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## Annual Report 1996-97

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### Saskatchewan Labour Relations Board

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Government of  
Saskatchewan

# Annual Report 1996-97

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## Saskatchewan Labour Relations Board

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for the fiscal year ending March 31, 1997

Published by Authority of  
**The Honourable R.W. Mitchell**  
Minister of Labour



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## Letters of Transmittal

The Honourable John Wiebe  
Lieutenant Governor  
Province of Saskatchewan

May it Please Your Honour:

I respectfully submit the Annual Report  
of the Saskatchewan Labour Relations Board  
for the fiscal year ending March 31, 1997.



Hon. R.W. Mitchell  
Minister of Labour



Hon. R.W. Mitchell  
Minister of Labour  
Province of Saskatchewan

Dear Sir:

It is my pleasure to provide you with  
the Annual Report of the Saskatchewan  
Labour Relations Board. It covers the period  
commencing April 1, 1996 and ending  
March 31, 1997.



Beth Bilson  
Chairperson  
Labour Relations Board





## **I. Labour Relations Board**

The Labour Relations Board came into existence in 1944 with passage of *The Trade Union Act*, S.S. 1944 (2nd Sess.) c. 69. Although the Act was amended in subsequent years, most recently in 1994, the basic concept of the Board has not changed. The Board is an independent, quasi-judicial tribunal charged with the responsibility of adjudicating disputes that arise under *The Trade Union Act*. It does this principally through public hearings and written decisions. The Board's decisions are final and binding upon the parties. There is no appeal, and review by the courts is strictly limited.

The Act presently provides for a board composed of a chairperson and vice-chairperson and an unspecified number of members. All members of the Board, including the chairperson and vice-chairperson, are appointed by the Lieutenant Governor in Council. The chairperson and vice-chairperson are full-time members of the Board. The remaining members are appointed and paid on a per diem basis when their services are required.

The Board is a representational Board. This means that all members of the Board, with the exception of the chairperson and vice-chairperson, are representatives of employees or employers. The chairperson and vice-chairperson are neutral and are lawyers.

The Board reports to the Minister of Labour for the Province of Saskatchewan. The Minister is obligated by *The Trade Union Act* to provide the Board with the requisite staff and facilities. The Board operates independently from the government, its departments and agencies.

The Board's offices and staff are located at 652 - 1914 Hamilton Street, Regina, plus the Board maintains a hearing room in Saskatoon. The staff of the Board is composed of the Board Secretary, Secretary to the Chairperson and two clerical positions. An Organizational Chart of the Labour Relations Board is contained in Table 1.

The composition of the Board for 1996-97 is:

### **Beth Bilson - Chairperson**

Beth Bilson was appointed to chair the Saskatchewan Labour Relations Board in July of 1992. Ms. Bilson has undergraduate and graduate degrees in history and law from the University of Saskatchewan and the University of London, and has been a member of the faculty of the College of Law at the University of Saskatchewan since 1979. While at the University of Saskatchewan, she served as senior grievance officer of the University of Saskatchewan Faculty Association, and as assistant vice-president (Administration), a

position which included responsibility for faculty industrial relations and campus health and safety. She has taught and written in the field of labour law, and has served as chair on a number of arbitration boards. Ms. Bilson resides in Regina.

### **Gwen Gray - Vice-Chairperson**

Gwen Gray was appointed to the Board in August of 1995. Ms. Gray obtained her undergraduate degrees in sociology and law from the University of Saskatchewan and her graduate degree in law from Cornell University, Ithaca, New York. Ms. Gray practised labour law in Regina from 1978 to 1988 and in Edmonton from 1992 to 1994. She returned to Regina in 1994 to work as Legal Analyst in the Department of Labour.

### **Bill Adams**

Bill Adams was appointed to the Board in July of 1995 as a member representing employers. Mr. Adams is self-employed in an industrial relations consulting firm. During the term of his appointment, Mr. Adams accepted employment in British Columbia and his resignation was effective July 24, 1996.

