

ONTARIO LABOUR RELATIONS BOARD

Between:

The Ontario Erectors Association,
Applicant,

- and -

The International Association of
Bridge, Structural and Ornamental
Ironworkers, Local Union 786,
Respondent,

- and -

Electrical Power Systems Construction
Association,
Intervener #1,

- and -

Hydro-Electric Power Commission of
Ontario,
Intervener #2,

- and -

Labourers' International Union of North
America, Ontario Provincial District
Council et al,
Intervener #3,

- and -

Erectors Division, Ontario Precast
Concrete Manufacturers' Association,
Intervener #4.

BEFORE: D.E. Franks, Vice-Chairman, and Board Members
H.J.F. Ade and E. Boyer.

APPEARANCES AT THE HEARING: Robin B. Cumine and W.
Jemison for the applicant; Aubrey E. Golden and Maurice
A. Green for the respondent; H.A. Beresford and G.A.
Pickell for intervener #1 and intervener #2; no one
appearing for intervener #3; B.W. Binning, R. Werry and
R.V. Bradley for intervener #4; T.C. Murray and T. Thompson
for Pigott Investments Limited; B.W. Binning, R. Werry and

R.V. Bradley for Schell Industries Limited; B.W. Binning and R. Werry for Janin Building & Civil Works Limited; Philip Epstein for Dual Hoisting and Metro Hoisting and Equipment Limited.

DECISION OF THE BOARD:

1. This is an application for accreditation. Prior to the making of this application the applicant and the respondent Local Union were parties to an agreement dated May 1, 1969, which was in effect until April 30, 1971. As a result of that agreement the respondent trade union had bargaining rights with respect to more than one employer in the area and sector which are the subject matter of this application. Accordingly, the Board finds that it has jurisdiction under section 113 of the Act to entertain this application.

2. The applicant employers' organization is an association whose constitution was revised in September 1971. Prior to 1971 the applicant association had been known as The Structural Steel Erection Contractors Association of Ontario and under that name had engaged in collective bargaining for a number of years. The revision of the constitution in 1971 gave the applicant association the specific objects of:

- (b) To act as bargaining agent for its members in negotiating and entering into collective bargaining agreements with The International Association of Bridge, Structural and Ornamental Ironworkers and the International Union of Operating Engineers (Hoisting Division) or any Local Union of either, covering those employees of the members of the Association who are engaged in work at construction sites in Ontario.
- (c) To become an accredited employers' organization under The Labour Relations Act and to regular the relations between employer members and employees in the construction industry and to represent such employer members in collective bargaining within any sector of the construction industry in any geographical area, as defined in The Labour Relations Act.

On the basis of the evidence before it the Board finds that the applicant is an employers' organization within

the meaning of section 106(d) of the Act, and further that it is a properly constituted organization for the purposes of section 115(3) of the Act.

3. The applicant filed with the Board documentary evidence of representation on behalf of one hundred and eighty-one (181) employers. The evidence of representation is in two forms. For a number of employers the applicant has filed the documents by which an individual employer applies for membership in an applicant. The applicant also filed evidence of representation in the form of Power of Attorney in which the individual employer appoints the applicant association as agent and representative for collective bargaining. The applicant also filed a duly completed Form 62, Declaration Concerning Representation Documents. The Board therefore further finds that the applicant has submitted acceptable documentary evidence of representation on behalf of one hundred and eighty-one (181) employers.

4. The collective agreement referred to in paragraph 1 contains the following provision with respect to the geographical area affected by the agreement:

"All of the Districts of Algoma, Manitoulin, Nipissing, Parry Sound, Sudbury, Temiskaming, and all of the District of Cochrane, south of the 50th degree latitude."

