

Application No. 91-033



**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 SUCCESSORS RIGHTS - CANADA PACKERS LTD. -
 GARDEN PROVINCE MEATS INC.**

**BETWEEN: UNITED FOOD AND COMMERCIAL WORKERS UNION LOCAL 864
APPLICANT**

**AND: GARDEN PROVINCE MEATS INC.
RESPONDENT**

DECISION

On November 5, 1991, the Applicant, United Food and Commercial Workers Union Local 864 applied to the Labour Relations Board (hereinafter referred to as the "Board") pursuant to Section 39 of the Labour Act, R.S.P.E.I. 1988, Cap.L-1 (hereinafter referred to as the "Labour Act") for:

"A declaration that Garden Province Meats Inc. (formerly known as Garden Province Meats (1985) Inc.) is successor to Canada Packers Ltd. and all necessary consequential amendments to the certification order required to give effect to that declaration."

On January 16, 1992, the Board received a letter from the Solicitor for the Respondent which is reproduced in its entirety below.

January 14, 1992

Labour Relations Board
31 Gordon Drive
P.O. Box 2000
Charlottetown, P.E.I.
C1A 7N8

Dear Sirs:

RE: Garden Province Meats Inc.,
UFCW applications under s. 39
and s. 40 of the Labour Act

This is to advise that Garden Province Meats Inc. consents to the orders sought by UFCW Local 864 in the above applications, subject to this. It has been agreed that the description of the bargaining unit will read as follows:

All employees employed by the Employer below the rank of Assistant Foreman including production employees, tradesmen, maintenance and repair employees, stationary engineers, plant employees engaged in shipping, stockyard man, receiving, and plant janitorial services, below the rank of Assistant Foreman, but excluding employees certified in other bargaining units, security staff, plant clerical staff and science workers.

Yours very truly,

William Lea

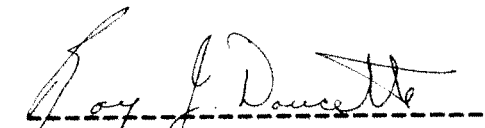
cc: Eugene P. Rossiter
cc: W.A. MacKay

On January 20, 1992, a panel of the Board comprised of the Chair, Ray McBride as employee representative and James McTague as employer representative, met to consider the application.

After reviewing the matter, the Board unanimously agreed to the Application and caused a certification order to be issued under the hand of its Chief Executive Officer on January 20, 1992 which stated in part:

"NOW, THEREFORE, it is hereby ordered by the Prince Edward Island Labour Relations Board that the United Food and Commercial Workers Union, Local 864 be, and it is hereby certified to be the bargaining agent of all employees of Garden Province Meats Inc. below the rank of Assistant Foreman including production employees, tradesmen, maintenance and repair employees, stationary engineers, plant employees engaged in shipping, stockyard man, receiving, and plant janitorial services, but excluding employees certified in other bargaining units, security staff, plant clerical staff and scientific workers."

THIS DECISION made by the Labour Relations Board on January 20, 1992, and issued under the hand of its Chief Executive Officer.



Roy J. Doucette
Chief Executive Officer

PANEL:

M. Lynn Murray, Chairperson
Ray McBride, Member
James McTague, Member