### **Bruce McDonald**

Bruce McDonald was appointed to the Board in 1974 as a member representing employees. Mr. McDonald is a retired business agent for the International Brotherhood of Painters and Allied Trades, Local Union 1996. He is a past president of the Canadian Federation of Labour. Mr. McDonald resides in Saskatoon.

### **Diane Pitchford**

Diane Pitchford was appointed to the Board in March of 1992 as a member representing employees. Ms. Pitchford is vice-president of the Communications, Energy and Paperworkers Union of Canada. Ms. Pitchford resides in Saskatoon.

### **Carolyn Jones**

Carolyn Jones was appointed to the Board in March of 1992 as a member representing employees. Ms. Jones was a staff representative with United Food and Commercial Workers, Local 1400 for several years. She served for four years as vice-president of the Saskatchewan Federation of Labour and has been active on several of its committees and in the labour movement generally. Ms. Jones resides in Saskatoon.

### **Ken Hutchinson**

Ken Hutchinson was appointed to the Board in March of 1992 as a member representing employers. He previously served on the Board from 1977 to 1986 in the same capacity. Mr. Hutchinson is self-employed as a labour management consultant. Mr. Hutchinson was formerly the administrator of personnel services at the Regina General Hospital and the director of industrial relations for the Saskatchewan Hospital Association. Mr. Hutchinson resides in Fort Qu'Appelle.

### **Gloria Cymbalisty**

Gloria Cymbalisty was appointed to the Board in March of 1992 as a member representing employees. She is self-employed as an industrial relations consultant. She was formerly a representative for the Saskatchewan Joint Board, Retail, Wholesale and Department Store Union. Ms. Cymbalisty resides in Regina.

### **Tom Davies**

Tom Davies was appointed to the Board in March of 1994 as a member representing employers. Mr. Davies is the human resources manager for IMC Kalium - Esterhazy. Mr. Davies resides in Esterhazy.

### **Terry Verbeke**

Terry Verbeke was appointed to the Board in July of 1995 as a member representing employers. He is Manager of the Park Town Hotel. Mr. Verbeke resides in Saskatoon.

### **Gerry Caudle**

Gerry Caudle was appointed to the Board in March of 1994 as a member representing employees. Mr. Caudle had previously served in the same capacity during the 1980s. He is a representative with the Canadian Union of Public Employees. Mr. Caudle resides in Saskatoon.

### **Bob Cunningham**

Bob Cunningham was appointed to the Board in March of 1994 as a member representing employers. He is the executive director of the Saskatchewan Mining Association. Mr. Cunningham resides in Regina.

### **Donald Bell**

Don Bell was appointed to the Board in July of 1995 as a member representing employers. He is President of Insulation Applicators Ltd. Mr. Bell resides in Regina.

### **Brenda Cuthbert**

Brenda Cuthbert was appointed to the Board in July of 1995 as a member representing employers. She is the Director of Human Resources for Kindersley Transport Ltd. Ms. Cuthbert resides in Saskatoon.

### **Gordon Hamilton**

Gordon Hamilton was appointed to the Board in July of 1995 as a member representing employers. He is the Director, Employee Relations Department for Saskatchewan Wheat Pool. Mr. Hamilton resides in Warman.

### **Kathie Jeffrey**

Kathie Jeffrey was appointed to the Board in July of 1995 as a member representing employers. She is employed with the Prince Albert District Health Board. Ms. Jeffrey resides in Prince Albert.

### **Donna Ottenson**

Donna Ottenson was appointed to the Board in July of 1995 as a member representing employees. She is a Registered Nurse in long-term care in Regina and an active member of the Saskatchewan Union of Nurses. Ms. Ottenson resides in Regina.

### **Bob Todd**

Bob Todd was appointed to the Board in July of 1995 as a member representing employees. He is Business Agent for the United Brotherhood of Carpenters & Joiners. Mr. Todd resides in Saskatoon.

