order, **Rule 44, TARA 1, TARA 5**  
 Conflicting legislation, **TARA Reg. 211/19**  
 Request for access, **Rule 43**  
 Rules, **Rule 42 to 45**  
 Tribunals, prescribed, **TARA Reg. 211/19**

**UNFAIR LABOUR PRACTICES**  
 See also **COMPLAINTS**  
 Complainants, threatening, **87, 97**  
 Interference with  
     bargaining rights, **73**  
     employees' rights, **72**  
     employers' organizations, **71**  
     posted notices, **88**

**UNFAIR LABOUR PRACTICES —Cont'd**  
 Interference with—Cont'd  
     trade unions, **70**  
 Intimidation and coercion, **76**  
 Threatening  
     lock-out/strike, **79(6), 81 to 83**  
     witnesses, **87, 97**

**UNION DUES**  
 See **TRADE UNION**

**UNIONS**  
 See **TRADE UNION**

**UNLAWFUL LOCK-OUT**  
 See **LOCK-OUT**

**UNLAWFUL STRIKE**  
 See **STRIKE**

**WITNESS**  
 Competency as, **120**  
 Protection for, **87, 97**

**WORKING CONDITIONS NOT TO BE ALTERED**  
 Generally, **86**  
 Hospitals, **HLDA 13**