#### INDEX

The commentary entries in the index are referenced to page number. The legislation entries in the index are referenced to the section numbers of specific acts. Where the references are to section numbers of acts, the following abbreviations will appear before the section number:

Charter of Rights and Freedoms: CRF

Labour Relations Act: LRA

Ontario Labour Relations Board Rules of Procedure: OLRB

For example: In the entry:

• conciliation where parties unable to reach collective agreement, 62; LRA 18

62 refers to page 62

LRA 18 refers to section 18 of the Labour Relations Act

#### A

### **Applications**

- for certification, 47, 144;
   LRA 7, 128.1
- for decertification, 111; LRA 43(23)-(28)
- for employee list, 15; LRA 6.1
- most frequently heard, 21
- termination of bargaining rights, 111; LRA 62-66
- • successor employer obligations, 107

- transition under Making Ontario Open for Business Act, 2018, LRA 15.2
- timeliness of representation applications, LRA 67
- under other statutes, 21

Arbitration *See* Collective bargaining procedure

B

Bargaining rights *See* Unions acquiring bargaining rights; Termination of bargaining rights

**Bargaining unit** 

- appropriate, 47,
- • construction industry, 143
- excluded individuals, 44
- geographic locations, 45
- statutory limitations, 44
- viable, 43

Bill 144, Labour Relations Statute Law Amendment Act, 2004, 11, 101

# Bill 148, Fair Workplaces, Better Jobs Act, 2017

- changes to LRA, 13
- • Bill 47, Making Ontario Open for Business Act, 2018, 14, 15
- • card-based certification, 14
- • consolidated bargaining units, 18
- • fines, increases and decreases of, 19
- • first contract mediation, 17
- • reduced fines, 19
- • "just cause" protection, 17
- • remedial certification, 16
- • return to work rights and procedures, 19
- • structure of bargaining units, 18
- • successor rights, 18
- • union access to employee information, 15
- • union certification, 14

• • votes outside workplace, 16

#### $\mathbf{C}$

# Certification See Unions acquiring bargaining rights Changing workplaces review, 13 Collective agreement

- part I: overview, 81
- • binding effect, 82; LRA 56
- • contents of, *Labour Relations Act*, LRA 45-52
- • minimum term of agreement, 83; LRA 58
- • negotiation of, *Labour Relations Act*, LRA 16
- • operation of, *Labour Relations Act*, LRA 53
- permissive provisions, 82; LRA 51
- • required provisions, 81
- • arbitration, 81; LRA 48
- • recognition, 81; LRA 45
- • strikes and lock-outs prohibited, 81; LRA 46
- union membership and dues deduction, 81; LRA 47
- • religious objection, 82; LRA 52
- part II: rights arbitration and mediation-arbitration under a collective agreement, 83

- • consensual arbitration, 83; LRA 48
- • COVID-19 mediationarbitration, 87
- • expedited arbitration, 86; LRA 49
- • mediation-arbitration, 86; LRA 48(14), 49, 50

# Collective bargaining procedure

- conciliation where parties unable to reach collective agreement, 66; LRA 18
- • conciliation officers only have power of persuasion,
- • minister has rarely used power to appoint conciliation board, 66
- • "no board" report, 66, 72
- • statutory freeze ends, 95
- duty to bargain in good faith,
  62; LRA 17
- • bad faith surface bargaining, 63
- final offer vote, 67; LRA 42
- first agreement arbitration,
  68; LRA 43
- mediation, 66; LRA 19
- notice in writing to employer by union once certified, 61; LRA 16
- ratification vote, 67; LRA 44

- right to collective bargaining,
   68
- statutory freeze of terms and conditions of employment,
   LRA 86
- statutory timetable for negotiations, 61
- strikes and lock-outs *See* Strikes and lock-outs
- transition under Making Ontario Open for Business, LRA 43.1

# Conciliation See Collective bargaining procedure

# **Construction industry**

- accreditation, 155; LRA 134, 135(1), 139, 140(1)
- appropriate bargaining unit, 143; LRA 128(1)
- certification, 144
- "open period" changes, xiii-xiv, 149, 155; LRA 127.3
- • time bars to, 149; LRA 128.1(15)
- changes to certification procedures, 145; LRA 128.1
- • card-based certification model, 9, 12, 14, 145, 149
- • late responses by employers, 147
- vote-based applications, 145, 149