### **Hugh Wagner**

Hugh Wagner was appointed to the Board in July of 1995 as a member representing employees. He is the General Secretary for the Grain Services Union. Mr. Wagner resides in Regina.

### **George Wall**

George Wall was appointed to the Board in July of 1995 as a member representing employees. He is an International Representative for the Service Employees International Union. Mr. Wall resides in Saskatoon.



## II. The Trade Union Act

In Canada, legislative jurisdiction over industrial relations has, since a ruling of the Supreme Court of Canada in 1925, fallen largely under provincial jurisdiction. Fortunately the potential this presented for legal fragmentation was offset by varying combinations of interprovincial management and union structures, common history and common day-to-day economic and political conditions. The result is a remarkable commonality of core principles and procedures in all 11 Canadian jurisdictions.

The main features of Saskatchewan's *Trade Union Act*, like its counterparts in all other Canadian jurisdictions, may be summarized as follows:

- traditional courts are replaced by a specialized, quasi-judicial tribunal with exclusive and binding jurisdiction over the matters assigned to it by *The Trade Union Act*;
- common law of conspiracy and restraint of trade is abolished insofar as it applies to employees who bargain collectively;
- the majority of employees determine for all employees in a group whether they will bargain collectively and, if so, through which union;
- an employer is required to recognize the union chosen by the majority of its employees as their exclusive representative for the purpose of bargaining collectively;
- the employer and the union are required to bargain in good faith with a view to concluding a collective bargaining agreement;
- a number of unfair labour practices are created to protect employees and unions from any attempt by the employer to interfere with their rights;
- strike and lock-out activity is regulated, but not prohibited;
- specific issues, such as union security, technological change, conciliation, voting procedures and religious exclusions are addressed; and
- remedial and enforcement procedures are included in the statute.

In short, the Act provides the legal framework for collective bargaining, along with a procedure for adjudicating disputes and enforcing rights and obligations. *The Trade Union Act*, like its counterparts in all other Canadian jurisdictions, does not attempt to prohibit economic conflict between employees and employers, but only to

control it. It does not attempt to regulate the outcome of collective bargaining, but merely the process to be followed. The function of the Labour Relations Board within this statutory framework is to identify the parties which will participate in collective bargaining, and to monitor the procedural aspects of the bargaining process.

Under *The Trade Union Act* the Board is not required to follow all of the formal rules of procedure which have been developed in courts of law. The Board attempts to conduct its hearings in a way which will make them accessible to representatives of the parties who have no legal training, and which will allow the Board to identify the issues which are genuinely in dispute.

## III. The Construction Industry Labour Relations Act, 1992

Passed in 1992, *The Construction Industry Labour Relations Act* 1992, S.S. 1992, c. C29.11, provides for a system of collective bargaining in the building trades between organizations representing groups of contractors and the construction unions. The supervision of this statutory system is conferred on the Board under the Act. During this reporting period, the Board considered two related applications under this statute which had been received in a previous reporting period.

## IV. The Health Labour Relations Reorganization Act

Passed in 1996, *The Health Labour Relations Reorganization Act*, S.S. 1996, c. H-0.03, appointed a commissioner to examine the organization of labour relations between health sector employers and employees in the Province. The Dorsey Commission report was submitted, and *The Health Labour Relations Reorganization (Commissioner) Regulations*, R.R.S., c. H-0.03, Reg.1 came into force, in January, 1997. The legislation confers upon the Board the power to make orders for the purpose of carrying out the intent of the Act and respecting any matter arising out of the reorganization of labour relations in the health care sector not addressed in the *Regulations*. During this reporting period, the Board made many orders and several interpretive decisions pursuant to its mandate.



## V. Budget Summary

The total budget of the Saskatchewan Labour Relations Board for the fiscal year ending March 31, 1997 was \$471,000. The actual sum expended by the Board during the fiscal year was \$517,000.

