

Table of Contents

LABOUR RELATIONS ACT, 1995

DEFINITIONS

- 1 Definitions
 - § 1:1 Case Law and Related Provisions [s. 1(1) “bargaining unit”]
 - § 1:2 Case Law [s. 1(1) “collective agreement”]
 - § 1:3 Case Law and Related Provisions [s. 1(1) “construction industry”]
 - § 1:4 Case Law [s. 1(1) “council of trade unions”]
 - § 1:5 Case Law [s. 1(1) “dependent contractor”]
 - § 1:6 Case Law [s. 1(1) “employee”]
 - § 1:7 Case Law [s. 1(1) “employers’ organization”]
 - § 1:8 Case Law [s. 1(1) “employer”]
 - § 1:9 Case Law [s. 1(1) “hospital”]
 - § 1:10 Case Law and Related Provisions [s. 1(1) “lock-out”]
 - § 1:11 Commentary and Case Law [s. 1(1) “member”]
 - § 1:12 Case Law and Related Provisions [s. 1(1) “strike”]
 - § 1:13 Case Law and Related Provisions [s. 1(1) “trade union”]
 - § 1:14 Commentary and Case Law [s. 1(2)]
 - § 1:15 Commentary and Case Law [s. 1(3)]
 - § 1:16 Commentary, Case Law, and Related Provisions [s. 1(4)]
 - § 1:17 Commentary and Case Law [s. 1(5)]

PURPOSES AND APPLICATION OF ACT

- 2 Purposes
 - § 2:1 Commentary and Case Law
- 3 Non-application
 - § 3:1 Commentary and Case Law
- 4 Certain Crown agencies bound
 - § 4:1 Commentary and Case Law

FREEDOMS

- 5 Membership in trade union
 - § 5:1 Commentary, Case Law, and Related Provisions
- 6 Membership in employers’ organization
 - § 6:1 Commentary and Case Law

ESTABLISHMENT OF BARGAINING RIGHTS BY CERTIFICATION

- 6.1 Transition re employee lists
 - § 6.1:1 Commentary, Case Law, and Related Provisions
- 7 Application for certification
 - § 7:1 Commentary
 - § 7:2 Case Law
 - § 7:3 Case Law [s. 7(5)]
 - § 7:4 Case Law [s. 7(7)]
 - § 7:5 Case Law [s. 7(8)]
 - § 7:6 Case Law [s. 7(9)]
 - § 7:7 Case Law [s. 7(10)]
 - § 7:8 Case Law [s. 7(11)]
 - § 7:9 Case Law [s. 7(12)]
 - § 7:10 Case Law [s. 7(13)]
 - § 7:11 Case Law [s. 7(14)]
 - § 7:12 Related Provisions
- 8 Voting constituency
 - § 8:1 Commentary
 - § 8:2 Case Law
 - § 8:3 Case Law [s. 8(2)]
 - § 8:4 Case Law [s. 8(4)]
 - § 8:5 Case Law [s. 8(5)]
 - § 8:6 Case Law [s. 8(9)]
 - § 8:7 Case Law (Under Former Legislation) [under former ss. 8, 9]
 - § 8:8 Related Provisions
- 8.1 Disagreement by employer with union's estimate
 - § 8.1:1 Commentary and Case Law
- 9 Board to determine appropriateness of units
 - § 9:1 Commentary
 - § 9:2 Case Law
 - § 9:3 Case Law [s. 9(1)]
 - § 9:4 Case Law [s. 9(2)]
 - § 9:5 Case Law [s. 9(3)]
 - § 9:6 Case Law [s. 9(4)]
 - § 9:7 Case Law [s. 9(5)]
 - § 9:8 Related Provisions
- 10 Certification after representation vote
 - § 10:1 Commentary and Case Law
- 11 Remedy if contravention by employer, etc.
 - § 11:1 Commentary
 - § 11:2 Case Law
 - § 11:3 Case Law [s. 11(2)]
 - § 11:4 Case Law [s. 11(2)(c)]

TABLE OF CONTENTS

§ 11:5	Related Provisions
11.1	Remedy of contravention by trade union, etc.
§ 11.1:1	Commentary, Case Law, and Related Provisions
11.2	Transition
§ 11.2:1	Commentary
12	Certification of councils of trade unions
§ 12:1	Commentary, Case Law, and Related Provisions
12.1	No discharge or discipline following certification
§ 12.1:1	Commentary
13	Right of access
§ 13:1	Commentary, Case Law, and Related Provisions
14	Security guards
§ 14:1	Commentary, Case Law, and Related Provisions
15	What unions not to be certified
§ 15:1	Commentary, Case Law, and Related Provisions
15.1	[Repealed 2018, c. 14, Sched. 2, s. 4.]
15.2	Transition
§ 15.2:1	Commentary, Case Law, and Related Provisions

NEGOTIATION OF COLLECTIVE AGREEMENTS

16	Notice of desire to bargain
§ 16:1	Case Law
16.1	[Repealed 2018, c. 14, Sched. 2, s. 6.]
17	Obligation to bargain
§ 17:1	Commentary
§ 17:2	Case Law
§ 17:3	Related Provisions
18	Appointment of conciliation officer, where notice given
§ 18:1	Commentary, Case Law, and Related Provisions
19	Appointment of mediator
§ 19:1	Commentary and Related Provisions
20	Duties
§ 20:1	Commentary and Related Provisions
21	Conciliation board, appointment of members
§ 21:1	Commentary and Related Provisions
22	Certain persons prohibited as members
23	Notice to parties of appointment
24	Vacancies
25	Terms of reference
26	Oath of office
27	Duties
28	Procedure
29	Sittings
30	Minister to be informed of first sitting