- conciliation, 153; LRA 129
- COVID-19 testing policies, 161
- defined, 139; LRA 1
- grievance referrals in the construction industry, 157; LRA 133
- • notice to community, 158; LRA 133
- industrial, commercial and institutional (ICI) sector, 141
- jurisdictional disputes and the OLRB, 153; LRA 99
- • provincial jurisdiction, 142
- Labour Relations Act, LRA 126-150.7
- non-construction employer, 151; LRA 126-127.2
- application for termination, 151; LRA 127.2
- • Bill 66, Restoring Ontario's Competitiveness Act, 2019, ix, 151
- • construction industry organization deemed non-construction employers, 149; LRA 127(1)
- • opt out election, 151; LRA 127(7)
- • deemed, 151; LRA 127
- • defined, 151; LRA 126
- • grandparented, LRA 127.1

- project agreements, 158; LRA 163.1
- province-wide bargaining in the ICI sector, 156; LRA 151(1), 162(2)
- provincial jurisdiction and construction, 142
- • dependency, question of, 143
- residential sector, 160; LRA 150.1-150.6
- sector and geographic certification, 141
- sectors, 142; LRA 126(1)
- strike and ratification votes,
  155; LRA 44(2)(c), 79(5),
  79(7), 79(9), 79.1
- termination of bargaining rights, 150; LRA 63, 132
- • non-construction employers, 151; LRA 126, 127.2
- time bars to certification applications, 154
- unique because of craft units comprising unions, 141

#### **COVID-19** pandemic

- COVID-19 testing, xv
- health and safety measure, xv
- impact of, xv, 128
- • filing and correspondence updates, 129
- • electronic filing, 131

- representation votes updates, 132
- • electronic voting, 132
- • in-person hearings and mediations, 136
- • video hearings, 87, 136
- vaccination, proof of, xv
- vaccination, mandatory, xvi

#### D

# Decertification application See Termination of bargaining rights

# Declarations by OLRB See Enforcement

#### **Definitions**

- accredited employers' organization, LRA 1(1)
- adjudicative record, OLRB 42.1
- administrator, LRA 93(1), 228
- affiliated bargaining agent, LRA 151(1)
- agriculture, LRA 1(1)
- application, OLRB 1.6(b)
- bargaining, LRA 151(1)
- bargaining agent, LRA 169
- bargaining unit, LRA 1(1)
- Board, LRA 1(1); OLRB 1.6(c)
- business, LRA 69(1)

- case, OLRB 1.6(d)
- certified council of trade unions, LRA 1(1)
- collective agreement, LRA 1(1)
- constitution, LRA 89.1(1)
- construction industry, LRA 1(1)
- council of trade unions, LRA 1(1), LRA 126(1)
- day, OLRB 1.6(e)
- decertification application, LRA 43(23)
- deliver, OLRB 30.1
- dependent contractor, LRA 1(1)
- designated regional employers' organization, LRA 151(1)
- Director of Dispute Resolution Services, LRA 1(1)
- displacement application, LRA 43(23)
- electronic hearing/e-filing, OLRB 1.6(f)
- electronic hearing, OLRB 1.6(g)
- employee, LRA 1(1), 126(1), 169
- employee bargaining agency, LRA 151(1)
- employer, LRA 126(1), 169

- employer bargaining agency, LRA 151(1)
- employers' organization, LRA 1(1), 126(1)
- entity, LRA 126(1)
- file, OLRB 1.6(g)
- filing, OLRB 1.6(g)
- filing fee, OLRB 30.1
- hearing, OLRB 1.6(i)
- hearing fee, OLRB 30.1
- in the way required by these Rules, OLRB 1.6(j)
- local trade union, LRA 89.1(1)
- lock-out, LRA 1(1)
- member, LRA 1(1)
- membership evidence, OLRB 1.6(k)
- Minister, LRA 1(1)
- New collective agreement, LRA 169
- Non-construction employer, LRA 126(1)
- parent trade union, LRA 89.1(1)
- parties, LRA 169
- party, OLRB 1.6(1), 42.1
- person, LRA 97, OLRB 1.6(m)
- power workers bargaining unit, LRA 169

- professional engineer, LRA 1(1)
- provincial agreement, LRA 151(1)
- Registrar, OLRB 1.6(n)
- regular union dues, LRA 47(2)
- responding party, OLRB 1.6(o)
- response, OLRB 1.6(p)
- response date, OLRB 1.6(q)
- sector, LRA 126(1)
- sells, LRA 69(1)
- sold, LRA 69(1)
- strike, LRA 1(1)
- trade union, LRA 1(1), 126(1)
- written response, OLRB 1.6(r)