The Board has, over time, displayed an ability to manage its resources efficiently. It should be noted, however, that it is unable to control or predict the nature or number of applications put before it, and as a result, the relationship of expenditure to budgetary allocation cannot be guaranteed.

## VI. Summary of Board Activity for 1996-97

Between April 1, 1996, and March 31, 1997, the Labour Relations Board held 12 monthly meetings lasting a total of 116 days.

A total of 376 applications were received by the Board during the year. Tables 2 and 3 show these applications by type of application and disposition. The five-year trend is shown by disposition in Tables 4 and 5 and by type in Tables 6 and 7.

During 1996-97, 81 certification orders covering 949 employees were issued by the Board and 43 certification orders affecting 147 employees were rescinded.

It is impossible to convey a complete picture of the nature and range of applications brought before the Board during the year. It may be helpful, however, to mention briefly some of the issues which are illustrative of the many types of questions which arise from applications before the Board.

The first collective agreement assistance provisions of the Act received considerable attention during this reporting period. In *United Food and Commercial Workers, Local 1400 v. Madison Development Inc.*, [1997] Sask. L.R.B.R. 68, the Board confirmed its policy that these provisions are meant to support rather than to replace collective bargaining by the parties, and articulated some principles for the appropriate scope and degree of intervention by the Board in bargaining for a first agreement. In a related application, *Chaponis v. Madison Development Group Inc. and United Food and Commercial Workers, Local 1400*, [1996] Sask. L.R.B.R. 511, the Board considered the effect of a rescission application filed after the application for first contract arbitration had been made, but not yet disposed of. The Board suspended the holding of a vote on the rescission application until the

application for first contract arbitration had been determined. These two applications also provided the opportunity for the Board to comment on the issue of communication by an employer through the media.

The Board heard several applications for interim relief. The most commonly sought relief was for the reinstatement of employees allegedly dismissed for union activity pending the final hearing of an unfair labour practice application. In *Saskatoon Civic Middle Management Association v. City of Saskatoon and Canadian Union of Public Employees, Locals 59 and 47*, [1996] Sask. L.R.B.R. 684, the Board granted an interim certification order pending the final determination of the status of disputed positions, but emphasized that it was a unique situation and that it was not an invitation for parties to routinely request such an order. The Board was called upon to consider the breadth of its jurisdiction to grant interim injunctive relief in *International Brotherhood of Electrical Workers, Local 2067 v. Saskatchewan Power Corporation*, [1996] Sask. L.R.B.R. 243. The Board granted an interim order enjoining the Employer from implementing an early retirement program until the substantive issues were determined by a grievance arbitrator. The Board's decision was overturned by the Court of Queen's Bench ([1996] Sask. L.R.B.R. c.-243, affirmed Sask. C.A.). In *The Professional Institute of the Public Service of Canada (PIPSC) v. The Government of Saskatchewan and The Saskatchewan Government Employees' Union (SGEU)*, LRB File Nos. 018-97 and 031-97, the Board issued interim orders to prevent the continuation of scope review discussions of managerial and professional classifications between the Employer and SGEU pending the disposition of the certification application by PIPSC.

During the reporting period, the Board implemented, and made several interpretive rulings concerning *The Health Labour Relations Reorganization (Commissioner) Regulations*.

The issue of "independent contractors" was considered by the Board in *Retail, Wholesale Canada, a Division of the United Steelworkers of America v. United Cabs Ltd.*, [1996] Sask. L.R.B.R. 337. The Board stated that the definition of "employee" in the Act was not equivalent to dependent contractor provisions in other jurisdictions, and held that taxi drivers, with the exception of franchise owners and lease operators with control over more than one unit, were employees of the taxi company for the purposes of bargaining collectively. The Board considered similar issues in *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. McGavin Foods Limited*, LRB File No. 173-96. The



Board determined that franchise owner-operators who hired a workforce to perform deliveries were independent contractors while those that used only occasional relief labour were “employees”, subject to issues respecting the “related employer” provisions of the Act.