The applicant has applied for a unit of employers which relates to the geographic area set out in the collective agreement pertaining to the respondent Local and in the industrial, commercial and institutional sector and in the heavy engineering sector. The various parties to the application have agreed that these two sectors are the appropriate sectors for accreditation in the present case. Accordingly, the Board further finds that all employers of ironworkers for whom the respondent has bargaining rights in the Districts of Algoma, Manitoulin, Nipissing, Parry Sound, Sudbury, Temiskaming, and all of the District of Cochrane, south of the 50th degree latitude in the industrial, commercial and institutional and heavy engineering sector of the construction industry, constitute a unit of employers appropriate for collective bargaining.

5. For the purposes of clarity the Board further notes that the term ironworkers does not include rodmen.

6. After the hearing in this matter the Board appointed an Examiner to consult with the parties and employers. The Examiner has reported to the Board and the parties have made no statement of objections and desire to make representations on the Report of the

Examiner. The Examiner's Report contains the representations of the parties with respect to certain individual employers, and it also refers to two exhibits in the form of letters filed with the Examiner. As a result of the Report of the Examiner, the Board is now in a position to deal with all of the employers on the list of employers.

7. As a result of the filings of the applicant and the respondent the Board prepared a list of employers who might be affected by this application. The list consists of two hundred and ninety-three (293) employers. In accordance with the Board's Rules of Procedure, each of these employers was served with notice of this application and under the Board's Rules of Procedure was required to file Form 68, Employer Filing, together with its Schedule "H".

8. It would appear that the Board has been unable to effect service on thirteen (13) employers at the address given by the applicant or the respondent. For instance, the registered letters sent by the Board to the employers were returned marked by the Post Office "Moved" or "Unknown". Accordingly:

No. 2	-	ABC Steel Bldgs. Ltd.
No. 45	-	Crittall-Fenestra Inst. (East) Ltd.
No. 107	-	Medway Metalwork Ltd.
No. 42-9	-	Canadian Structures & Mechanical Contracting
No. 42-12	-	Capy Steel Service
No. 42-22	-	Eagle Erectors
No. 42-26	-	A. Epstein Co. Ltd.
No. 42-36	-	Global Steel Setters Ltd.
No. 42-42	-	Industries Couture Ltd.
No. 42-43	-	Industrial Mine Install. Ltd.
No. 42-47	-	Kaighin Hughes Canada Ltd.
No. 42-52	-	Leeds Bridge and Ironworks Ltd.
No. 42-73	-	Norman Construction

are removed from the list of employers in the unit of employers.

9. It would appear also that certain employers on the list of employers are duplications of other employers on the list. Thus:

No. 42-34 - Gerard Construction (Ontario) Limited is removed as a duplication of No. 68 - Gerard Construction (Ontario) Limited

No. 42-40 - Hawker Industries Limited, Canadian Bridge Division is removed as a duplication of No. 77 - Hawker Industries Limited, Canadian Bridge Division

No. 42-55 - MacDougall Limited is removed as a duplication of No. 98 - W. A. McDougall Ltd.

- No. 42-61 - Mead Morrison Industrial Equipment Limited is removed as a duplication of No. 106 - Mead Morrison Industrial Equipment Limited
- No. 42-62 - Mesley Mach. Movers is removed as a duplication of No. 108 - Mesley Mach. Movers
- No. 42-64 - Mills Steel Construction Ltd. is removed as a duplication of No. 23 - Brayshaw's Steel
- No. 42-93 - P.A. Sherwood Windows Ltd. is removed as a duplication of No. 144 - P.A. Sherwood Windows Ltd.
- No. 42-97 - Sky-Hook Const. Limited is removed as a duplication of No. 145 - Sky-Hook Construction Limited
- No. 42-98 - Sky Metal Co. Ltd. is removed as a duplication of No. 146 - Sky Metal Co. Ltd.
- No. 42-100- N.L. Smith Mechanical is removed as a duplication of No. 147 - N.L. Smith Mechanical Limited
- No. 42-102- Sombra Welding Ltd. is removed as a duplication of No. 150 - Sombra Welding Ltd.
- No. 42-103- Spencer Steel Ltd. is removed as a duplication of No. 148 - Spencer Steel Limited
- No. 42-104- Specialty Welding & Mech is removed as a duplication of No. 149 - Specialty Welding & Machine Company Limited
- No. 42-106- Standard Structural Steel Ltd. is removed as a duplication of No. 151 - Standard Structural Steel Ltd.
- No. 42-107- Ste-Alco Limited is removed as a duplication of No. 152 - Ste-Alco Limited
- No. 42-109- Steel Building Sales is removed as a duplication of No. 153 - Steel Building Sales
- No. 42-111- Steele's Erect & Hoist Ltd. is removed as a duplication of No. 154 - Steele's Erect & Hoist Ltd.
- No. 42-112- Steen Mechanical Contractors Ltd. is removed as a duplication of No. 155 - Steen Mechanical Contractors Limited