ANNOTATED ONTARIO LABOUR RELATIONS ACT

31	Quorum
32	Casting vote
33	Power
34	When report to be made
35	Duty of mediator
36	Failure to report
37	Industrial inquiry commission
	§ 37:1 Case Law
38	Appointment of special officer
39	Disputes Advisory Committee
40	Voluntary arbitration
	§ 40:1 Commentary and Case Law
41	Where Minister may require ratification vote
42	Vote on employer's offer
	§ 42:1 Commentary, Case Law, and Related Provisions
43	First agreement arbitration
	§ 43:1 Commentary, Case Law, and Related Provisions
43.1	Transition
	§ 43.1:1 Commentary and Related Provisions
44	Mandatory ratification vote
	§ 44:1 Commentary and Case Law

CONTENTS OF COLLECTIVE AGREEMENTS

45	Recognition provision
	§ 45:1 Commentary
46	Provision against strikes and lock-outs
	§ 46:1 Commentary
47	Deduction and remittance of union dues
	§ 47:1 Commentary, Case Law, and Related Provisions
48	Arbitration provision
	§ 48:1 Commentary, Case Law, and Related Provisions
49	Referral of grievances to a single arbitrator
	§ 49:1 Commentary, Case Law, and Related Provisions
50	Consensual mediation-arbitration
	§ 50:1 Commentary and Related Provisions
51	Permissive provisions
	§ 51:1 Commentary and Case Law
52	Religious objections
	§ 52:1 Commentary, Case Law, and Related Provisions

OPERATION OF COLLECTIVE AGREEMENTS

53	Certain agreements not to be treated as collective agreements
	§ 53:1 Commentary, Case Law, and Related Provisions
54	Discrimination prohibited

TABLE OF CONTENTS

- § 54:1 Commentary, Case Law, and Related Provisions
- 55 More than one collective agreement prohibited
 - § 55:1 Commentary, Case Law, and Related Provisions
- 56 Binding effect of collective agreements on employers, trade unions and employees
 - § 56:1 Commentary and Case Law
- 57 Binding effect of collective agreements on members of employers' organizations
 - § 57:1 Commentary, Case Law, and Related Provisions
- 58 Minimum term of collective agreements
 - § 58:1 Commentary, Case Law, and Related Provisions
- 59 Notice of desire to bargain for new collective agreement
 - § 59:1 Commentary, Case Law, and Related Provisions
- 60 Application of ss. 17 to 36
- 61 Dissolution of councils of certified trade unions
 - § 61:1 Commentary, Case Law, and Related Provisions

TERMINATION OF BARGAINING RIGHTS

- 62 Effect of certification
 - § 62:1 Commentary, Case Law, and Related Provisions
- 63 Application for termination, no agreement
 - § 63:1 Commentary
 - § 63:2 Case Law
 - § 63:3 Case Law [s. 63(2)]
 - § 63:4 Case Law [s. 63(2)(a)]
 - § 63:5 Case Law [s. 63(3)]
 - § 63:6 Case Law [s. 63(4)]
 - § 63:7 Case Law [s. 63(5)]
 - § 63:8 Case Law [s. 63(9)]
 - § 63:9 Case Law [s. 63(16)]
 - § 63:10 Related Provisions
- 63.1 Transition
 - § 63.1:1 Commentary and Related Provisions
- 64 Where certificate obtained by fraud
 - § 64:1 Commentary, Case Law, and Related Provisions
- 65 Termination for failure to give notice
 - § 65:1 Commentary, Case Law, and Related Provisions
- 66 Termination of bargaining rights after voluntary recognition
 - § 66:1 Commentary, Case Law, and Related Provisions

TIMELINESS OF REPRESENTATION APPLICATIONS

- 67 Application for certification or termination after conciliation
 - § 67:1 Commentary, Case Law, and Related Provisions

SUCCESSOR RIGHTS

- 68 Declaration of successor union
 - § 68:1 Commentary, Case Law, and Related Provisions
- 69 Definitions
 - § 69:1 Commentary
 - § 69:2 Case Law
 - § 69:3 Case Law [s. 69(2)]
 - § 69:4 Case Law [s. 69(3)]
 - § 69:5 Case Law [s. 69(6)]
 - § 69:6 Case Law [s. 69(8)]
 - § 69:7 Case Law [s. 69(10)]
 - § 69:8 Case Law [s. 69(13)]
 - § 69:9 Case Law [s. 69(16)]
 - § 69:10 Related Provisions
- 69.1 Successor rights, building services
 - § 69.1:1 Commentary and Case Law
- 69.2 [Repealed 2018, c. 14, Sched. 2, s. 9.]