*In Service Employees’ International Union, Local 333 v. Battlefords Ambulance Care Ltd.*, [1996] Sask. L.R.B.R. 604, the Board declined to defer jurisdiction to arbitration where the grievance involved the interpretation of the successorship provisions of the Act. The Board held that while a successor employer is not required to continue the business in the same manner as in the past, it was bound by the collective agreement as to how any changes, such as layoffs, could be made. The Employer was found to have committed an unfair labour practice when it treated the employees of the predecessor as job applicants, subjected them to pre-employment screening, and refused to acknowledge that the collective agreement applied to them prior to their being selected for continued employment.

The Board reiterated its longstanding policy of refusing to hear evidence concerning exchanges and events during a mediation or conciliation process.

*In Saskatchewan Joint Board Retail, Wholesale and Department Store Union v. Yorkton Credit Union Limited*, [1996] Sask. L.R.B.R. 815 and *Saskatchewan Joint Board, Retail, Wholesale and Department Store Union v. Raider Industries Inc.*, [1997] Sask. L.R.B.R. 97. The Board confirmed that a party may waive the privilege that attaches to its own final offer made during the process and suggested that parties exchange final offers after the process is concluded and prior to returning to the Board.

During the reporting period, the Board continued to encourage the use of pre-hearing conferences to expedite the formal hearing process, encourage settlement discussions, and to facilitate the voluntary use of alternative dispute resolution.

In conjunction with its publisher, the Saskatchewan Legal Education Society Inc. (SKLESI), the Board continued the publication of its Reasons for Decision and any subsequent court decisions during the reporting year in the Saskatchewan Labour Relations Board Reports. The Board wishes to thank SKLESI, its Executive Director and staff for their considerable effort and continued cooperation in the publication of the Reports.