#### $\mathbf{E}$

#### **Enforcement**

- board power re interim orders, LRA 98
- damages for unlawful strike, 122; LRA 96, 103
- • fines, 123; LRA 104(1), (2)
- declarations by OLRB, 121-122
- • unlawful lock-out, 124; LRA 101

- • unlawful strike, 123; LRA 100
- inquiry by labour relations officer (LRO), 123; LRA 96(1)-(3)
- inquiry by OLRB, 123; LRA 96(4)
- Labour Relations Act, LRA 96-109
- order to union or employer to cease violations of LRA, 121; LRA 96(4)
- prosecution, 125; LRA 106, 107

#### F

# Freedom of association and collective bargaining, case law developments, 29

- Charter of Rights and Freedoms, 29, 152; CRF 2(d)
- essential services and right to strike, 31
- statutory limit on public sector wages, 30

### I

#### Introduction

- Broader Public Sector Accountability Act (BPSAA), xiv
- • wage restraint in compensation plans in public sector, xiv

- construction industry, "open periods" (Bill 18), xiii
- COVID-19 pandemic, impact of, xv-xvi
- • COVID-19 testing, xv-xvi
- • health and safety measure, xv
- • vaccination, proof of, xv
- • vaccination, mandatory, xvi
- Labour Relations Act, xi-xii
- • employees' rights to choose or reject trade union, xii
- • expeditious resolution of workplace disputes, xii
- • facilitates collective bargaining, xii
- regulates relationship between trade unions and employers, xii
- • union organizing campaign, rules of conduct during, xi
- • unionized workplace, operation of, xi
- Minister Monte McNaugton, xii
- non-unionized workplace, xi
- • individual employment relationships, xi
- wrongful dismissal claims, xi

- Ontario Labour Relations Board, xii
- • Bernie Fishbein, xii
- • Catherine Gilbert, xii
- • "under new management", xii
- public sector spending restraint, xiii
- unionized workplace, xi
- collective bargaining setting out terms and conditions of employment, xi
- • common law proceeding for termination of employment, loss of right, xi
- • collective bargaining on behalf of bargaining unit, xi
- • reinstatement of employment through grievance procedure, xi
- • right to strike, xi-xii

### J

### Jurisdiction of OLRB

- administration of OLRB, Labour Relations Act, 20; LRA 110-118.1
- appointments to OLRB, 20; LRA 110

- authority to determine own practices and procedures, 20; LRA 1120(16), (17), (18)
- competency of another tribunal or administrative body, 22
- • collateral attack, rule of, 22
- • Hydro One Inc, 23
- COVID-19 and the OLRB, 128
- • electronic filing practice guidelines, 131
- • electronic voting process, 132
- • contesting electronic vote, 134
- • filing and correspondence updates, 129
- • in-person hearings and mediations, 136
- • representation votes electronic voting, 132
- • video hearings practice guidelines, 87, 136
- • contesting a video hearing, 136
- decisions of the OLRB, 20
- discretion to consolidate bargaining units, 45
- judicial review of decisions, 128
- Labour Relations Officers (LRO), 21

- no right to appeal Board decisions, 128
- mandating statutes, 21
- most frequently heard applications, 21
- powers and duties of OLRB, 128; LRA 111, 118
- remedies to unfair labour practices, 101; LRA 96
- Rules of Procedure, 127, 391
- • adjudicative records, access to, OLRB 41-45
- • allegations, obligation to make promptly, OLRB 5.1
- • application of Rules, OLRB 1.1-1.5
- • applications, OLRB 7.1-7.2
- • applications under s. 69 or subs. 1(4), OLRB 15.1
- • Building Opportunities in the Skilled Trades Act, 2021, applications for review of a notice of contravention under, OLRB 22A.1-22.A.3
- • certification, OLRB 9.1-9.5, 25,1-25.6
- • collective agreement arbitration, rules re first, OLRB 12.1-12.4
- • commencement, OLRB 6.1-6.3
- • conflicts, OLRB 1.1-1.5

- • constitutional challenges, OLRB 4.1-4.2
- construction industry, accreditation, OLRB 23.1-23.12
- construction industry, certification, OLRB 25.1-25.6
- construction industry, grievance referrals rules, OLRB 30-37
- construction industry, jurisdictional disputes, OLRB 28.1-28.7
- construction industry, redefinition of bargaining unit under s. 127(3) of the Act, OLRB 27A.1-27A.2
- • construction industry, sector disputes, OLRB 29
- • construction industry, termination applications, OLRB 24.1-24.4
- construction industry, termination of accreditation, OLRB 23.1-23.12
- • construction industry, termination of bargaining rights under s. 63 or s. 132 of the Act, OLRB 26.1-26.6
- • construction industry, termination of bargaining

