

The Labour Relations Act, 1995

Before the Ontario Labour Relations Board

Between:

Greater Toronto Sewer and Watermain Contractors Association,

Applicant,

- and -

International Union of Operating Engineers, Local 793,

Responding Party,

- and -

Ontario Concrete & Drain Contractors Association, and
Associated Earthmovers of Ontario,

Intervenors.

Certificate

Upon the application of the applicant and in accordance with the provisions of the *Labour Relations Act, 1995* THIS BOARD DOETH CERTIFY Greater Toronto Sewer and Watermain Contractors Association as the bargaining agent of:

1. All employers of employees engaged in the operation of cranes, shovels, bulldozers and similar equipment and those primarily engaged in the repair and maintenance of same, for whom the International Union of Operating Engineers, Local 793 has bargaining rights performing the work described below in the City of Toronto, the Regional Municipalities of Peel and York, the Towns of Oakville and Halton Hills and that portion of the Town of Milton within the geographic Townships of Esquesing and Trafalgar, the Town of Ajax and the City of Pickering in the Regional Municipality of Durham, and Simcoe County. The work covered by this accreditation certificate consists of:

All sewer and watermain work including drainage, in the sewers and watermains sector of the construction industry, on private property more than three feet from any building, where the site is in excess of 1.5 hectares in size, save and except work from the individual lot property line to the interior of new single family residential detached or semi-detached houses which are not townhouses or residential highrises (condominiums or rentals).

2. Despite the generality of the foregoing, the aforementioned bargaining unit description is subject to the following exclusions from the bargaining unit of employers performing work under the following

collective agreements in accordance with past or existing practices as at the date hereof:

- (a) Schedule "A" to the Operating Engineers Provincial Agreement being the schedule between the Crane Rental Association of Ontario and the Ottawa Crane Rental Association and the International Union of Operating Engineers, Local 793;
- (b) Schedule "B" to the Operating Engineers Provincial Agreement being the schedule between the Ontario Association of Foundation of Foundation Specialists and the International Union of Operating Engineers, Local 793;
- (c) Schedule "C" to the Operating Engineers Provincial Agreement being the schedule between the Ontario Erectors Association and the International Union of Operating Engineers, Local 793;
- (d) Schedule "D" to the Operating Engineers Provincial Agreement being the schedule between the Associated Earth Movers of Ontario and the International Union of Operating Engineers, Local 793;
- (e) Collective Agreement between the International Union of Operating Engineers, Local 793 the Toronto and Area Road Builders' Association;
- (f) Collective Agreement between the International Union of Operating Engineers, Local 793 and the Utility Contractors Association of Ontario;
- (g) Collective Agreement between the Ontario Allied Construction Trades Council and the Electrical Power Systems Construction Association;
- (h) Operating Engineers Mainline Pipeline Agreement for Canada between Pipe Line Contractors' Association of Canada and International Union of Operating Engineers;
- (i) Operating Engineers Distribution Pipeline Agreement for Canada between Pipe Line Contractors Association of Canada and International Union of Operating Engineers; and
- (j) Collective Agreement between the Ontario Formwork Association and the Formwork Council of Ontario.

3. For the purposes of clarity, the Board declares that the unit of employers has been described to reflect work performed by employers of employees for whom the Responding Party has bargaining rights and shall not be construed as defining or limiting any sector in the construction industry.

4. This accreditation certificate is designed to augment the Applicant's bargaining rights granted to it by the Board in an accreditation certificate dated November 3, 1989 (Board File No. 1533-88-R).

The employers for whom the Greater Toronto Sewer and Watermain Contractors Association becomes the bargaining agent under this certificate are: Advice Contracting Limited, Alsi Contracting Ltd., Antonio Valente & Sons Limited, Armagh Contractors Ltd., Bess-Con Construction Ltd., BFC Utilities, AECOM Utilities (Formerly BFC Utilities), Calder Hill Contracting Ltd., Carillion Construction, Clearway Construction Inc., C&M McNally Engineering Corp., C.M. Dipede Group Limited, Comer Construction, Con-Drain Company (1983) Ltd., Con-Ker Construction Corp., Co-X-Co Construction Limited, Crown Drain Co. Ltd., Cucci Construction Limited, D'Andrea Contracting Co. Ltd., D'Orazio Infrastructure Group Limited, Daimerson Construction Co. Ltd., Dolente Concrete & Drain Co., Dom-Meridian Construction Ltd., Donald Construction Ltd., Drainstar Contracting Ltd., Dufferin Construction Company, Earth Boring Company Ltd., Elmford Construction Company Limited, En-San Contractors Limited, Faga Group, Fernview Construction Limited, Fourwinds Construction Inc., G. Macera Contracting Ltd., Goldmar Contracting Ltd., Lancorp Construction Inc. (Formerly Goldmar), Hollingworth Construction Company, Jimmy Mack & Son Construction Ltd., King Cross Contracting Ltd., L.J.S. 1997 Construction Limited, Lansco Construction Ltd., Maacon Construction Corporation, Maiella Contracting Sewer & Watermain (1989) Ltd., Mardave Construction (1990) Ltd., Mar-King Construction Company Limited, Memme Construction, North Rock Group Ltd., Pachino Construction Co. Ltd., Pentad Construction Limited, Peran Tunnelling Ltd., Pilen Construction of Canada Ltd., Power Contracting 1997 Limited, Principle Sewer & Watermain Co. Ltd., Pro-Drain Construction Ltd., Rymall Construction Inc., Sanan Construction, TACC Construction Company Ltd., Teston Pipelines Ltd., Timbel Limited, Topside Contracting Limited, UCL Marcott Group, Valentine Underground Services Ltd., Vipe Construction Ltd., Wardet Limited, Wasero Construction (1991) Ltd. and other such employers for whose employees the International Union of Operating Engineers, Local 793, may after October 8, 1999 obtain bargaining rights through certification or voluntary recognition in the geographic area and sector set out in the unit of employers described herein.

This certificate is to be read subject to the terms of the Board's Decision(s) in this matter and, accordingly, the bargaining unit described herein is to be read subject to any qualifications referred to in the said decision(s) of the Board.

DATED at Toronto this 13th day of December, 2002.

ONTARIO LABOUR RELATIONS BOARD

P. M. Grenier

Deputy Registrar

(SEAL)