No. 42-113- Stone & Webster Canada Ltd. is removed as a duplication of No. 156 - Stone & Webster Canada Limited

10. At the Examiner's meeting the parties agreed that Employer No. 98 - W.A. McDougall is bankrupt and should be removed from the list of employers. Also, Employer No. 42-44 - James United Steel Limited should be removed from the list being no longer in business. Employer No. 84 - Jensen Steel Ltd. and Employer No. 42-60 - McNamara Const. of Ontario Ltd. are also removed from the list of employers as not being in the construction industry.

11. However, the parties did challenge the filings of the remaining employers who claimed in their filings that the respondent does not have bargaining rights for their employees. In this regard, exhibits were filed with the Examiner by the parties to show that the respondent has bargaining rights for the employees of these challenged employers. Thus they are placed on Final Schedule "F":

No. 5	-	Acme Welding
No. 26	-	Burke's Welding Ltd.
No. 32	-	Calorific Const. Ltd.
No. 34	-	Casey Mech. Ltd.
No. 48	-	R. J. Cyr Co. Ltd.
No. 59	-	Finch Metal Fab. Co.
No. 95	-	Loaring Construction Company Limited
No. 103	-	Manfin Steel Company Limited
No. 109	-	Metro Welding Co.
No. 112	-	T. Moore Mechanical Contractors Ltd.
No. 122	-	Northwestern Structural Steel Limited
No. 126	-	The Ralph M. Parsons Company
No. 141	-	Roxson Contractors Ltd.
No. 145	-	Sky-Hook Construction Limited
No. 149	-	Specialty Welding & Machine Company
No. 159	-	J. M. Takacs Co. Ltd.
No. 42-18	-	Dineen Construction
No. 42-27	-	Ethier Contractors (Sudbury) Ltd.
No. 42-28	-	Fisher Welding Service Ltd.
No. 42-33	-	General Erection Services
No. 42-38	-	Great Lakes Machine & Metal Fabricators
No. 42-51	-	Lea Steel Ltd.
No. 42-65	-	Modern Railings & Metalcraft Ltd.
No. 42-83	-	Richards Wilcox of Canada Ltd.
No. 42-92	-	Semple & Gooder Company Ltd.
No. 42-119	-	Walkers Installations Ltd.
No. 42-120	-	Wheelabrator Corp of Canada

12. The parties did not challenge the representations of twenty (20) employers who claimed in their filings that the respondent does not have bargaining rights for their employees. Thus:

No. 4	-	Acadia Engineering & Fabricators
No. 42-1	-	Acme Building & Const. Ltd.

