



15

GOVERNMENT OF PRINCE EDWARD ISLAND
LABOUR RELATIONS BOARD

J. J. Revel, B. Comm., M.B.A.
Chairman

L.W. Brammer,
Chief Executive Officer

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

DECISION

RE: APPLICATION FOR CERTIFICATION

BETWEEN:

United Brotherhood of Carpenters & Joiners of America,
Millwrights Local 1178,

APPLICANT

-and-

Steen Mechanical Contractors Ltd.,

RESPONDENT

This application was filed with the Labour Relations Board on February 14, 1974 and processed in accordance with the Rules of Procedure of the Board. The Board reviewed the documents filed in support of the Application and a hearing was held on March 18, 1974.

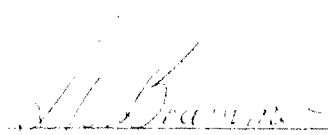
The Board is satisfied that the Application for Certification was in order and that the Applicant has jurisdiction to represent employees who are engaged in the various employment categories related to Millwrights in their normal work practices. Arguments by the Respondent and by the President of the Mechanical Contractors Association of Prince Edward Island, that the normal work pattern in the trade in Prince Edward Island would suggest that this form of work be carried out by members of the Plumbing trade, and, therefore, in the jurisdiction of the Plumbers Union (Local 721 U.A.), are not acceptable to the Board. Indeed, in previous certifications, the Board has recognized the jurisdiction of the Applicant local to represent these trades.

The Applicant has applied, in Section 6 of the Application, for a bargaining unit described "all employees of the Respondent employed as Millwrights, Millwright Sub-foremen, Millwright Foremen, Millwright Apprentices, Millwright Welders employed in the construction industry in the Province of Prince Edward Island". Evidence presented to the Board shows that two members of the Applicant union, namely Barry Dunn and Faber Mackie, were engaged by the Respondent company on Monday, February 11, 1974 and worked on February 11th, 12th, and 13th. On Thursday, February 14, 1974, both employees reported sick and on the morning of February 15th they both voluntarily quit their employment. This is the only evidence of members of the Applicant Union being employed with the Respondent in this construction project, notwithstanding that work which would normally be undertaken by Millwrights was in progress for approximately thirty-five days.

The Board is of the opinion that there must be a more substantial record of participation by members of the Applicant in the work force of the Respondent Company and a more substantial record of continuity than is evidenced in the present case in order for the Board to issue the broad certification order as requested; i.e. all designated employment classifications of the Respondent in the Province of Prince

Edward Island. Consequently, while the Board admits the jurisdiction of the Applicant to represent and be certified for this trade in employment situations similar to that which the application covers, for the reasons above, the Board is of the opinion that a Certification Order covering the bargaining unit applied for in these circumstances should not be issued. The application is, therefore, dismissed.

This decision was made by the Labour Relations Board on March 18, 1974 and is issued over the signature of its Chief Executive Officer.



CHIEF EXECUTIVE OFFICER