

## Labour Relations Matters

**Important to Note:** The Labour Board makes no representation or warranty, expressed or implied, in respect of the completeness, accuracy or usefulness of any information that may be accessed in relation to information listed in the table below. The information provided is for guideline purposes only. For complete accuracy regarding labour relations matters refer to the specific legislation available at: <http://nslegislature.ca/legc/sol.htm>

Type	Description	Relevant Acts*/section
Accreditation Application	An Application by an employers' organization to be accredited as the sole collective bargaining agent for all unionized employers in the sector of the construction industry and the geographic area applied for.	TUA, s97
Amendment Application	An Application to the Labour Board to amend the certification to change the name of the employer or union; or to include or exclude specific classifications, or to combine previous certification orders into one.	TUA, s28
Certification Application (Non-Construction Industry)	An Application to the Labour Board by a trade union to be the certified bargaining agent of a group of employees (does not include construction industry).	TUA, s23
Certification Application (Construction Industry)	An Application to the Labour Board by a trade union to be the certified bargaining agent of a group of employees (construction industry only).	TUA, s95
Duty of Fair Representation Complaint	A Complaint to the Board that a union is acting arbitrary, discriminatory or in bad faith with respect to rights under a collective agreement (does not apply to construction industry).	TUA, s54(A)
Failure to Bargain Complaint: By the Employer or by the Union	A Complaint to the Minister of Labour and Advanced Education (and referred to the Labour Board) of failure to bargain or illegally changing terms or conditions of employment.	TUA, s35; CSCBA, s10; HWCBA, s12; TCBA, s22
First Contract Agreement	An Application to the Labour Board to settle the provisions of a first collective agreement between the parties.	TUA, s38 or s40A
Illegal Strike/Lockout Complaint	A complaint to the Labour Board respecting an illegal work-stoppage.	TUA, s51
Interest Arbitration Application	An Application for interest arbitration	CSCBA, s22; HWCBA, s24
Jurisdictional Dispute Complaint	A Complaint to the Labour Board respecting a potential work-stoppage as a result of a jurisdictional dispute.	TUA, s52
Reconsideration Application	An Application to the Labour Board for leave to reconsider one of its decisions.	TUA, s19

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Revocation Application	An Application to the Labour Board to revoke a certification order.	TUA, s29
Successor Rights Application: By the Employer or by the Union	An Application to the Labour Board to determine bargaining rights when an employer sells leases or transfers a business or part of a business.	TUA, s31
Successor Rights Application: Union Successorship	An Application to the Board to recognize a transfer, merger or amalgamation between Unions.	TUA, s32
Unfair Labour Practice Complaint: By the Employer or by the Union	A Complaint to the Board that employer and/or Union are engaged in unfair labour practice activities.	TUA, s53/s54; CSCBA, s40/s41; HWCBA s42/s43; TCBA, s39/s40
Voluntary Recognition Agreement Question	An Application to the Board if a question arises whether a trade union represents or represented a majority of the employees in the unit defined by a Voluntary Recognition Agreement.	TUA, s30

\*TUA – Trade Union Act

\*TCBA – Teachers Collective Bargaining Act

\*HWCBA – Highway Workers Collective Bargaining Act

\*CSCBA - Civil Service Collective Bargaining Act