UNFAIR PRACTICES

- 70 Employers, etc., not to interfere with unions
 - § 70:1 Commentary
 - § 70:2 Case Law
 - § 70:3 Related Provisions
- 71 Unions not to interfere with employers' organizations
 - § 71:1 Commentary, Case Law, and Related Provisions
- 72 Employers not to interfere with employees' rights
 - § 72:1 Commentary
 - § 72:2 Case Law
 - § 72:3 Case Law [s. 72(a)]
 - § 72:4 Case Law [s. 72(c)]
 - § 72:5 Related Provisions
- 73 Employers not to interfere with bargaining rights
 - § 73:1 Commentary, Case Law, and Related Provisions
- 74 Duty of fair representation by trade union, etc.
 - § 74:1 Commentary
 - § 74:2 Case Law
 - § 74:3 Section 74
 - § 74:4 Related Provisions
- 75 Duty of fair referral, etc., by trade unions
 - § 75:1 Commentary, Case Law, and Related Provisions
- 76 Intimidation and coercion
 - § 76:1 Commentary
 - § 76:2 Case Law
 - § 76:3 Related Provisions

TABLE OF CONTENTS

77	Persuasion during working hours
§ 77:1	Commentary, Case Law, and Related Provisions
78	Strike-breaking misconduct, etc., prohibited
§ 78:1	Commentary, Case Law, and Related Provisions
79	Strike or lock-out, agreement
§ 79:1	Commentary, Case Law, and Related Provisions
79.1	First collective agreement ballot questions
§ 79.1:1	Commentary, Case Law, and Related Provisions
80	Reinstatement of employee
§ 80:1	Commentary, Case Law, and Related Provisions
80.1	No discharge or discipline following strike or lock-out
§ 80.1:1	Commentary
81	Unlawful strike
§ 81:1	Commentary, Case Law, and Related Provisions
82	Unlawful lock-out
§ 82:1	Commentary, Case Law, and Related Provisions
83	Causing unlawful strikes, lock-outs
§ 83:1	Commentary, Case Law, and Related Provisions
84	Saving
§ 84:1	Commentary and Related Provisions
85	Refusal to engage in unlawful strike
§ 85:1	Commentary and Related Provisions
86	Working conditions may not be altered
§ 86:1	Commentary
§ 86:2	Case Law
§ 86:3	Case Law [s. 86(2)]
§ 86:4	Related Provisions
87	Protection of witnesses rights
§ 87:1	Commentary, Case Law, and Related Provisions
88	Removal, etc., of posted notices

LOCALS UNDER TRUSTEESHIP

89	Trusteeship over local unions
§ 89:1	Commentary, Case Law, and Related Provisions

INTERFERENCE WITH THE LOCAL TRADE UNION

89.1	Interference with local trade union
§ 89.1:1	Case Law [s. 89.1]

INFORMATION

90	Collective agreements to be filed
§ 90:1	Commentary, Case Law, and Related Provisions
91	Officers, constitution, etc.
§ 91:1	Commentary, Case Law, and Related Provisions

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- 92 Duty of union to furnish financial statement to members
 - § 92:1 Commentary, Case Law, and Related Provisions
- 92.1 [Repealed 2005, c. 15, s. 6.]
 - § 92.1:1 Commentary and Related Provisions
- 93 Definition
 - § 93:1 Commentary, Case Law, and Related Provisions
- 94 Representative for service of process
 - § 94:1 Commentary, Case Law, and Related Provisions
- 95 Publications
 - § 95:1 Commentary and Related Provisions
- 95.1 Indirect collection of personal information

ENFORCEMENT

- 96 Inquiry by labour relations officer
 - § 96:1 Commentary
 - § 96:2 Case Law
 - § 96:3 Case Law [s. 96(4)]
 - § 96:4 Case Law [s. 96(5)]
 - § 96:5 Case Law [s. 96(7)]
 - § 96:6 Related Provisions
- 97 “Person” defined for purposes of ss. 87, 96
 - § 97:1 Commentary, Case Law, and Related Provisions
- 98 Board power re interim orders
 - § 98:1 Commentary
 - § 98:2 Case Law
 - § 98:3 Case Law [s. 98(1)]
 - § 98:4 Case Law [s. 98(2)(1)]
 - § 98:5 Related Provisions
- 99 Jurisdictional, etc., disputes
 - § 99:1 Commentary
 - § 99:2 Case Law
 - § 99:3 Case Law [s. 99(5)]
 - § 99:4 Related Provisions
- 100 Declaration and direction by Board re unlawful strike
 - § 100:1 Commentary, Case Law, and Related Provisions
- 101 Declaration and direction by Board in respect of unlawful lock-out
 - § 101:1 Commentary, Case Law, and Related Provisions
- 102 Filing in court
 - § 102:1 Related Provisions
- 103 Notice of claim for damages after unlawful strike or lock-out where no collective agreement
 - § 103:1 Commentary, Case Law, and Related Provisions
- 104 Offences

TABLE OF CONTENTS

§ 104:1	Commentary, Case Law, and Related Provisions
105	Information may be in respect of one or more offences
106	Parties
107	Style of prosecution
§ 107:1	Case Law
108	Proceedings in Superior Court of Justice
§ 108:1	Commentary
109	Consent
§ 109:1	Commentary, Case Law, and Related Provisions

