

**TABLE 1: Applications and Complaints Filed and Disposed of in 2018 – First Quarter
(including comparative figures for First Quarter 2017)**

Type of Application / Complaint	Year	Filed Previous	Filed Current	Disposed of - Current							Remainder Active
				Total Disposed of	Not Proceeded With	Withdrawn	Settled	Granted	Dismissed	Other	
Complaints of Unfair Labour Practices											
<i>Complaints Regarding Internal Union Affairs (s. 10)</i>	2018	0	1	0	0	0	0	0	0	0	1
	2017	0	4	0	0	0	0	0	0	0	4
<i>Complaints Regarding Duty to Bargain in Good Faith (s. 11)</i>	2018	6	4	5	0	0	4	1	0	0	5
	2017	8	2	6	0	0	6	0	0	0	4
<i>Complaints Regarding Duty of Fair Representation (s. 12)</i>	2018	11	25	15	7	0	2	1	5 ¹	0	21
	2017	21	25	33	15	0	3	0	15 ²	0	13
<i>Other Unfair Labour Practice Complaints (ss. 5,6,7,8 and 9)³</i>	2018	22	55	36	0	0	33	3	0	0	41
	2017	17	36	21	0	0	13	3	5	0	32
Religious Exemption (s. 17)	2018	1	2	1	0	0	0	1	0	0	2
	2017	0	0	0	0	0	0	0	0	0	0
Certification Applications (ss. 18, 19 and 28)	2018	2	37	25	1	6	0	15	3	0	14
	2017	13	24	29	1	2	0	17	9	0	8
Certification Variances (ss. 28 and 142)	2018	8	62 ⁴	32	2	4	0	25	1	0	38
	2017	29	43 ⁵	36 ⁶	5	3	0	26	2	0	36
Certification Cancellations (ss. 33 and 142) ⁷	2018	5	11	11	0	1	0	7	3	0	5
	2017	5	13	14	1	1	0	8	4	0	4

¹ One of the five dismissed complaints filed under the *Labour Relations Code* were dismissed because no *prima facie* case was found.

² 8 of the 15 dismissed complaints filed under the *Labour Relations Code* were dismissed because no *prima facie* case was found.

³ In 1996, the Board changed the method of counting complaints under ss. 5 and 6 of the *Labour Relations Code*. Figures in this category reported prior to 1996 cannot be compared to figures in this category reported from 1996 to present.

⁴ Includes one partial decertification applications.

⁵ Includes three partial decertification applications.

⁶ Includes one partial decertification applications. See TABLE 3.

⁷ See TABLE 3.

**TABLE 1: Applications and Complaints Filed and Disposed of in 2018 – First Quarter
(including comparative figures for First Quarter 2017)**

Type of Application / Complaint	Year	Filed Previous	Filed Current	Disposed of - Current							Remainder Active
				Total Disposed of	Not Proceeded With	Withdrawn	Settled	Granted	Dismissed	Other	
Cancellation of a Voluntary Recognition (s. 34)	2018	3	1	4	0	0	0	1	3	0	0
	2017	0	0	0	0	0	0	0	0	0	0
Permission to Alter Conditions of Employment (ss. 32 and 45)	2018	0	0	0	0	0	0	0	0	0	0
	2017	0	1	0	0	0	0	0	0	0	1
Alleged Unlawful Alteration of Employment Terms and Conditions (ss. 32 and 45)	2018	2	2	2	0	0	2	0	0	0	2
	2017	0	4	2	0	0	2	0	0	0	2
Declaration of Successor Status <i>Successor Employer</i> (s. 35)	2018	6	16	13	3	0	0	10	0	0	9
	2017	14	14	12	2	2	0	7	1	0	16
<i>Successor Union</i> (s. 37 ⁸)	2018	0	14	5	0	0	0	5	0	0	9
	2017	6	3	6	2	1	0	3	0	0	3
Common Employer (s. 38)	2018	4	1	0	0	0	0	0	0	0	5
	2017	7	8	7	0	2	1	1	3	0	8
Accreditation Applications (s. 43)	2018	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0
Accreditation Variances (ss. 43 and 142)	2018	2	3	5	0	0	0	5	0	0	0
	2017	0	3	1	0	0	0	1	0	0	2
Accreditation Cancellations (s. 142)	2018	0	0	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0	0	0