- rights under s. 127.2 of the Act, OLRB 27.1-27.2
- • definitions, OLRB 1.6 see also **Definitions**
- • delivery, manner of, OLRB 6.4-6.7
- delivery of applications/ responses, OLRB 7.1-7.5
- • documents to be filed with the Board, OLRB 8.3-8.4
- • documents, obligation to deliver copies of all, OLRB 8.1-8.2
- • Employment Protection of Foreign Nationals Act (Live-in Caregivers and Others), 2009, OLRB 21.1-21.5
- • Employment Standards Act, 2000, applications under the, OLRB 21.1-21.5
- • filing, manner of, OLRB 6.8
- • filing of applications/ responses, OLRB 7.1-7.5
- • forms, OLRB Part IX
- hearings, procedure/ administration re, OLRB 38-41
- • information bulletins, OLRB Part IX
- • interpretation, OLRB 1.1-1.5

- • jurisdictional disputes (non-construction), rules re, OLRB 13.1-13.2
- • non-compliance, OLRB 2.1-2.4
- • Occupational Health and Safety Act, appeals of inspector's orders under s. 61(1) of, OLRB 22.1-22.3
- Occupational Health and Safety Act, appeals of inspector's orders under s. 61(7) of, OLRB 22.4-22.6
- • order, applications for interim, 19.1-19.3
- Public Sector Labour Relations Transition Act, 1997, applications under the, OLRB 20.1-20.5
- reconsideration, requests for, OLRB 18.1-18.3
- references, ministerial/ director, OLRB 17.1-17.2
- referral applications, duty or fairness re, OLRB 16.1-16.2
- • representation, duty of fair, OLRB 16.1-16.2
- • representation votes, OLRB 11.1-11.3
- • responses, OLRB 7.3-7.5
- • salee of a business/related employer, OLRB 15.1

- successor rights re trade unions, OLRB 14.1-14.2
- • termination of bargaining rights under s. 63 of the LRA, OLRB 10.1-10.5
- • time, OLRB 3.1-3.5
- • time limits for filing after delivery, OLRB 6.9-6.12
- trade union, successor rights re, OLRB 14.1-14.2

#### L

# Labour Relations Act (LRA)

- administration, LRA 110-118.1
- certain professionals deemed not to be employees, 45
- Changing Workplaces Review, 13
- Bill 148, Fair Workplaces, Better Jobs Act, see Bill 148, Fair Workplaces, Better Jobs Act
- construction industry, LRA 126-150.6
- • definitions, LRA 126(1)
- • residential sector, LRA 150.1-150.6
- contents of collective agreements, LRA 45-52
- definitions see **Definitions**
- enforcement, LRA 96-109

- establishment of bargaining rights by certification, LRA 6.1-15.2
- freedoms, LRA 5, 6
- general, LRA 119-125
- history, 2
- • first half of the 20th century, 3
- • Winnipeg General Strike,
- • middle of 19th century, 3
- • Rand Formula, 7
- • World War II and the arrival of Canadian labour legislation, 6
- • Collective Bargaining Act, 7
- • Labour Court, 7
- Ontario Labour Relations Board, 7
- information, LRA 90-95.1
- interference with Local Trade Union, LRA 89.1
- jurisdiction of Ontario Labour Relations Board, 20
- locals under trusteeship, LRA 89
- negotiation of collective agreements, LRA 16-44
- Ontario power generation industry, LRA 169

- • appointment of mediatorarbitrator, 179-181
- deeming provision: unlawful strike or lockout, LRA 176
- deemed referral to mediator-arbitrator, LRA 178
- • definitions, LRA 169
- • duties of employer and bargaining agent, LRA 173
- • jurisdiction of mediatorarbitrator, LRA 182
- • prohibition re lockout, LRA 172
- • prohibition re strike, LRA
- Protecting a Sustainable Public Sector for Future Generations Act, 2019, Incorporation of, LRA 190
- strike or lockout after new collective agreement, LRA 175
- • terms of employment, LRA 177
- • time limits, LRA 183
- operation of collective agreements, LRA 53-61
- province-wide bargaining, LRA 151-168
- purposes and application of Act, LRA 2