ADMINISTRATION

110	Board, continued
§ 110:1	Commentary
§ 110:2	Case Law
§ 110:3	Case Law [s. 110(7)]
§ 110:4	Case Law [s. 110(14)]
§ 110:5	Case Law [s. 110(16)]
§ 110:6	Case Law [s. 110(16), (17)]
§ 110:7	Related Provisions
111	Powers and duties of Board, general
§ 111:1	Commentary
§ 111:2	Case Law
§ 111:3	Case Law [s. 111(1)]
§ 111:4	Case Law [s. 111(1)(e)]
§ 111:5	Case Law [s. 111(2)]
§ 111:6	Case Law [s. 111(2)(a)]
§ 111:7	Case Law [s. 111(2)(b)]
§ 111:8	Case Law [s. 111(2)(c)]
§ 111:9	Case Law [s. 111(2)(e)]
§ 111:10	Case Law [s. 111(2)(f)]
§ 111:11	Case Law [s. 111(2)(h)]
§ 111:12	Case Law [s. 111(2)(j)]
§ 111:13	Case Law [s. 111(2)(k)]
§ 111:14	Case Law [s. 111(2)(l)]
§ 111:15	Case Law [s. 111(2)(m)]
§ 111:16	Case Law [s. 111(2)(n)]
§ 111:17	Case Law [s. 111(3)]
§ 111:18	Case Law [s. 111(3)(a)]
§ 111:19	Case Law [s. 111(3)(b)]
§ 111:20	Case Law [s. 111(3)(c)]
§ 111:21	Case Law [s. 111(4)]
§ 111:22	Case Law [s. 111(5)]
§ 111:23	Case Law [s. 111(6)]
§ 111:24	Related Provisions

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- 112 Mistakes in names of parties
 - § 112:1 Commentary, Case Law, and Related Provisions
- 113 Proof of status of trade union
 - § 113:1 Commentary, Case Law, and Related Provisions
- 114 Jurisdiction
 - § 114:1 Commentary
 - § 114:2 Case Law
 - § 114:3 Case Law [s. 114(1)]
 - § 114:4 Case Law [s. 114(2)]
 - § 114:5 Related Provisions
- 115 Reference of questions
 - § 115:1 Commentary, Case Law, and Related Provisions
- 115.1 When no decision, etc., after six months
 - § 115.1:1 Commentary
- 116 Board's orders not subject to review
 - § 116:1 Commentary and Case Law
- 117 Testimony in civil proceedings, etc.
 - § 117:1 Case Law
- 118 Documentary evidence
- 118.1 Powers under the *Canada Labour Code*
 - § 118.1:1 Commentary and Related Provisions

GENERAL

- 119 Secrecy as to union membership
 - § 119:1 Commentary, Case Law, and Related Provisions
- 120 Competency as a witness
 - § 120:1 Commentary
- 121 Delegation
- 122 Application
 - § 122:1 Commentary, Case Law, and Related Provisions
- 122.1 Requests, applications etc. to Minister
- 123 Defects in form; technical irregularities
 - § 123:1 Case Law
- 124 Administration cost
 - § 124:1 Commentary
- 124.1 Remuneration and expenses of conciliation boards, etc.
- 125 Regulations
 - § 125:1 Commentary and Related Provisions

CONSTRUCTION INDUSTRY

- 126 Definitions
 - § 126:1 Commentary
 - § 126:2 Case Law
 - § 126:3 Case Law [s. 126 “construction industry”]

TABLE OF CONTENTS

- § 126:4 Case Law [s. 126(1) “employee”]
- § 126:5 Case Law [s. 126(1) “employer”]
- § 126:6 Case Law [s. 126(1) “non-construction employer”]
- § 126:7 Case Law [s. 126(1) “sector”]
- § 126:8 Case Law [s. 126(1) “trade union”]
- § 126:9 Case Law [s. 126(3)]
- § 126:10 Case Law [s. 126(3)2.i]
- § 126:11 Related Provisions
- 126.1 Construction industry, application
 - § 126.1:1 Commentary and Case Law
- 127 Deemed non-construction employer
 - § 127:1 Commentary and Case Law
- 127.1 Grandparented non-construction employers
 - § 127.1:1 Commentary
- 127.2 Non-construction employers, application for termination
 - § 127.2:1 Commentary, Case Law, and Related Provisions
- 127.3 Application of section
 - § 127.3:1 Commentary
 - § 127.3:2 Case Law [s. 127.3]
- 128 Bargaining units in the construction industry
 - § 128:1 Commentary
 - § 128:2 Case Law
 - § 128:3 Related Provisions
- 128.1 Application for certification without a vote
 - § 128.1:1 Commentary
 - § 128.1:2 Case Law
 - § 128.1:3 Case Law [s. 128.1(1)]
 - § 128.1:4 Case Law [s. 128.1(3)]
 - § 128.1:5 Case Law [s. 128.1(4)]
 - § 128.1:6 Case Law [s. 128.1(5)]
 - § 128.1:7 Case Law [s. 128.1(12)]
 - § 128.1:8 Case Law [s. 128.1(13)]
 - § 128.1:9 Case Law [s. 128.1(15)]
 - § 128.1:10 Case Law [s. 128.1(21)]
 - § 128.1:11 Case Law [s. 128.1(24)]
 - § 128.1:12 Related Provisions
- 129 Notice of desire to bargain
- 130 What deemed to be a collective agreement
 - § 130:1 Commentary and Case Law
- 131 Notice of desire to bargain for new collective agreement
 - § 131:1 Commentary and Related Provisions
- 132 Application for termination, no agreement
 - § 132:1 Commentary, Case Law, and Related Provisions
- 133 Referral of grievance to board