No. 42-25 - Ellis Don Ltd.
No. 42-30 - The Frid Construction Company Limited
No. 42-32 - G. & H. Steel Service of Canada Ltd.
No. 42-35 - Gilbert Steel Inc.
No. 42-39 - H. J. Harris & Sons Limited
No. 42-41 - Hi-Pro Erectors Ltd
No. 42-45 - Janin Building & Civil Works
No. 42-51 - Ebert Welding Limited
No. 42-58 - McGowan Fence Supply Ltd.
No. 42-63 - Metro Hoisting & Erecting Limited
No. 42-70 - Neil Smith Construction
No. 42-79 - Pigott Construction Ltd.
No. 42-82 - Rayvor Construction Limited
No. 42-85 - Samson Construction (1972) Limited
No. 42-87 - Schell Industries Ltd.
No. 42-89 - Schwenger Construction
No. 42-96 - D. A. Sinclair Construction
No. 42-105 - Spiers Brothers Ltd.
No. 42-108 - Steds Limited

are removed from the list of employers.

13. A number of employers who failed to file a return were agreed off the list by the parties. Therefore:

No. 42-13 - Chisnell-Ganton Ltd.
No. 42-23 - Eastern-Construction Co. Ltd.
No. 42-48 - James Kemp Construction
No. 42-67 - Mollenhauer Contractors
No. 42-72 - Newman Bros. Co. Ltd.
No. 42-84 - Ross Pulp and Paper Division
No. 42-90 - Scofan Contractors Limited
No. 42-94 - Sillman Company Ltd.
No. 42-95 - Simard Beaudry Inc.
No. 42-114 - Sudbury Steel Construction Ltd.
No. 42-115 - M. Sullivan & Sons Limited
No. 42-116 - Suto Steel Limited

are removed from the list of employers.

14. A number of employers failed to file returns. In these circumstances the parties have agreed that the disposition of these employers for the purpose of section 115 of the Act is as follows:

No. 3 - Albicon Limited - will appear on
Final Schedule "F"

No. 9 - Allied Ind. Piping Co. - will
appear on Final Schedule "E"
with 5 employees

No. 12 - Art Wire & Iron Co. Ltd. - will
appear on Final Schedule "E"
with 5 employees

- No. 21 - Bond Structural Steel (1965) Ltd. - will appear on Final Schedule "E" with 3 employees
- No. 25 - Brocklesby Transport Ltd. - will appear on Final Schedule "E" with 3 employees
- No. 27 - Canadian Erectors Ltd. - will appear on Final Schedule "E" with 3 employees
- No. 28 - Canadian Installation Co. Ltd. - will appear on Final Schedule "F"
- No. 30 - Cdn. Mech. Handl. Systems Ltd. - will appear on Final Schedule "F"
- No. 36 - Cem-Al Erectors Ltd. - will appear on Final Schedule "E" with 2 employees
- No. 37 - Central Que. Steel Ltd. - will appear on Final Schedule "F"
- No. 40 - Cleland Metal Prod. Ltd. - will appear on Final Schedule "F"
- No. 47 - Art Currie Limited - will appear on Final Schedule "F"
- No. 49 - Dependable Erectors - will appear on Final Schedule "F"
- No. 54 - Earl's Welding - will appear on Final Schedule "F"
- No. 55 - F & W Steel Fab. Ltd. - will appear on Final Schedule "E" with 2 employees
- No. 57 - Ferguson Glass Limited - will appear on Final Schedule "F"
- No. 61 - Foresteel Ind. Ltd. - will appear on Final Schedule "E" with 4 employees
- No. 63 - E.S. Fox Limited - will appear on Final Schedule "E" with 2 employees
- No. 69 - A.J. Goodale Ltd. - will appear on Final Schedule "F"