- • non-application, LRA 3
- • purposes, LRA 2
- recent changes, 8
- • Bills 47 and 148, 13
- • Bob Rae's NDP government, 8
- • social contract legislation, 8
- • Chris Bentley, 11
- • Dalton McGuinty's liberal government, 11
- • Labour Relations Statute Law Amendment Act, 2004 (Bill 144), 11
- • Mike Harris's progressive conservative government, 8
- • Bill 31, 9
- • Labour Relations
  Amendment Act, 2000
  (Bill 139), 10
- • Labour Relations
  Amendment Act (Construction Industry), 2000
  (Bill 69), 10
- • Wal-Mart in Windsor, 9
- regulations, LRA 125
- regulations under *Labour Relations Act*
- Ont. Reg. 94/07 General,
- • Ont. Reg. 98/16 Deemed Abandonment of

- Bargaining Rights Sarnia Working Agreement, 386
- • Ont. Reg. 105/01 Deemed Abandonment of Bargaining Rights, 371
- • Ont. Reg. 187/93 Ontario Construction Secretariat, 378
- • Ont. Reg. 522/05 -Arbitration - Residential Sector of the Construction Industry, 383
- residential sector of the construction industry, LRA 150.1-150.6
- special rules transition, LRA 150.7
- successor rights, LRA 68-69
- termination of bargaining rights, LRA 62-66
- timeliness of representation applications, LRA 67
- unfair practices, LRA 70-88
- who is covered, 23
- aboriginal right of selfgovernment not a bar to coverage, 23
- • construction presumption, 26
- does not apply to members of police forces, firefighters, teachers, provincial employees and

- community college employees, 24; LRA 3
- • exceptional federal jurisdiction, 26
- • gig economy, workers in, 27
- non-managerial employees,
  28; LRA 1(3)(b)
- • other excluded employees, 26, 28; LRA 3
- • private agreements, 24
- • provincially-regulated workplaces, 23, 25
- • self-employed vs. dependent contractors, 27

# Labour Relations Officer (LRO)

- appointed by OLRB after application received, 98
- authorized to direct voting process and associated arrangements, 16
- employed by OLRB, 21
- inquiry by, 123; LRA 96(1)-(3)
- jurisdiction, 21
- role before vote held, 53

# Lock-outs See Strikes and lockouts

### $\mathbf{M}$

# Mediation See Collective bargaining procedure

N

"No board" report See Strikes and lockouts

0

Ontario Labour Relations
Board (OLRB) See also
Enforcement; Rules of
Procedure of OLRB under
Jurisdiction of OLRB

• contact information, 127

P

Picketing, 76

R

# Rand Formula See also Collective agreement

- automatic deduction of union dues from payroll, 7, 81
- Justice Ivan Rand, 7

Regulations See Labour Relations Act

# Rules of procedure of OLRB See also Enforcement; See under Jurisdiction of OLRB

- forms, 127
- most recent published 2019, 127
- powers and duties of the OLRB, 128; LRA 111, 114, 118.1

 $\mathbf{S}$ 

# Sale of business and related employer

- definition of sale, 105; LRA 69(1)
- related employer applications, 107; LRA 1(4)
- • application to OLRB for declaration, 107; LRA 1(4)
- • "double-breasted suit", 109
- • preconditions for declaration, 108
- • prevent erosion of bargaining rights, 108
- successor employer obligations, 107; LRA 69
- successor rights, building services, LRA 69.1
- successor unions and union mergers, 110; LRA 68

#### Statutory freeze

 terms and conditions of employment, 61; LRA 86

### Strikes and lock-outs

- damages for unlawful strike,
   76, 78
- mandatory strike vote, 71
- no discharge or discipline following strike or lock-out, LRA 80.1
- • "no board" report, 72; LRA 79(2), 122(2)

- • issued by Minister to indicate conciliation board will not be appointed, 66
- • mediation after, 66
- • statutory freeze ends, 96
- • timely application, 49
- picketing, 76
- • bargaining unit members, 76
- employer seeking injunctive relief from, 77; CJA 102
- • common-law test, 78
- • when employer may apply for relief from OLRB, 76
- prohibited during term of collective agreement, 71; LRA 79
- reinstatement of striking employees, 73; LRA 80
- replacement workers, 72
- unlawful strikes and lockouts, 74; LRA 79(6), 81, 100, 101

# $\mathbf{T}$

# Termination of bargaining rights

- Labour Relations Act, LRA 62-66
- part I: overview, 109-116
- • application by anyone, 115