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- § 133:1 Commentary
- § 133:2 Case Law
- § 133:3 Case Law [s. 133(4)]
- § 133:4 Case Law [s. 133(9)]
- § 133:5 Related Provisions
- 134 Accreditation of employers' organization
 - § 134:1 Commentary, Case Law, and Related Provisions
- 135 Board to determine appropriateness of unit
 - § 135:1 Commentary, Case Law, and Related Provisions
- 136 Determinations by Board
 - § 136:1 Commentary, Case Law, and Related Provisions
- 137 Effect of accreditation
 - § 137:1 Commentary, Case Law, and Related Provisions
- 138 Application of s. 57(1), (2)
 - § 138:1 Commentary, Case Law, and Related Provisions
- 139 Termination of accreditation
 - § 139:1 Commentary, and Related Provisions
- 140 Individual bargaining prohibited
 - § 140:1 Commentary, Case Law, and Related Provisions
- 141 Duty of fair representation by employers' organization
 - § 141:1 Commentary, Case Law, and Related Provisions
- 142 Membership in employers' organization
 - § 142:1 Related Provisions
- 143 Fees
 - § 143:1 Related Provisions
- 144 Direction by board re unlawful strike
 - § 144:1 Commentary, Case Law, and Related Provisions
- 145 Definitions
 - § 145:1 Commentary and Related Provisions
- 146 Application
 - § 146:1 Commentary, Case Law, and Related Provisions
- 147 Jurisdiction of the local trade union
 - § 147:1 Commentary, Case Law, and Related Provisions
- 148 Application
 - § 148:1 Commentary and Related Provisions
- 149 [Repealed 2018, c. 8, Sched. 14, s. 5.]
 - § 149:1 Commentary, Case Law, and Related Provisions
- 150 Administration of benefit plans
 - § 150:1 Commentary and Case Law

RESIDENTIAL SECTOR OF THE CONSTRUCTION INDUSTRY

- 150.1 Interpretation
 - § 150.1:1 Commentary, Case Law and Related Provisions
- 150.2 Deemed expiry of collective agreements

TABLE OF CONTENTS

- § 150.2:1 Commentary, Case Law and Related Provisions
- 150.2.1 [Repealed 2005, c. 15, s. 9.]
- 150.3 Prohibition, strikes and lockouts
 - § 150.3:1 Commentary and Related Provisions
- 150.4 Arbitration
 - § 150.4:1 Commentary and Related Provisions
- 150.5 Meetings at Director's direction
 - § 150.5:1 Commentary
- 150.6 Continued application of former provisions

SPECIAL RULES TRANSITION

- 150.7 Transition respecting certain certificates and agreements
 - § 150.7:1 Commentary

PROVINCE-WIDE BARGAINING

- 151 Definitions
 - § 151:1 Commentary, Case Law, and Related Provisions
- 152 [Repealed 2000, c. 38, s. 31.]
 - § 152:1 Commentary and Case Law
- 153 Designation by Minister
 - § 153:1 Commentary, Case Law, and Related Provisions
- 154 Application to Board by employee bargaining agency
 - § 154:1 Case Law
- 155 Application to Board by employer bargaining agency
 - § 155:1 Commentary and Related Provisions
- 156 Employee bargaining agencies, vesting of rights, etc.
 - § 156:1 Commentary, Case Law, and Related Provisions
- 157 Employer bargaining agencies, vesting of rights, etc.
 - § 157:1 Commentary, Case Law, and Related Provisions
- 158 Application for certification in the industrial, commercial and institutional sector
 - § 158:1 Commentary
 - § 158:2 Case Law
 - § 158:3 Case Law [s. 158(2)]
 - § 158:4 Case Law [s. 158(3)]
 - § 158:5 Case Law [s. 158(4)]
 - § 158:6 Related Provisions
- 159 Voting constituency
 - § 159:1 Commentary and Case Law
- 160 Certification after representation vote
 - § 160:1 Commentary and Case Law
- 160.1 [Repealed 2015, c. 38, Sched. 12, s. 3.]
 - § 160.1:1 Commentary and Related Provisions
- 161 Termination of collective agreement

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- § 161:1 Commentary and Case Law
- 162 Agency shall make only one agreement
- § 162:1 Commentary, Case Law, and Related Provisions
- 163 Non-application of s. 57
- § 163:1 Case Law
- 163.1 Project agreements
- § 163.1:1 Commentary, Case Law, and Related Provisions
- 163.1.1 Adding new project to agreement
- § 163.1.1:1 Commentary and Related Provisions
- 163.2 Local modifications to provincial agreement
- § 163.2:1 Commentary and Related Provisions
- 163.3 Referral to arbitration
- § 163.3:1 Commentary and Related Provisions
- 163.4 Service
- § 163.4:1 Commentary and Related Provisions
- 163.5 Election
- § 163.5:1 Commentary and Related Provisions
- 164 Calling of strikes
- § 164:1 Commentary, Case Law, and Related Provisions
- 165 Who may vote, employees
- § 165:1 Commentary, Case Law, and Related Provisions
- 166 Application re sector
- § 166:1 Commentary, Case Law, and Related Provisions
- 167 Bargaining agency not to act in bad faith, etc.
- § 167:1 Commentary, Case Law, and Related Provisions
- 168 Corporation to facilitate ICI bargaining
- § 168:1 Commentary, Case Law, and Related Provisions