## VI. Tables

Table 1

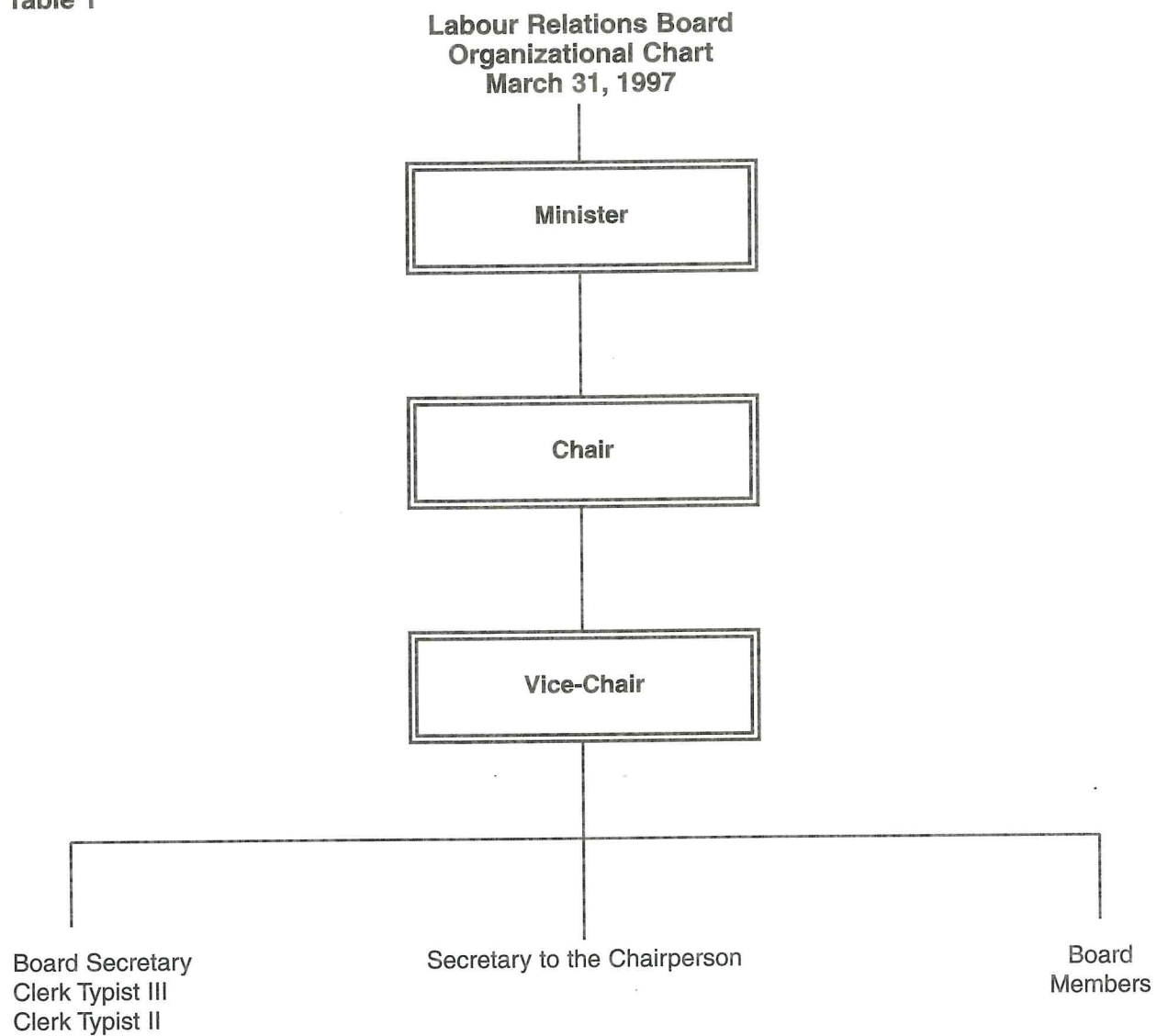




Table 2

**Applications under *The Trade Union Act*  
by Type of Application and Disposition, 1996-97**

Type of application and disposition	Applications	Type of application and disposition	Applications
<b>Total Applications</b> .....	340	<b>Amendment or Rescission</b>	
Granted .....	111	(Section 5, clauses i, j and k) ...	43
Dismissed .....	33	Granted .....	31
Withdrawn .....	83	Dismissed .....	5
Determined .....	1	Withdrawn .....	7
Deferred .....	—	<b>Exclusion on religious grounds</b>	
Sine Die .....	5	(Section 5, clause l) .....	1
Pending - Dorsey .....	11	Granted .....	1
Certification - Dorsey .....	74	Dismissed .....	—
Board Agent .....	7	Withdrawn .....	—
Settled by Board Agent ...	5	<b>Employee determination</b>	
Interim .....	10	(Section 5, clause m) .....	1
<b>Certification</b>		<b>Strike Votes</b>	
(Section 5,		(Section 11, clause 8) .....	—
clauses a, b and c) .....	81	<b>Reference of Dispute</b>	
Granted .....	59	(Section 24) .....	1
Dismissed .....	5	Determined .....	1
Withdrawn .....	16	Withdrawn .....	0
Sine Die .....	1	<b>Duty of fair representation</b>	
<b>Unfair Labour Practice</b>		(Section 25.1) .....	5
(Section 5, clause d) .....	59	Granted .....	1
Granted .....	8	Dismissed .....	3
Dismissed .....	9	Withdrawn .....	1
Withdrawn .....	38	<b>Transfer of Obligation</b>	
Deferred .....	—	(Section 37) .....	2
Sine Die .....	4	<b>Technological Change</b>	
<b>Reinstatement</b>		(Section 43) .....	2
(Section 5, clause f) .....	13	Granted .....	—
Granted .....	3	Dismissed .....	2
Dismissed .....	1	Withdrawn .....	—
Withdrawn .....	9	<b>Reconsideration</b>	
<b>Monetary Loss</b>		(Section 13) .....	7
(Section 5, clause g) .....	15	Granted .....	2
Granted .....	4	Dismissed .....	5
Dismissed .....	1	Withdrawn .....	—
Withdrawn .....	10		
Determined .....	—		
<b>Company Dominated</b>			
(Section 5, clause h) .....	—		
Granted .....	—		
Dismissed .....	—		
Withdrawn .....	—		

