



**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: APPLICATION FOR CERTIFICATION

BETWEEN:

UNITED FOOD AND COMMERCIAL WORKERS UNION, LOCAL 864

APPLICANT

AND:

CENTRAL FARMERS CO-OPERATIVE ASSOCIATION LIMITED

RESPONDENT

DECISION

Background

On July 14, 1994 the Applicant herein, United Food and Commercial Workers Union, Local 864, filed with the Prince Edward Island Labour Relations Board an Application for Amendment of Certification Order and an Application for Certification.

In a letter dated July 22, 1994, notice was given to the Respondent, Central Farmers Co-operative Association Limited, of the two Applications received by the Board requesting any objections in writing to be submitted on or before August 5, 1994.

On August 3, 1994, the Board received a reply to Application for Certification filed by the Respondent attaching the list of employees as of August 3, 1994. Subsequently the Applicant indicated that it wished to withdraw its Application for Amendment of Certification Order Number 08-75 issued on the 20th day of June, 1975 as amended on the 31st day of December, 1992. The Board is therefore left to deal with the Application for Certification requesting that the Applicant be certified to represent all employees of the Respondent, employed at its Confederation Plaza and Oak Tree Place, Charlottetown, PEI stores, and who normally work 24 hours a week or less, but excluding employees who exercise managerial functions or who are employed in a confidential capacity relating to labour relations and office employees.

Application Order Number 08-75 certified United Food and Commercial Workers Union, Local 864, to represent a unit of employees employed by the Respondent, excluding the unit of employees herein applied for. Although the Board is not aware that it has ever issued two Certification Orders for separate units of employees within the same work place, there is no evidence before the Board at this time that such an Order would be disruptive to labour relations in the work place.

Decision


The Board has found that the Applicant is a Trade Union within the meaning of the Prince Edward Island Labour Act and the unit described hereunder is appropriate for collective bargaining. The Board has further satisfied itself that a majority of employees wish the Applicant Trade Union to be certified as the bargaining agent on their behalf.

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 for all employees of the Respondent employed at its Confederation Plaza and Oak Tree Place, Charlottetown, Prince Edward Island stores, and who normally work 24 hours a week or less, but excluding employees who exercise managerial functions or who are employed in a confidential capacity relating to labour relations and office employees.

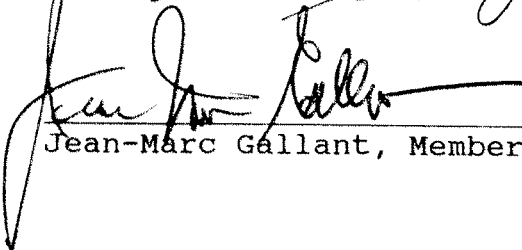
THIS DECISION was made by the Prince Edward Island Labour Relations Board on August 17th, 1994.



Michele D. Sanderson, Chair



Elizabeth MacFadyen, Member



Jean-Marc Gallant, Member