- No. 70 - Great Lakes Fabricating - will appear on Final Schedule "F"
- No. 72 - Grightmire Steel Ltd. - will appear on Final Schedule "F"
- No. 73 - Gross Ornamental Iron - will appear on Final Schedule "F"
- No. 80 - Hodgson Steel and Ironworkers - will appear on Final Schedule "E" with 10 employees
- No. 82 - G.I. Installations Ltd. - will appear on Final Schedule "E" with 4 employees
- No. 86 - Joggast Steel Company - will appear on Final Schedule "E" with 2 employees
- No. 90 - Kel-Gor Fab. Ltd. - will appear on Final Schedule "E" with 3 employees
- No. 92 - Klimack Const. Ltd. - will appear on Final Schedule "E" with 3 employees
- No. 94 - Lalonde Welding Ltd. - will appear on Final Schedule "E" with 2 employees
- No. 96 - Lord and Cie Limited - will appear on Final Schedule "F"
- No. 110 - Midland Ross - will appear on Final Schedule "E" with 4 employees
- No. 114 - Nadrofsky Steel Erect. Ltd. - will appear on Final Schedule "E" with 5 employees
- No. 115 - Naidanac Mech. Ltd. - will appear on Final Schedule "E" with 5 employees
- No. 117 - Nevis Steel Const. Ltd. - will appear on Final Schedule "F"
- No. 129 - Petro-Chemical Fab. - will appear on Final Schedule "F"
- No. 130 - Phoenix Steel Prod. Ltd. - will appear on Final Schedule "F"

- No. 135 - R. & F. Metal Fabricators Ltd. - will appear on Final Schedule "F"
- No. 136 - Ranto Ent (Amherstburg) Ltd. - will appear on Final Schedule "F"
- No. 140 - Ross Ent. Welding & Fab. - will appear on Final Schedule "F"
- No. 146 - Sky Metal Co. Ltd. - will appear on Final Schedule "E" with 2 employees
- No. 150 - Sombra Welding Ltd. - will appear on Final Schedule "F"
- No. 154 - Steele's Erect & Hoist Ltd. - will appear on Final Schedule "E" with 2 employees
- No. 157 - Sudbury Mech. & Elect. - will appear on Final Schedule "E" with 12 employees
- No. 160 - Thornby Metals Ltd. - will appear on Final Schedule "E" with 3 employees
- No. 161 - Travers Const. & Eng. Ltd. - will appear on Final Schedule "E" with 30 employees
- No. 164 - Vancan Metal Erectors Limited - will appear on Final Schedule "F"
- No. 170 - Wilson Engineering - will appear on Final Schedule "E" with 12 employees
- No. 171 - Windsor Metal Masters Ltd. - will appear on Final Schedule "F"
- No. 42-2 - Active Welding - will appear on Final Schedule "F"
- No. 42-4 - Armco Drainage & Metal Products - will appear on Final Schedule "F"
- No. 42-6 - Belford Bros. Construction Ltd. - will appear on Final Schedule "E" with 5 employees
- No. 42-10 - Candour Steel Erection Ltd. - will appear on Final Schedule "E" with 4 employees

- No. 42-15 - Con Erectors & Mech. - will appear on Final Schedule "F"
- No. 42-16 - Wm. Cook Steel Erectors - will appear on Final Schedule "E" with 9 employees
- No. 42-17 - D & M Inc. Structural Steel - will appear on Final Schedule "E" with 3 employees
- No. 42-29 - Fox Erection - will appear on Final Schedule "E" with 0 employees
- No. 42-31 - Furnco Construction Canada Ltd. - will appear on Final Schedule "E" with 4 employees
- No. 42-37 - J. Grassl Steel Prod. Welding Service - will appear on Final Schedule "F"
- No. 42-49 - Charles Lacroix - will appear on Final Schedule "F"
- No. 42-56 - Macon Equipments Rentals Ltd. - will appear on Final Schedule "E" with 0 employees
- No. 42-66 - Moland Brothers (Lakehead) Ltd. - will appear on Final Schedule "F"
- No. 42-68 - Morts Crane Rentals - will appear on Final Schedule "F"
- No. 42-69 - N. G. Industrial Equip. Install Ltd. - will appear on Final Schedule "E" with 5 employees
- No. 42-74 - Northway Masonry Co. - will appear on Final Schedule "F"
- No. 42-75 - Omer Steel Service - will appear on Final Schedule "F"
- No. 42-76 - Onaping Power Install Ltd. - will appear on Final Schedule "E" with 4 employees
- No. 42-77 - Pentagon Construction Co. Ltd. - will appear on Final Schedule "F"
- No. 42-78 - The B. Phillips Company - will appear on Final Schedule "F"
- No. 42-81 - Plate & Structural Steel Ltd. - will appear on Final Schedule "F"

