

LETTER DECISION
BCLRB No. B331/95

August 29, 1995

To Interested Parties:

Re: Haida Tribal Society (the "Employer") -and- Industrial Wood and Allied Workers Union of Canada (I.W.A. Canada), CLC, Local Union Number 1-71 (the "Union")
(Application for Certification - Case No. 27960)

- 1 As set out in the Board's Notice dated August 23, 1995, the Board conducted a hearing into this application for certification at 9:30 a.m. on Tuesday, August 29, 1995. At the hearing no one appeared for either the Union or the Employer. Consequently, the Panel was unable to advise the parties that one of the membership cards supporting the application for certification was invalid because it lacked the Local Union Number, 1-71. The invalidity of that membership card in turn lead to a situation whereby the Union's application for certification was supported by between 45 percent and 55 percent membership in good standing. Accordingly, the Panel ordered an Industrial Relations Officer to conduct a representation vote among the employees in the bargaining unit.
- 2 The Panel also ordered the Industrial Relations Officer to seal the ballot box pending receipt of submissions from the parties pertaining to the Board's constitutional jurisdiction over this application. At the present time there is insufficient information on file to satisfy the Panel that the labour relations between the Haida Tribal Society and its employees in the bargaining unit is governed by the British Columbia *Labour Relations Code* as opposed to the *Canada Labour Code*. The parties are therefore requested to file with the Panel submissions pertaining to the nature of the Employer's operations and the Board's jurisdiction to adjudicate the Union's application for certification. The Panel will schedule a conference call with the parties within the next few days. At that time the content and timing of the submissions will be discussed.

LABOUR RELATIONS BOARD

JOAN GORDON
VICE-CHAIR

Interested Parties:

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