



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

M. Lynn Murray, B.B.A., LL.B.  
Chairman

Roy J. Doucette  
Chief Executive Officer

DEPARTMENT OF LABOUR  
P.O. BOX 2000  
CHARLOTTETOWN  
PRINCE EDWARD ISLAND  
C1A 7N8

**RE:            APPLICATION FOR REVOCATION OF CERTIFICATION  
ORDER - APPLICATION NO. 91-019**

**BETWEEN:**

**EMPLOYEES OF ADVANCED MEDICAL TECHNOLOGIES,  
a division of TUBE FAB LTD.**

**APPLICANT**

**AND:**

**NATIONAL AUTOMOBILE, AEROSPACE AND AGRICULTURAL  
IMPLEMENT WORKERS UNION OF CANADA (CAW -  
CANADA) and ADVANCED LOBSTER TECHNOLOGIES, a  
division of TUBE FAB LTD.**

**RESPONDENTS**

**D E C I S I O N**

1.            On October 11, 1991, the Applicant filed an application with the Labour Relations Board requesting revocation of the Certification Order 13-90.

2.            After receipt of the above noted application, the Board also received a letter by fax from the Respondent, National Automobile, Aerospace and Agricultural Implement Workers Union of Canada (CAW-Canada), (hereinafter referred to as the "Respondent Union"), on the 29th day of October, 1991 and signed by Dale Paterson, National Representative for CAW-Canada, which is reproduced below:

"Dear Mr. Doucette:

RE: Certification Order 13-90  
National Automobile, Aerospace and Agricultural  
Implement Workers Union of Canada (CAW-Canada) and  
Advanced Lobster Technologies

This letter will serve to advise you that the Union is abandoning the above certification order issued by the P.E.I. Labour Relations Board on August 21, 1990.

Trusting this is satisfactory.

Yours Truly,

Dale Paterson  
National Representative

cc: W. MacKinnon  
E. Rossiter  
L. Work"


3. The Board met to review this matter on November 19, 1991. Although the Board had received notice that the Respondent Union wished to abandon the certification order, the Board was not satisfied that a majority of the employees no longer wished the union to represent them. This is a requirement that is imposed by Section 20 of the Labour Act, R.S.P.E.I. 1988, Cap. L-1. As a result, on November 19, 1991, the Board ordered that a representation vote be conducted by the Chief Executive Officer of the employees of Advanced Medical Technologies, a division of Tube Fab Ltd. (hereinafter referred to as the "Respondent Employer").

4. On Monday, the 25th day of November, 1991 a representation vote was held at the premises of the Respondent Employer in the presence of scrutineers for the Applicant and the Respondent Employer. The Respondent Union chose not to have a scrutineer attend. The vote was counted on November 26, 1991 in the presence of the Chief Executive Officer, the scrutineer for the Applicant and the scrutineer for the Respondent Employer. The results of the vote clearly indicated that a vast majority of those employees who had voted no longer wished to be represented by the Respondent Union.

5. In light of the foregoing, on December 11, 1991 the Board met and unanimously determined that a majority of the employees in

the unit no longer wish the Respondent Union to act as bargaining agent. Accordingly, the Board orders that Certification Order No. 13-90 dated August 21, 1990 as amended by the Board on December 7, 1990 between National Automobile, Aerospace and Agricultural Implement Workers Union of Canada (CAW-Canada) and Advanced Medical Technologies, a division of Tube Fab Ltd., be and is hereby revoked.

THIS DECISION made by the Labour Relations Board on December 11, 1991 and issued under the hand of its Chief Executive Officer.

  
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ROY J. DOUCETTE  
CHIEF EXECUTIVE OFFICER

**PANEL:**

M. Lynn Murray, Chair  
Lloyd Weeks, Member  
Ray McBride, Member