- No. 42-86 - Sasso Steel Works - will appear
on Final Schedule "F"
- No. 42-88 - W. Schwarz & Sons Ltd. - will
appear on Final Schedule "F"
- No. 42-91 - Secord Industrial Sales - will
appear on Final Schedule "E" with
5 employees
- No. 42-99 - Smith & Elson - will appear on
Final Schedule "F"
- No. 42-117- Harry Taylor Mine Mach. Inst. Co.
- will appear on Final Schedule "F"

15. On the basis of the foregoing considerations and the filing by individual employers the Board has drawn up the following lists of employers. Those employers listed on Final Schedule "E" are those who have indicated that they had employees affected by the application in the year preceding June 15, 1972, the date of the making of the application. Those on Final Schedule "F" have indicated that they have not had such employees.

FINAL SCHEDULE "E"

S.D. Adams Welded Products Limited
Allied Ind. Piping Co.
Art Wire & Iron Co. Ltd.
Assinck Bros. Limited
August Equipment Ltd.
Beamer & Lathrop (Quebec) Limited
Bomac Steel Co. Ltd.
Bond Structural Steel (1965) Ltd.
Bridge & Tank Company of Canada Limited
Brocklesby Transport Ltd.
Canadian Erectors Ltd.
Comstock International Ltd.
Cannon Limited, Eastern Structural Division
Cecchetto & Sons Limited
Cem-Al Erectors Limited
Adam Clark Company Ltd.
Conaquip Limited
Dominion Bridge Co. Ltd.
F. & W. Steel Fab. Ltd.
A. Faustin Co. Ltd.
Roger Forest Inc.
Foresteel Ind. Ltd.
E.S. Fox Limited
Frankel Structural Steel Limited
General Erectors & Mechanical Company Limited
H.E. Erection Company

John T. Hepburn Limited
Hilkron Steel Construction Limited
Hodgson Steel and Ironworks
G.I. Installations Ltd.
Jervis B. Webb Company of Canada
Joggast Steel Company
Joy Manufacturing Company (Canada) Limited
Kahkonen Construction Limited
Kawneer Company Canada Limited
Kel-Gor Fab. Ltd.
Klimack Const. Ltd.
Lackie Bros. Limited
Lalonde Welding Ltd.
McInnis Mechanical (Eastern) Limited
Midland Ross
Morrison Engineering Limited
Nadrofsky Steel Erect. Ltd.
Naidanac Mech. Ltd.
Newman Structural Steel Limited
Niagara Structural Steel Co. Ltd.
Noront Steel Limited
Norris Iron Works Limited
Ontario Millwrights Ltd.
Rassaun Steel & Mfg. Co. Ltd.
Robertson-Irwin Limited
Sentinel Reliance Products Ltd.
Sheafer-Townsend Limited
Sky Metal Co. Ltd.
N.L. Smith Mechanical Limited
Ste-Alco Limited
Steele's Erect & Hoist Ltd.
Steen Mechanical Contractors Limited
Stone & Webster Canada Limited
Sudbury Mech. & Elect.
Thornby Metals Ltd.
Travers Const. & Eng. Ltd.
The Toronto Iron Works Limited
Westeel-Rosco Limited
John Wheelwright Ltd.
Wilson Engineering
York Steel Construction Limited
Ascon Construction Limited
Belford Bros. Construction Ltd.
Bradshaw Iron Works Limited
Canadian Machinery Movers Limited
Candour Steel Erection Ltd.
Cimco Limited
Wm. Cook Steel Erectors
D. & M. Inc. Structural Steel
Domus Metal Limited
Dual Hoisting & Erectors Ltd.
Fox Erection
Furnco Construction Canada Ltd.
Al Lanteigne Steel Works
Local Mechanical Erectors - Dave Cavanagh
Macon Equipments Rentals Ltd.