⁸ The workload required to process applications in this category varies widely. The Board may receive one application per collective bargaining relationship or one application covering several collective bargaining relationships. This report reflects the number of applications filed and disposed of regardless of the number of collective bargaining relationships affected by those applications (any notable discrepancies are listed below).

**TABLE 1: Applications and Complaints Filed and Disposed of in 2018 – First Quarter
(including comparative figures for First Quarter 2017)**

Type of Application / Complaint	Year	Filed Previous	Filed Current	Disposed of - Current							Remainder Active
				Total Disposed of	Not Proceeded With	Withdrawn	Settled	Granted	Dismissed	Other	
Alleged Failure to Execute or Comply with a Collective Agreement (s. 49)	2018	2	1	0	0	0	0	0	0	0	3
	2017	0	2	0	0	0	0	0	0	0	2
Facilitator (s. 53(5))	2018	8	6	6	0	0	0	0	0	6 ⁹	8
	2017	5	2	2	0	0	0	0	0	2 ⁹	5
First Collective Agreement (s. 55)	2018	0	4	0	0	0	0	n/a	n/a	0	4
	2017	1	1	1	0	0	1	n/a	n/a	0	1
Appointment of a Mediation Officer (s. 74)	2018	22	17	18	0	3	15	n/a	n/a	0	21
	2017	14	25	16	0	0	15	n/a	n/a	1 ¹⁰	23
Collective Agreement Arbitration Bureau (CAAB) ¹¹ <i>Section 86 (Appointment of Arbitrator)</i>											
	2018	6	10	11	0	5	2	n/a	n/a	4 ¹²	5
	2017	12	9	13	1	4	1	n/a	n/a	7 ¹²	8
<i>Section 87 (Appointment of Settlement Officer)</i>	2018	0	4	2	0	0	2	n/a	n/a	0 ¹³	2
	2017	1	3	3	0	0	1	n/a	n/a	2 ¹³	1
<i>Section 104 (Appointment of Arbitrator)</i>	2018	12	44	39	0	5	4	n/a	n/a	30 ¹⁴	17
	2017	8	74	66	0	22	3	n/a	n/a	41 ¹⁴	16

⁹ Facilitator appointed.

¹⁰ No meetings held.

¹¹ These applications were included in the *LRB Annual Report* for the first time in 2003. Beginning in 2004, figures for individual sections as well as the combined totals for CAAB (ss. 86, 87, 104, 105) are included in this report. In general, for this category, Withdrawn indicates withdrawal / settlement prior to any appointments and Settled indicates withdrawal / settlement subsequent to the appointment of a Settlement Officer but prior to appointment of an Arbitrator. See individual section notes regarding Other dispositions.

¹² Arbitrator appointed.

¹³ Matter referred back to the parties under Section 87(3).

¹⁴ Arbitrator appointed. For nine cases in 2018 and three cases in 2017, a Settlement Officer was appointed in addition to an Arbitrator.

