



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

Michele D. Sanderson, B.A., LL.B.  
Chair

Roy J. Doucette  
Chief Executive Officer

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

**RE: JURISDICTIONAL DISPUTE**

**BETWEEN:**

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS,  
LOCAL 1432**

**COMPLAINANT**

**AND:**

**EASCO ELECTRIC LIMITED**

**RESPONDENT**

**DECISION**

**BACKGROUND**

This matter deals with a Complaint filed by International Brotherhood of Electrical Workers, Local 1432 (hereinafter referred to as the Complainant) pursuant to Section 38 of the Labour Act, R.S.P.E.I. 1988, Cap. L-1 respecting the assignment of work. The Labour Relations Board (hereinafter referred to as the Board) notes that the Complainant has filed with the Board a Form 13 which relies on the former Section 37(4) of the Prince Edward Island Labour Act respecting the assignment of work. The Board hereby exercises its discretion pursuant to s. 26 of the Regulations to amend the Complaint to bring it properly before the Board under Section 38 of the Labour Act. However the Board would caution Complainants regarding the use of outdated Forms.

The Complaint filed with the Board on October 26, 1993, requests that the Board issue an interim order with respect to the assignment of work which took place on or about August 9, 1993.

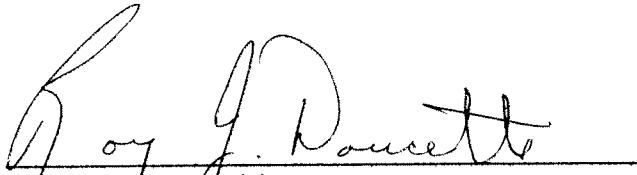
**DECISION**

Pursuant to subsection 38(4) of the Act, the Board "may issue an interim order directing the assignment of work..." if "the Board is satisfied that a stoppage of work is likely to occur as a result of a jurisdictional dispute." The Board's first determination must be to find that a stoppage of work is likely to occur. Paragraph 10 of the Complaint dealing with the details of the allegation that a stoppage of work is likely to occur states:

*"Possible work stoppage at any time."*

Given the vagueness of this assertion, the lack of specific details concerning the allegation, and that the work assignment complained of began on or about August 9, 1993, nearly three months past, the Board is not convinced that a stoppage of work is likely to occur and we therefore dismiss the Complaint. Consequently the Board is not in a position to deal with the issue of the assignment of work.

**THIS DECISION** made by the Labour Relations Board on this 12th day of November, 1993 and issued under the hand of its Chief Executive Officer.

  
Roy J. Doucette  
Chief Executive Officer

**PANEL:**

Michele D. Sanderson, Chair  
Judy Goodwin, Member  
Gerald Doyle, Member