



ONTARIO LABOUR RELATIONS BOARD

Labour Relations Act, 1995

OLRB Case No: 2143-21-R
Certification (Construction)

Trade Union Council of Ontario, Applicant v Valard Construction LP,
Responding Party v Canadian Union of Skilled Workers, Intervenor

Application Date: February 17, 2022

THIS IS AN OFFICIAL NOTICE OF THE BOARD AND
MUST NOT BE REMOVED, DEFACED OR DESTROYED

THE EMPLOYER MUST IMMEDIATELY POST THIS NOTICE (IN LOCATIONS
WHERE IT IS MOST LIKELY TO COME TO THE ATTENTION OF EMPLOYEES
OR OTHER INDIVIDUALS AFFECTED BY THE APPLICATION) NEXT TO
THE BOARD'S NOTICE TO EMPLOYEES OF APPLICATION AND/OR THE
BOARD'S DECISION ORDERING A VOTE

THE EMPLOYER OR ITS REPRESENTATIVE MUST RETURN A
CONFIRMATION OF POSTING TO THE REGISTRAR

THIS NOTICE MUST REMAIN POSTED FOR 45 BUSINESS DAYS

NOTICE OF ELECTRONIC VOTE

TO THE PARTIES LISTED ON APPENDIX A:

The Board has ordered a Representation Vote. A copy of the Board's Decision ordering the Vote is posted with this Notice.

VOTING CONSTITUENCY

The Board has ordered that the following group of voters (the voting constituency) is eligible to vote:

all employees of Valard Construction LP engaged in construction and/or maintenance work in the Province of Ontario excluding employees engaged in management functions.

This voting constituency includes all employees (including dependent contractors) who were employed by the Employer and at work in the voting constituency on the Application Date at the top of this Notice.

METHOD OF VOTE

The vote will be conducted ONLINE and by TELEPHONE.

VOTE DATE(S)

The vote starts on March 2, 2022 at 11:00 AM (Central Standard Time) / 12:00 PM (Eastern Standard Time) and ends on March 16, 2022 at 11:00 AM (Central Time) / 12:00 PM (Eastern Time).

VOTE INSTRUCTIONS

A personal identification number ("PIN") is needed to vote. Eligible voters will receive an email containing their confidential PIN and detailed instructions before the vote commences. PINs are strictly for personal use by voters and must not be shared with anyone.

If an employee believes they are eligible to vote and does not receive a PIN, or requires any assistance to vote, they may contact the Ontario Labour Relations Board ("OLRB") Help Desk (see hours and contact information

below). If no one answers, employees should leave a detailed message with their full name, contact information, and OLRB case number, and a Vote Officer will respond to the message as soon as possible.

OLRB Help Desk Telephone:

(416) 326-7432

OLRB Help Desk Email:

Ryan.Gilhooly@ontario.ca

OLRB Help Desk Hours of Operation:

March 2, 2022 - 6:00 PM - 8:00 PM (CST) / 7:00 PM - 9:00 PM (EST)

March 3, 2022 - 7:00 AM - 9:00 AM (CST) / 8:00 AM - 10:00 AM (EST)

March 4, 2022 - 6:00 PM - 8:00 PM (CST) / 7:00 PM - 9:00 PM (EST)

March 7, 2022 - 7:00 AM - 9:00 AM (CST) / 8:00 AM - 10:00 AM (EST)

March 8, 2022 - 6:00 PM - 8:00 PM (CST) / 7:00 PM - 9:00 PM (EST)

March 9, 2022 - 7:00 AM - 9:00 AM (CST) / 8:00 AM - 10:00 AM (EST)

March 10, 2022 - 6:00 PM - 8:00 PM (CST) / 7:00 PM - 9:00 PM (EST)

March 11, 2022 - 7:00 AM - 9:00 AM (CST) / 8:00 AM - 10:00 AM (EST)

March 14, 2022 - 6:00 PM - 8:00 PM (CT) / 7:00 PM - 9:00 PM (ET)

March 15, 2022 - 6:00 PM - 8:00 PM (CT) / 7:00 PM - 9:00 PM (ET)

March 16, 2022 - 7:00 AM - 9:00 AM (CT) / 8:00 AM - 10:00 AM (ET)

TELECONFERENCE

Representatives for each of the parties are required to participate in a conference call with the Vote Officer after the Vote to discuss any outstanding issues. The Board has scheduled the following:

Date and Time: March 16, 2022 at 1:00 PM (ET)

Method: Teleconference (Call coordinates to be provided later)

VOTE COUNT

If the parties agree at the vote about the eligibility of employees to vote, the ballots will normally be counted and a report that sets out the results of the vote will be posted next to this Notice. If any issues are not resolved, the results of the vote may not be announced, and a meeting and/or hearing may be held. However, many applications are settled by discussions with a Board Mediator without the need for a meeting or hearing.