ONTARIO POWER GENERATION INDUSTRY

- 169 Definitions
- 170 Application of ss. 169 to 189
- 171 Prohibition re strike
- 172 Prohibition re lock-out
- 173 Duties of employer and bargaining agent Application of section
- 174 Non-application of s. 109
- 175 Strike or lock-out after new collective agreement
- 176 Deeming provision: unlawful strike or lock-out
- 177 Terms of employment
- 178 Deemed referral to mediator-arbitrator
- 179 Appointment of mediator-arbitrator
- 180 Selection of method of dispute resolution
- 181 Appointment and proceedings of mediator-arbitrator not
subject to review
- 182 Jurisdiction of mediator-arbitrator
- 183 Time limits

TABLE OF CONTENTS

184	Procedure
185	Award of mediator-arbitrator
186	Effect of award
187	Costs
188	Continued negotiation
189	Execution of new collective agreement
190	Incorporation of the <i>Protecting a Sustainable Public Sector for Future Generations Act, 2019</i>

ONTARIO LABOUR RELATIONS ACT REGULATIONS

ONT. REG. 94/07—GENERAL

1	Filing of arbitration awards
2	Schedules of arbitrators' fees
3	Forms
4	Revocation
Schedule 1	

ONT. REG. 187/93—ONTARIO CONSTRUCTION SECRETARIAT

1
2
3
4
5
6
7

ONT. REG. 105/01—DEEMED ABANDONMENT OF BARGAINING RIGHTS

1	Definitions
2	Bargaining rights deemed abandoned
2.1	Bargaining rights deemed abandoned
3	Commencement
Schedule 1	Board Geographic Area 8
Schedule 2	Provincial Agreements
Schedule 3	Voluntary Recognition Agreements
Schedule 4	Provincial Agreements
Schedule 5	Voluntary Recognition Agreements

ONT. REG. 522/05—ARBITRATION—RESIDENTIAL SECTOR OF THE CONSTRUCTION INDUSTRY

1	Application of Regulation
2	Beginning proceeding
3	Arbitrator
4	Method of arbitration

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- 5 Timing of award
- 6 Execution of agreement
- 7 Revocation

ONT. REG. 98/16—DEEMED ABANDONMENT OF BARGAINING RIGHTS—SARNIA WORKING AGREEMENT

- 1 Definitions
 - 2 Bargaining rights deemed abandoned
 - 3 O. Reg. 105/01
 - 4 Rights and obligations
 - 5 Future bargaining
 - 6 Amendment
 - 7 Commencement
- Schedule 1

ONT. REG. 534/17—TRANSITIONAL MATTERS

- 1 [Repealed O. Reg. 481/18, s. 1.]
- 2 [Repealed O. Reg. 481/18, s. 1.]
- 3 Discharge or discipline following strike or lock-out
- 4 [Repealed O. Reg. 481/18, s. 1.]
- 5 Powers of the Board
- 6 Commencement

ONTARIO LABOUR RELATIONS BOARD RULES OF PROCEDURE

RULES OF PROCEDURE OF THE ONTARIO LABOUR RELATIONS BOARD

HOW TO USE THESE RULES

PART I —GENERAL MATTERS

- Rule 1 —Application, Interpretation, Conflicts and Definitions
- Rule 2 —Non-Compliance
- Rule 3 —Time
- Rule 4 —Constitutional Challenges
- Rule 5 —Obligation to Make Allegations Promptly
- § OLRBR5:1 Case Law [5.1]

PART II COMMENCEMENT, DELIVERY AND FILING

- Rule 6 —Commencement, Delivery and Filing
- Rule 7 —Applications and Responses—Delivery and Filing
- § OLRBR7:1 Case Law [7.1]
- Rule 8 —Documents—Delivery and Filing

TABLE OF CONTENTS

PART III —CERTIFICATION AND TERMINATION APPLICATIONS AND REPRESENTATION VOTES

- Rule 9 —Certification
- Rule 10 —Termination of Bargaining Rights Under Section 63 of the Act
- Rule 11 —Representation Votes

PART IV ADDITIONAL RULES FOR SPECIFIC APPLICATIONS

- Rule 12 —First Collective Agreement Arbitration
- Rule 13 —Jurisdictional Disputes (Non-Construction)
- Rule 14 —Successor Rights—Trade Union
- Rule 15 —Applications under Section 69 and/or Subsection 1(4)—Sale of a Business/Related Employer
- Rule 16 —Duty of Fair Representation and Fair Referral Applications
- Rule 17 —Ministerial or Director References
- Rule 18 —Requests for Reconsideration
- Rule 19 —Applications for Interim Order
 - § OLRBR19:1 Case Law [19.3]
- Rule 20 —Applications under the *public Sector Labour Relations Transition Act, 1997* (“PSLRTA”)
- Rule 21 —Applications under the *Employment Standards Act, 2000* (“ESA”) and the *Employment Protection for Foreign Nationals Act (Live-In Caregivers and Others), 2009* (“EPFNA”)
- Rule 22 —Applications under Section 61 of the *Occupational Health and Safety Act* (“OHSa”)
- Rule 22A —Applications for Review of a Notice of Contravention under the Building Opportunities in the Skilled Trades Act, 2021 (“BOSTA”)

