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GOVERNMENT OF PRINCE EDWARD ISLAND  
LABOUR RELATIONS BOARD

John E. I. B. Comm., M.B.A.  
Chairman

W. W. Hamner,  
Chief Executive Officer

DEPARTMENT OF LABOUR  
PROVINCIAL ADMINISTRATIVE BUILDING  
P.O. BOX 2000,  
CHARLOTTETOWN  
PRINCE EDWARD ISLAND

DECISION OF THE LABOUR RELATIONS BOARD

RE:

UNFAIR LABOUR PRACTICE COMPLAINT

- Between -

International Brotherhood of Electrical Workers, Local 1452,  
(on behalf of W.L. Wheatley)

COMPLAINANT

- and -

The University of Prince Edward Island,

RESPONDENT

This complaint was filed with the Board on August 6, 1973.

The Complainant alleges in the complaint "that the Respondent has violated Section 15 of the Prince Edward Island Labour Act".

The Board has reviewed this complaint and has made the following determinations:

a) Section 15 of the Prince Edward Island Labour Act under which the complaint is filed was designed essentially for and applied specifically to two situations.

1. To prevent an employer during the period of application for certification from using changes in wages, working conditions, etc., in order to dissuade employees from supporting the applicant trade union.
2. To prevent the employer to frustrate the efforts of an authorized trade union from reaching a collective agreement.

b) It is obvious that since the University of Prince Edward Island did not contest the Application for Certification and that a collective agreement was subsequently reached that there was, in effect, no violation of Section 15 from which the bargaining agents might seek remedy from the Board.

Consequently, the Board has determined that an unfair labour practice complaint does not lie in your application as hereby discussed.

August 28, 1973.



GOVERNMENT OF PRINCE EDWARD ISLAND  
LABOUR RELATIONS BOARD

J. E. Revell, B. Comm., M.B.A.  
Chairman

W. A. Frazier,  
Chief Executive Officer

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This Complaint was filed with the Board on August 6, 1973.

The Complainant alleges in the complaint that "the Respondent has violated Section 15 of the Prince Edward Island Labour Act".

The Board has reviewed this Complaint and, on August 28, 1973, issued a Decision that an Unfair Labour Practice Complaint did not exist in this application.

The Union, on behalf of Mr. W.L. Wheatley, appealed from the Board's Decision of August 28, 1973 and requested that a hearing be held relative to the Application of an Unfair Labour Practice Complaint. After considering the submission of Local 1452, International Brotherhood of Electrical Workers, the Board directed that a hearing be held.

The Board held a hearing on October 1, 1973 for the purpose of receiving representations from all interested parties upon the Unfair Labour Practice Complaint.

After hearing and considering representations from all persons concerned and permitting examination and cross-examination of witnesses under oath, and after examining all relevant material filed with the Board, the Board directed that the parties be advised that the Board is not prepared to vary or cancel its Decision because no new evidence has been submitted which would warrant any change in its Decision of August 28, 1973.

October 17, 1973.