- • application by employees to terminate, 111-115; LRA 63(1), 63(2)
- • application copy to employer and union, 113; LRA 63(3)
- • confirmation sent out by OLRB, 113
- • dismissed by OLRB if employer initiated or interfered, 111-113; LRA 63(16), 132
- • dismissed application if less than 50 per cent of votes, 114-115; LRA 63(15)
- • petition signed by employees to OLRB, 114; LRA 63(4)
- • representation vote by secret ballot, 114; LRA 63(5), 63(9)
- • termination of rights if more than 50 per cent of votes, 114; LRA 63(14)
- • termination package to both union and employer, 113
- failure to bargain, 115-116; LRA 65
- • fraud, 115
- certification application obtained by, 115; LRA 64(1)

- • decertification obtained by, 115; LRA 64(3)
- • if collective agreement for a term greater than three years, 110-111; LRA 63(2)(b), 63(2)(c); 67(2)
- • if collective agreement for a term of three years or less, 110; LRA 63(2)(a)
- • if no collective agreement entered into, 109-110; LRA 63(1), 67(1), 67(3)
- • open periods for decertification, 109
- • simultaneous decertification and first contract applications, 116; LRA 43(23)-(25)
- • voluntary recognition, 111; LRA 66
- part II: information, 116-119
- • collective agreements to be filed, 117-118; LRA 90
- • constitution to be filed, 118; LRA 91
- • information to be posted, 116-117; LRA 63.1(4)
- • union disclosure, 118-119; LRA 92, 92.1

# Trade unions See Unions acquiring bargaining rights

#### U

### Unfair labour practices

- employer free speech, 94-95; LRA 70
- employer interference with union, 90-91; LRA 70
- generally, 89-90
- interference, 90-91; LRA 70
- coercion, intimidation, threats, promises, 90-91; LRA 70, 72
- • undue influence, 90
- intimidation and coercion, 93-94; LRA 76
- OLRB remedies to, 98-101;
   LRA 96(4)
- • automatic certification of trade union, 9, 99
- • employer to pay lost wages, 98-99; LRA 96(4)
- • interim relief orders, 101; LRA 98
- • "salt" employee, 101
- Labour Relations Act, LRA 70-88
- particular obligations of unions, 91-93
- fair referral, 92-93; LRA 75
- • fair representation, 91; LRA 74
- respect for bargaining rights,
  93; LRA 73

- statutory freeze, 95-97; LRA 86(1)-(2)
- strike-breaking misconduct, 97-98: LRA 78
- union interference with employers' organizations, 90-91; LRA 70

# Unions acquiring bargaining rights

- application for certification without a vote, certain industries, 35
- appropriate bargaining unit, 42-46; LRA 9
- • factors taken into consideration by OLRB, 43
- • bargaining unit defined, 42; LRA 1(1)
- • construction industry, 141-142
- certain professionals deemed not to be employees, 44; LRA 1(3)
- certification process, 47-60
- application, 47-48; LRA 6.1, 7
- • Form-108E cannot be used to file, 48
- • bar to reapplying, 59-60
- • certification when the *Labour Relations Act* is contravened, 56-59; LRA 11, 11.1

- • Confirmation of Filing Application, 48
- • employer challenge, 54-55; LRA 8.1
- • employer response, 50-51; LRA 8.1
- • interim certificate, 56; LRA 9(2)
- • Labour Relations Act, LRA 6.1-15.2
- • majority support, 55; LRA 10(1)
- • Ontario Labour Relations Board directions, 51; LRA 8(1), (2)
- • sealing of ballot box, 51
- • segregation of ballots, 51
- • voting constituency, 51
- • representation vote, 51-54; LRA 8(2)
- • 40% threshold, 51, 52
- • electronic membership cards accepted, 52
- • electronic vote may be ordered, 52-53
- • timely application, 48-50; LRA 7
- discretion of OLRB to consolidate bargaining units, 18, 45
- employer free speech and rights, 37-40; LRA 70, 72

- No discharge or discipline following certification, LRA 12.1
- organizing drive, 36-37; LRA 5, 6, 70
- • during working hours not specifically authorized, LRA 77
- right of access to a workplace, 42
- security guards and other special groups, 46-47
- trade union defined, 33; LRA 1(1)
- trade union status, 33-34
- union persuasion, 40-42
- • "salesmanship", 40
- • unlawful tactics, 41-42
- voluntary recognition versus certification, 34-35