Markus & Son Limited
McKnight Installations Ltd.
N.G. Industrial Equipment Installations Ltd.
G.M. Nelson Welding
Onaping Power Installations Ltd.
Secord Industrial Sales
Smitty's Welding
United Crane & Hoist Service Ltd.

FINAL SCHEDULE "F"

A-1 Steel Works (Div. of Alvan Fabricators Ltd.)
Abicon Limited
Acme Welding
Aldershot Industrial Installations Limited
Allied Conveyors Limited
Anstey & Gray Ltd.
Arc-Way Welding (1972) Limited
Bagwell Coatings Canada Ltd.
Barnett-McQueen Company Limited
Wm. Batten Structural Erectors Ltd.
Bingley Steel Works Limited
Border Cities Wire & Iron Limited
Brayshaw's Steel Ltd.
Burke's Welding Limited
Canadian Installation Co. Ltd.
Cdn. Mech. Handl. Systems Ltd.
Calorific Construction Limited
Cape Installations Ltd.
Casey Mechanical Limited
Central Que. Steel Ltd.
Central Rigging & Contracting Ltd.
Cleland Metal Prod. Ltd.
Coastal Steel Construction Limited
Cooper's Crane Rental Limited
Cripps Welding Service Ltd.
Curran & Herridge Construction Co. Ltd.
Art Currie Ltd.
R.J. Cyr Co. Limited
Dependable Erectors
Dewcon Structures Limited
Dome Metal Erectors Limited
Dundas Iron & Steel Ltd.
Earl's Welding
Ferguson Glass Limited
Ferro Erectors (Toronto) Limited
Finch Metal Fab. Ltd.
The Foundation Company of Canada Limited
Fraser-Brace Engineering Company Limited
Norm Gander Installations
Gerard Construction (Ontario) Limited
A.J. Goodale Ltd.
Great Lakes Fabricating
Great Lakes Steel Products
Grightmire Steel Ltd.

Gross Ornamental Iron
Guardian Glass Limited
Francis Hankin & Company Limited
Hawker Industries Limited, Canadian Bridge Division
Industrial Machinery Movers
Iona Erectors Limited
Kingston Mechanical Limited
Loaring Construction Company Limited
Lord and Cie Limited
Luxfer Prism Company Ltd.
McKay-Cocker Construction Limited
R.W. McKay Construction Company Limited
MacKenzie Black Fabricating Co. Ltd.
Manfin Steel Company Limited
Marshall Steel Company Limited
Mathews Conveyor Company Ltd.
Mead-Morrison Industrial Equipment Limited
Mesley Mach. Movers
Metro Welding
Moir Cartage Limited
T. Moore Mechanical Contractors Ltd.
National Construction Corp. Ltd.
Nevis Steel Const. Ltd.
Norak Steel Construction Ltd.
Northwestern Structural Steel Limited
Overhead Crane Service and Supply Co. Ltd.
The Ralph M. Parsons Company
Peel Steel (Northern) Limited
Pengelly Iron Works Limited
Petro-Chemical Fab.
Phoenix Steel Prod. Ltd.
Plibrico (Canada) Ltd.
Power Installations (Sarnia) Limited
Prepost Company Limited
Process Mechanical Contractors Limited
R. & F. Metal Fabricators Ltd.
Ranto Ent (Amherstburg) Ltd.
Raymond (1973) Limited
Ross Enterprises
Roxson Contractors Ltd.
P.A. Sherwood Windows Ltd.
Sky-Hook Construction Limited
Spencer Steel Limited
Specialty Welding & Machine Company Limited
Sombra Welding Ltd.
Standard Structural Steel Ltd.
Steel Building Sales
Sutherland-Schultz Limited
J.M. Takacs Co. Ltd.
Treblex Limited
Vancan Metal Erectors Limited
Victoria Steel Prod. Ltd.
Weston Steel Products Limited
Whitby Welding Ltd.
Windsor Metal Masters Ltd.
M. Zagerman & Co. Ltd.