**Table 2 - Continued**

**Applications under *The Trade Union Act*  
by Type of Application and Disposition, 1996-97**

Type of application and disposition	Applications	Type of application and disposition	Applications
<b>Provisional Determination</b>		<b>Ratification Votes</b>	
(Section 5.2, clause 1) . . . . .	1	(Section 6) . . . . .	—
Withdrawn . . . . .	1		
<b>First Collective Bargaining</b>		<b>Interim Application</b>	
<b>Agreements</b> (Section 26.5) . . . . .	13	(Section 5.3) . . . . .	10
Conciliation Ordered . . . . .	—	Granted . . . . .	6
Board Agent Appointed . . . . .	7	Dismissed . . . . .	2
Arbitration Ordered . . . . .	—	Withdrawn . . . . .	1
Board Arbitration . . . . .	—	Sine Die . . . . .	1
Settled by Conciliation . . . . .	—		
Settled by Board Agent . . . . .	5	<b>Prehearing Conferences</b> . . . . .	31
Settled by Arbitration . . . . .	—	To Hearing . . . . .	12
Settled by Board . . . . .	—	To Mediation . . . . .	2
Withdrawn . . . . .	1	Consent Order . . . . .	2
<b>Health Applications</b> . . . . .	86	Withdrawn . . . . .	6
Pending . . . . .	11	Deferred . . . . .	—
Dismissed . . . . .	1	Determined . . . . .	4
Certification/HLLRA . . . . .	74	Sine Die . . . . .	5

\* 340 applications and interim applications were disposed of although 376 applications were received.  
Prehearing Conference results are included in other categories.

Source: Saskatchewan Labour Relations Board files.



**Table 3**

**Applications under *The Construction Industry Labour Relations Act, 1992*  
by Type of Application and Disposition, 1996-97**

Type of application and disposition	Applications	Type of application and disposition	Applications
<b>Total Applications</b> .....	2	<b>Section 5</b> .....	—
Granted .....	—	Granted .....	—
Dismissed .....	—	Dismissed .....	—
Withdrawn .....	—	Withdrawn .....	—
Determined .....	1	<b>Section 25</b> .....	—
Sine Die .....	1	Granted .....	—
<b>Section 11</b> .....	1	Dismissed .....	—
Granted .....	—	Withdrawn .....	—
Dismissed .....	—	<b>Section 30</b> .....	1
Withdrawn .....	—	Granted .....	—
Sine Die .....	1	Dismissed .....	—
<b>Section 16</b> .....	—	Withdrawn .....	—
Granted .....	—	Determined .....	1
Dismissed .....	—	<b>Section 37</b> .....	—
Withdrawn .....	—	Granted .....	—
<b>Section 29</b> .....	—	Dismissed .....	—
Granted .....	—	Withdrawn .....	—
Dismissed .....	—		
Withdrawn .....	—		

Source: Saskatchewan Labour Relations Board files.

**Table 4**

**Applications to the Labour Relations Board under *The Trade Union Act*,  
by Disposition, 1991-92 to 1996-97**

	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97
<b>Total Applications</b>	318	247	286	269	301	340
<b>Granted</b>	198	158	186	156	175	111
<b>Dismissed</b>	45	41	36	37	56	33
<b>Withdrawn</b>	73	46	60	74	66	83
<b>Determined*</b>	2	2	4	2	3	1
<b>Deferred</b>	—	—	—	—	1	—
<b>Sine Die</b>	—	—	—	—	—	5
<b>Pending-Dorsey</b>	—	—	—	—	—	11
<b>Cert.-Dorsey</b>	—	—	—	—	—	74
<b>Board Agent</b>	—	—	—	—	—	7
<b>Settled by Board Agent</b>	—	—	—	—	—	5
<b>Interim</b>	—	—	—	—	—	10

\* Under *The Trade Union Act*, the Board may determine the outcome of any dispute referred to it by either party. The decision of the Board is final and binding.

