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**GOVERNMENT OF PRINCE EDWARD ISLAND**  
**LABOUR RELATIONS BOARD**

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

L.W. Brammer,  
Chief Executive Officer

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

DECISION OF THE LABOUR RELATIONS BOARD

IN THE MATTER OF:

THE PRINCE EDWARD ISLAND LABOUR ACT

-and-

THE CONSTRUCTION AND GENERAL LABORERS & GENERAL  
WORKERS IN CONSTRUCTION, INDUSTRIAL AND COMMERCIAL,  
LOCAL 1079A,

APPLICANT

-and-

DIAMOND CONSTRUCTION (1961) LIMITED,

RESPONDENT

This application was filed with the Labour Relations Board on July 2, 1974 and processed in accordance with the Rules of Procedure of the Board. The application was filed for a unit described as "all construction laborers and watchmen working for Diamond Construction (1961) Limited in the Province of Prince Edward Island".

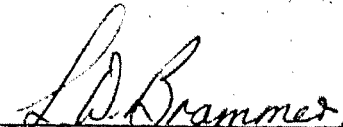
A hearing to consider the application was held on August 5, 1974 and representation was received on behalf of the parties. A decision on the application was deferred until such time as the Board had decided the constitutional jurisdiction question which had been raised in a concurrent application affecting both parties.

It has been the practice of the Board to issue certification orders describing province-wide bargaining units in the construction industry where there is evidence that the employer company or companies are established and operating in such a manner so as to engage in construction work in various locations in the Province, thereby being in a position where the union would represent a broad segment of the working force in the particular trade or trades. The Board has been extremely reluctant to issue province-wide certifications where the employing company is engaged in a single construction project in a limited geographic area and where the company is not engaged on a consistent basis in similar projects throughout the province.

In the instant application, evidence has shown that Diamond Construction (1961) Limited, at the present time, is engaged on only one project in the province, a marine terminal at Souris. While it may be that the Company will accept and intends to actively pursue similar work in other parts of the Province, the Board feels that it

The Board finds that the bargaining unit applied for is not appropriate for collective bargaining and the application for certification is denied.

This Decision was taken by the Labour Relations Board on September 30, 1974, and is issued over the hand of the Chief Executive Officer.

  
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L.W. Brammer  
CHIEF EXECUTIVE OFFICER.