Active Welding
Arican Limited
Armco Drainage & Metal Products
E.G.M. Cape and Company Ltd.
Con Erectors & Mach.
Dineen Construction Limited
Drummond Welding & Steel Works Ltd.
Lea Steel Limited
Ethier Contractors (Sudbury) Ltd.
Fisher Welding Service Ltd.
General Erection Services
J. Grassl Steel Products Welding Service
Great Lakes Machine & Metal Fabricators
R.M. Elliott Construction Sault Ste. Marie Limited
Charles Lacroix
Lorlea Erectors Limited
Modern Railing & Metalcraft Ltd.
Moland Brothers (Lakehead) Ltd.
Morts Crane Rentals
Northway Masonry Co.
Omer Steel Service
Pentagon Construction Co. Ltd.
The B. Phillips Company
Pitts McNamara-Atlas
Plate & Structural Steel Ltd.
Richards Wilcox of Canada Ltd.
Sasso Steel Works
W. Schwartz & Sons Ltd.
Semple Gooder Roofing Ltd.
Smith & Elson
A.T. Steel Works
Harry Taylor Mine Machinery Installations Co. Ltd.
Walkers Installations Ltd.
Wheelabrator Corporation of Canada Limited

The Board finds that the ninety (90) employers on Final Schedule "E" are those employers who had employees in the year immediately preceding the making of this application, and the number ninety (90) is the number of employers to be ascertained by the Board under section 115(1)(a) of the Act.

15. On the basis of all the evidence before it the Board finds that on the date of the making of the application the applicant represented sixty-eight (68) of the ninety (90) employers on Final Schedule "E". The sixty-eight (68) employers is the number of employers to be ascertained by the Board under section 115(1)(b) of the Act. Accordingly the Board is satisfied that the majority of the employers in the unit of employers are represented by the applicant.

16. The entitlement of an employers' organization to accreditation is based on a "double" majority. We have now dealt with the first of the majorities that an applicant

must obtain - a majority of employers in the unit of employers. We now turn to the matter of whether these employers employed a majority of the employees affected by the application. The Schedule "H" which accompanied the Form 68, Employer Filing, filed by the individual employers sets out the number of employees that the employer has at each job site with details of the location and the type of construction involved. By section 115(1)(c) of the Act the relevant payroll period is the weekly payroll period immediately preceding the making of the application, in this case the weekly payroll period immediately preceding June 15, 1972. The Board is satisfied that such a payroll period is the satisfactory payroll period for the determination in section 115(1)(c) of the Act.

17. On the basis of all the evidence before us and in accordance with the foregoing considerations the Board finds that there were four hundred and twenty-one (421) employees affected by the application during the weekly payroll period immediately preceding June 15, 1972. The four hundred and twenty-one (421) employees is the number of employees to be ascertained by the Board under section 115(1)(c) of the Act.

18. The Board further finds that the sixty-eight (68) employers represented by the applicant employed three hundred and seventy-nine (379) of these four hundred and twenty-one (421) employees. The Board is therefore satisfied that the majority of employers represented by the applicant employed a majority of employees as ascertained in accordance with the provisions of section 115(1)(c) of the Act.

19. Having regard to all of the above findings a Certificate of Accreditation will issue to the applicant for the unit of employers found to be an appropriate unit of employers in paragraph 4 and in accordance with the provisions of section 115(2) of the Act for such other employers for whose employees the respondent may after June 15, 1972, obtain bargaining rights through certification or voluntary recognition in the geographic area and sector set out in the unit of employers.

June 12, 1974

"D. E. Franks"
for the Board