PART V CONSTRUCTION INDUSTRY

- Rule 23 —Accreditation and Termination of Accreditation

CERTIFICATION AND TERMINATION APPLICATIONS IN THE CONSTRUCTION INDUSTRY

- Rule 24 —Filing and Delivering
 - § OLRBR24:1 Case Law [24.1]
- Rule 25 —Certification
 - § OLRBR25:1 Case Law [25.1]
- Rule 26 —Termination of Bargaining Rights under Section 63 or 132 of the Act
 - § OLRBR26:1 Case Law [26.1]
- Rule 27 —Termination of Bargaining Rights under Section 127.2 of the Act (Non-Construction Employer)
- Rule 27A —Redefinition of a Bargaining Unit under Section 127(3) of the Act

ANNOTATED ONTARIO LABOUR RELATIONS ACT

Rule 28 —Jurisdictional Disputes (Construction)

§ OLRBR28:1 Case Law [28.7]

Rule 29 —Sector Dispute

PART VI —RULES FOR GRIEVANCE REFERRALS IN THE CONSTRUCTION INDUSTRY

Rule 30 —Definitions

Rule 31 —Fees

Rule 32 —Consequences of Failing to Pay Fees

Rule 33 —Notice to Accredited Employers' Organizations and to Employee Bargaining Agency in the I.C.I. Sector

Rule 34 —Applications under Section 133 of the Act

Rule 35 —Request for Hearing and Notice of Intent to Defend or Participate

Rule 36 —Where Responding Party Defaults

Rule 37 —Responses

PART VII HEARING PROCEDURES AND ADMINISTRATION

Rule 38 —Hearing Procedures

§ OLRBR38:1 Case Law [38.5]

Rule 39 —Dismissal Without a Hearing or Consultation

Rule 40 —Administration

Rule 41 —Expedited Proceedings

PART VIII —ACCESS TO ADJUDICATIVE RECORDS

Rule 42 —Definitions

Rule 43 —Requests for Access

Rule 44 —Requests for Confidentiality Orders

Rule 45 —General

PART IX —OTHER FORMS AND INFORMATION BULLETINS

ONTARIO LABOUR RELATIONS BOARD NOTICES TO THE COMMUNITY—COVID-19

Notice to the Community re: COVID-19 Operations—
August 19, 2022

PROCEDURAL GUIDE FOR APPLICATIONS

TRIBUNAL ADJUDICATIVE RECORDS ACT, 2019

- 1 Interpretation
- 2 Adjudicative records public
- 3 Rules

TABLE OF CONTENTS

- 4 Power to set, charge fees
- 5 Enforcement of confidentiality orders
- 6 Protection from personal liability
- 7 Conflict
- 8 Regulations
- 9 Amendment to FIPPA
- 10 Commencement
- 11 Short title

ONT. REG. 211/19—GENERAL

- 1 Tribunals
- 2 Conflict
- 3 Amendment to this Regulation
- 4 Commencement
- Schedule 1 Prescribed Tribunals

RULES OF PROCEDURE

ONTARIO LABOUR RELATIONS BOARD—POLICY DOCUMENTS

Ontario Labour Relations Board Procedures on Access to Documents and Exhibits Contained in Board Adjudication Files (Applicable to Proceedings Commenced before June 30, 2019)

Procedures on Access to Documents and Exhibits Contained in Board Adjudication Files (Applicable to Proceedings Commenced After June 30, 2019)

Ontario Labour Relations Board Policy on Openness and Privacy

Collective Agreement Codes—Construction Industry

Ontario Labour Relations Board Geographic Areas

Notice Regarding Electronic Voting

ONTARIO LABOUR RELATIONS BOARD FORMS

ONTARIO LABOUR RELATIONS BOARD INFORMATION BULLETINS

- Information Bulletin No. 1 — Certification of Trade Unions
- Information Bulletin No. 2 — Termination of Bargaining Rights Under Section 63 of the *Labour Relations Act*
- Information Bulletin No. 3 — Vote Arrangements
- Information Bulletin No. 4 — Status Disputes in Certification Applications (Non-Construction)
- Information Bulletin No. 5 — Status Disputes in Termination Applications (Non-Construction)
- Information Bulletin No. 6 — Certification of Trade Unions in

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- Information Bulletin No. 7 the Construction Industry—Vote-based (s. 8) or Card-based (s. 128.1) — Termination of Bargaining Rights in the Construction Industry Under Section 132 of the *Labour Relations Act*
- Information Bulletin No. 8 — Vote Arrangements in the Construction Industry
- Information Bulletin No. 9 — Resolving Disputes in Certification Applications in the Construction Industry
- Information Bulletin No. 10 — Status Disputes in Termination Applications in the Construction Industry
- Information Bulletin No. 11 — Duty of Fair Representation Applications
- Information Bulletin No. 12 — The Duty of Fair Representation—What Does it Mean?
- Information Bulletin No. 13 — Duty of Fair Referral Applications
- Information Bulletin No. 18 — Religious Exemption Applications
- Information Bulletin No. 19 — Requests for Reconsideration
- Information Bulletin No. 20 — Grievance Referrals in the Construction Industry
- Information Bulletin No. 25 — Jurisdictional Disputes in the construction industry
- Information Bulletin No. 30 — Agreements re Adjournments Sine Die
- Information Bulletin No. 32 — Resolving Disputes in Displacement and Termination Applications in the Construction Industry during the Construction Open Period
- Information Bulletin No. 33 — Accreditation in the Construction Industry under s. 136 of the *Labour Relations Act, 1995* (Non-ICI)
- Information Bulletin No. 37 — Video Hearings