The date, time and location of a Vote Count (if one is held) and of meetings and hearings (if meetings or hearings are scheduled) are attached.

SECRET BALLOT

The vote will be by secret ballot. Voters are entitled to vote without interference, restraint or coercion.

QUESTION ON THE BALLOT

The ballot that will be provided to voters contains the question which appears on the attached Schedule A.

If you wish to say something to the Board about this Application and to participate in any meetings and/or hearings held, you must send a written statement to the Board (as described on the Notice to Employees of Application) not later than March 23, 2022, the Vote Objection Date. Your written statement must be served on all other parties before you file it with the Board.

You should not write to the Board if the only thing you want to say is that you support or do not support the Union. You will have an opportunity to express your wishes by voting.

DATED: February 25, 2022

Catherine Gilbert
Registrar

Website: www.olrb.gov.on.ca

Address all communication to:

The Registrar
Ontario Labour Relations Board
505 University Avenue, 2nd Floor
Toronto, Ontario M5G 2P1
Tel: 416-326-7500
Toll-free: 1-877-339-3335
Fax: 416-326-7531

SCHEDULE A

QUESTION ON THE BALLOT

The ballot that will be provided to voters contains the following question:

In your employment relations with Valard Construction LP, do you wish to be represented by

The Canadian Union of Skilled Workers

or

Trade Union Council of Ontario

ONTARIO LABOUR RELATIONS BOARD IMPORTANT NOTES

The Board's forms, Notices, Information Bulletins, Rules of Procedure and Filing Guide may be obtained from its website <http://www.olrb.gov.on.ca> or by calling 416-326-7500 or toll-free at 1-877-339-3335.

FRENCH OR ENGLISH

Vous avez le droit de communiquer et recevoir des services en français et en anglais. La Commission n'offre pas de services d'interprétation dans les langues autres que le français et l'anglais.

You have the right to communicate and receive services in either English or French. The Board does not provide translation services in languages other than English or French.

CHANGE OF CONTACT INFORMATION

Notify the Board immediately of any change in your contact information. If you fail to do so, correspondence sent to your last known address (including email) may be deemed to be reasonable notice to you and the case may proceed in your absence.

ACCESSIBILITY AND ACCOMMODATION

The Board is committed to providing an inclusive and accessible environment in which all members of the public have equitable access to our services. We will aim to meet our obligations under the Accessibility for Ontarians with Disabilities Act in a timely manner. Please advise the Board if you require any accommodation to meet your individual needs. The Board's Accessibility Policy can be found on its website.

COLLECTION AND DISCLOSURE OF INFORMATION AND DOCUMENTS

Any relevant information that you provide to the Board must in the normal course be provided to the other parties to the proceeding. Personal information collected on this form and in written or oral submissions may be used and disclosed for the proper administration of the Board's governing legislation and case processing. In addition, the Tribunal Adjudicative Records Act, 2019 requires that the Board make adjudicative records (which include applications filed and a listing of such applications) available to the public. The Board has the power to make part or all of an adjudicative record confidential. The Freedom of Information and Protection of Privacy Act may also address the treatment of personal information. More information is available on the Board's website www.olrb.gov.on.ca. If you have any questions concerning the collection of information or disclosure of adjudicative records, contact the Solicitors' Office at the number listed above or in writing to the OLRB, 505

University Ave., 2nd floor, Toronto, ON M5G 2P1.

E-FILING AND E-MAIL

The Rules of Procedure and Filing Guide set out the permitted methods of filing. At present, as a result of the ongoing pandemic, forms and submissions may only be electronically filed with the Board (not by email). Note that the e-filing system is not encrypted. Contact the Client Services Coordinator at the numbers listed above if you have questions regarding e-filing or other filing methods. If you provide an e-mail address with your contact information, the Board will in most cases communicate with you by e-mail from an out-going only generic account. Incoming emails are not permitted.

HEARINGS AND DECISIONS

Hearings are open to the public unless the Board decides that matters involving public security may be disclosed or if it believes that disclosure of financial or personal matters would be damaging to any of the parties. Hearings are not recorded and no transcripts are produced.

The Board issues written decisions, which may include the name and personal information about persons appearing before it. Decisions are available to the public from a variety of sources including the Ontario Workplace Tribunals Library and www.canlii.org. Some summaries and decisions may be found on the Board's website.