

Labour Board

Guidelines for Conducting Votes in the Fishing Industry

025-005-010

The following guidelines for applications for certification in the fishing industry have been established to respond to conditions relating to vessel sailing schedules.

The Board will continue to deal with each application for certification involving fishing vessels on a case by case basis. Normally, the Board will consult with the parties to determine which of the following options, or possible combinations thereof, are appropriate in order to schedule the vote:

- 1) The Board will schedule the vote using the standard process in accordance with the “quick vote” rule set out in Section 25 of the Trade Union Act; or
- 2) If in the opinion of the Board Option #1 is inappropriate or impossible, the Board will seek agreement from the parties as to the method and timing of the vote; or
- 3) If the parties are unable to agree on a vote method and vote time in accordance with Option #2, the Board shall determine the method and time for the vote and may, if the parties agree, use a mail-in voting process as detailed in Appendix “A”.

APPENDIX “A”

Procedure for Mail-In Votes for the Fishing Industry

The vote is by secret ballot and uses a multiple-envelope system as described below:

- A cover letter along with an instructional sheet, a ballot, a white envelope, a brown envelope and a colored envelope are mailed to the voter.
- The voter marks the ballot and places it in the brown envelope and seals it.
- The voter then places the sealed brown envelope in a white envelope and seals the white envelope.
- The voter is then required to sign his/her full name (write and print) in the blank space on the white envelope which states that they have marked the ballot without any intimidation or coercion.
- The signed white envelope must then be placed in the larger pre-addressed colored envelope, sealed, stamped and returned to the following address:

Labour Board
P.O. Box 202
1601 Lower Water Street, 3rd Floor
Halifax, NS B3J 2T8

- The colored envelope containing the marked ballot must be received by the Labour Board no later than 14 calendar days from date of receipt by the voter of the cover letter with enclosures.
- The vote is counted by Board staff in the presence of scrutineers representing the parties. Only votes of employees determined by the Board to be properly in the bargaining unit will be counted. Ballots that are to be excluded will not be opened and will be destroyed by Board staff. The voter will be notified by one of the parties of the result.

November 2010

Revised September 30 '19 to correct Board's mailing address