**TABLE 1: Applications and Complaints Filed and Disposed of in 2018 – First Quarter
(including comparative figures for First Quarter 2017)**

Type of Application / Complaint	Year	Filed Previous	Filed Current	Disposed of - Current							Remainder Active
				Total Disposed of	Not Proceeded With	Withdrawn	Settled	Granted	Dismissed	Other	
<i>Section 105 (Appointment of Mediator-Arbitrator)</i>	2018	0	0	0	0	0	0	n/a	n/a	0 ¹⁵	0
	2017	0	0	0	0	0	0	n/a	n/a	0 ¹⁵	0
Combined CAAB Sections	2018	18	58	52	0	10	8 ¹⁶	n/a	n/a	34	24
	2017	21	86	82	1	26	5 ¹⁷	n/a	n/a	50	25
Part 5 Applications (Strikes, Lockouts, Picketing, etc.) (ss. 57-67 and ss.69-70)	2018	0	6	5	0	0	2	3	0	0	1
	2017	4	9	9	0	0	9	0	0	0	4
Replacement Workers (s. 68)	2018	0	0	0	0	0	0	0	0	0	0
	2017	2	1	2	0	0	1	0	1	0	1
Essential Service Designations (s. 72)	2018	5	6	6	0	0	3	3	0	0	5
	2017	1	14	2	0	0	1	1	0	0	13
Last Offer Vote (s. 78)	2018	0	2	2	0	0	0	2 ¹⁸	0	0	0
	2017	0	5	4	0	0	0	4 ¹⁹	0	0	1
Review of Arbitration Award (s. 99)	2018	6	8	4	0	0	0	0	4	0	10
	2017	8	8	8	0	0	0	0	8	0	8
Interim Order (s. 133(5))	2018	1	5	3	0	0	0	2	1	0	3
	2017	1	1	0	0	0	0	0	0	0	2

¹⁵ Mediator-Arbitrator appointed.

¹⁶ A Settlement Officer was appointed for 17 CAAB applications disposed of in 2018: 8 disposed of as Settled and 9 disposed of as Other. Of these 17 applications, 8 (48%) resulted in full and final settlement.

¹⁷ A Settlement Officer was appointed for ten CAAB applications disposed of in 2017: Five disposed of as Settled and five disposed of as Other. Of these ten applications, seven (70%) resulted in full and final settlement.

¹⁸ In two cases the final offer was rejected.

¹⁹ In one case the final offer was rejected; and in three cases the final offer was accepted.

**TABLE 1: Applications and Complaints Filed and Disposed of in 2018 – First Quarter
(including comparative figures for First Quarter 2017)**

Type of Application / Complaint	Year	Filed Previous	Filed Current	Disposed of - Current							Remainder Active
				Total Disposed of	Not Proceeded With	Withdrawn	Settled	Granted	Dismissed	Other	
File an Order in Supreme Court (s. 135)	2018	0	5	2	0	1	0	1	0	0	3
	2017	2	5	4	0	4	0	0	0	0	3
Interpretation of the Legislation as it Applies to the Collective Bargaining Relationship (s. 139)	2018	7	3	4	0	1	0	0	0	3 ²⁰	6
	2017	8	7	7	1	2	2	0	1	1 ²⁰	8
Reconsideration of a Decision (s. 141)	2018	13	5	7	0	0	0	2	5 ²¹	0	11
	2017	5	11	10	0	0	0	2	8 ²²	0	6
Declaratory Opinion (excluding Declaratory Opinions Pertaining to Part V of the Legislation) (s. 143)	2018	0	0	0	0	0	0	0	0	0	0
	2017	0	1	0	0	0	0	0	0	0	1
Miscellaneous	2018	8	19 ²³	16 ²⁴	0	0	5	10	1	0	11
	2017	11	20	21	0	0	3	17	1	0	10
Total	2018	162	379	279	13	26	74	97	26	43	262
	2017	203	378	335	28	43	62	90	58	54	246

NOTE: The sections quoted are from the *Labour Relations Code* unless otherwise indicated.

²⁰ Ruling made.

²¹ For five applications dismissed in 2018, leave to apply was denied.

²² For eight applications dismissed in 2017, leave to apply was denied.

²³ Includes two stay applications.

²⁴ Includes one stay application (dismissed).

**Chart 1: Number of Applications and Complaints FILED in 2018 - First Quarter
by Type of Application/Complaint**