PUBLIC SECTOR LABOUR RELATIONS TRANSITION ACT, 1997

INTERPRETATION

- 1 Purposes
 - 2 Definitions
- § PSLRTA2:1 Case Law

TABLE OF CONTENTS

APPLICATION

- 3 Municipal sector
- 4 New City of Toronto
- 5 Local boards of the new city
- 6 New Toronto Hydro–Electric Commission
- 7 School sector
- 8 Health service providers
- 8.1 Children’s aid societies
- 9 [Repealed 2019, c. 7, Sched. 53, s. 3.]
 - § PSLRTA9:1 Case Law
- 10 Application in other circumstances
- 11 Crown bound
- 12 Limited application re sale of a business
- 13 Labour Relations Act, 1995
 - § PSLRTA13:1 Case Law

STATUS OF COLLECTIVE AGREEMENTS, ETC., ON THE CHANGEOVER DATE

- 14 Bargaining units
 - § PSLRTA14:1 Case Law
- 15 Collective agreements
 - § PSLRTA15:1 Case Law
- 16 Successor employer, hiring employees
- 17 Bargaining rights under other Acts
- 18 Termination of certain proceedings
 - § PSLRTA18:1 Case Law
- 19 Right to take industrial action—Right to strike

MODIFICATION OF THE ACT TO PARTIAL INTEGRATIONS

- 19.1 Application
- 19.2 Bargaining units at successor employer
- 19.3 Application of certain provisions
- 19.4 Conciliation officer
- 19.5 Duty to bargain
- 19.6 Interest arbitrations

ALTERATIONS TO BARGAINING UNITS, ETC., AFTER THE CHANGEOVER DATE

- 20 Agreement re: change to bargaining units
 - § PSLRTA20:1 Case Law
- 21 Agreement re: change of bargaining agents
- 22 Order re change to bargaining units
 - § PSLRTA22:1 Case Law
- 23 Order re change of bargaining agents

ANNOTATED ONTARIO LABOUR RELATIONS ACT

- § PSLRTA23:1 Case Law
- 24 Continued and composite agreements
- 25 Seniority provisions
- 26 Grievance provisions
- 27 Application to Board, dispute re s. 24, 25 or 26
 - § PSLRTA27:1 Case Law
- 28 Restriction re certification applications
 - § PSLRTA28:1 Case Law

REPLACING COLLECTIVE AGREEMENTS

- 29 Agreement to replace composite agreement
- 30 Order to replace composite agreement
- 31 Notice to bargain, continued agreements
- 32 Application of s. 43 of the *Labour Relations Act, 1995*

SENIORITY OF EMPLOYEES IN A BARGAINING UNIT

- 33 Mandatory rules for determining seniority
- 34 Order re replacement agreement
- 35 Order after notice to bargain
- 36 Requirements after sale of a business

ADMINISTRATION AND ENFORCEMENT

- 37 Ontario Labour Relations Board
 - § PSLRTA37:1 Case Law
- 38 Arbitration Act, 1991

GENERAL

- 39 Conflicting rules: Acts, regulations, human resources plans
 - § PSLRTA39:1 Case Law
- 40 Regulations
 - § PSLRTA40:1 Case Law
- 41 Commencement
- 42 Short title

HOSPITAL LABOUR DISPUTES ARBITRATION ACT

- 1 Definitions
 - § HLDA1:1 Case Law [s. 1(1) “hospital”]
 - § HLDA1:2 Commentary, Case Law, and Related Provisions
- 1.1 Canadian Blood Services
- 2 Application of Act
 - § HLDA2:1 Commentary, Case Law, and Related Provisions
- 3 Notice of no collective agreement
 - § HLDA3:1 Commentary, Case Law, and Related Provisions

TABLE OF CONTENTS

4	Arbitration
5	Appointment of single arbitrator
	§ HLDA5:1 Commentary and Related Provisions
6	Appointment of board of arbitration
	§ HLDA6:1 Commentary, Case Law, and Related Provisions
7	Appointment or proceedings of board not subject to review
8	Single arbitration of several disputes
	§ HLDA8:1 Commentary, Case Law, and Related Provisions
9	Duty of board
	§ HLDA9:1 Commentary, Case Law, and Related Provisions
9.1	Remuneration and expenses
	§ HLDA9.1:1 Commentary and Related Provisions
9.2	Delegation
	§ HLDA9.2:1 Case Law and Related Provisions
10	Where agreement reached
	§ HLDA10:1 Commentary, Case Law, and Related Provisions
11	Strikes and lock-outs prohibited
	§ HLDA11:1 Commentary, Case Law, and Related Provisions
12	Timeliness of representation applications
	§ HLDA12:1 Commentary, Case Law, and Related Provisions
13	Working conditions may not be altered
	§ HLDA13:1 Commentary, Case Law, and Related Provisions
14	Offences
	§ HLDA14:1 Commentary, Case Law, and Related Provisions
15	Mailed notice
16	Filing of decisions
17	Existing proceedings discontinued
18	Procedure
19	Regulations

ONT. REG. 504/18—RULES OF PROCEDURE

1	Filing of arbitration awards
2	
3	Commencement

Table of Cases

Index