\* Records kept for Sine Die, Pending - Dorsey, Certification - Dorsey, Board Agent, Settled by Board Agent, and Interim applications started in 1996-97. The disposition of Interim applications is shown in Table 2.

Source: Saskatchewan Labour Relations Board files.



**Table 5**

**Applications to the Labour Relations Board under  
*The Construction Industry Labour Relations Act, 1992*,  
by Disposition, 1993-94 to 1996-97**

Year	Total Applications	Granted	Dismissed	Withdrawn	Determined	Sine Die
1993-94	3	—	2	—	1	—
1994-95	1	1	—	—	—	—
1995-96	3	1	1	1	—	—
1996-97	2	—	—	—	1	1

\* *The Construction Industry Labour Relations Act, 1992* was proclaimed in 1992. Therefore, statistics are only available commencing in the 1993-94 fiscal year.

Source: Saskatchewan Labour Relations Board files.

Table 6

Applications under *The Trade Union Act* by Type of Application, 1991-92 to 1996-97

Type of Application	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97
<b>Total applications</b> . . . . .	<b>318*</b>	<b>246*</b>	<b>280*</b>	<b>269*</b>	<b>301*</b>	<b>340*</b>
<b>Certification</b> (Section 5, clauses a, b and c). . . . .	158	114	85	114	120	81
<b>Unfair labour practices</b> (Section 5, clause d). . . . .	64	62	66	74	62	59
<b>Reinstatement</b> (Section 5, clause f) . . . . .	19	17	19	14	28	13
<b>Monetary loss</b> (Section 5, clause g). . . . .	23	18	19	21	34	15
<b>Company dominated</b> (Section 5, clause h) . . . . .	3	—	1	—	—	—
<b>Amendment or Rescission</b> (Section 5, clauses i, j and k). . . . .	43	28	75	39	45	43
<b>Exclusion on religious grounds</b> (Section 5, clause l). . . . .	3	2	1	—	—	1
<b>Employees determination</b> (Section 5, clause m) . . . . .	—	—	—	—	—	1
<b>Provisional Determination</b> (Section 5.2(l)) . . . . .	—	—	—	—	—	1
<b>Interim Application</b> (Section 5.3). . . . .	—	—	—	—	—	10
<b>Strike Votes</b> (Section 11(8)) . . . . .	—	—	—	—	—	—
<b>Reconsideration</b> (Section 13) . . . . .	—	—	—	—	2	7
<b>Reference of Dispute</b> (Section 24) . . . . .	3	2	6	2	3	1
<b>Duty of Fair Representation</b> (Section 25.1). . . . .	—	3	8	4	4	5
<b>First Collective Bargaining Agreements</b> (Section 26.5) . . . . .	—	—	—	—	—	13



**Table 6 - Continued**

Type of Application	1991-92	1992-93	1993-94	1994-95	1995-96	1996-97
<b>Transfer of Obligation</b> (Section 37)	—	—	—	—	—	2
<b>Technological Change</b> (Section 43)	2	—	—	1	3	2
<b>Ratification Votes</b> (Section 45)	—	1	1	—	—	—
<b>Health Applications</b>	—	—	—	—	—	86

\*These figures represent the number of applications disposed of not the number received. Prehearing Conferences were held in 31 matters.

Source: Saskatchewan Labour Relations Board files.

**Table 7**

**Applications under *The Construction Industry Labour Relations Act, 1992*  
by Type of Application, 1993-94\* to 1996-97**

Type of Application	1993-94	1994-95	1995-96	1996-97
<b>Total applications</b> .....	<b>3</b>	<b>1</b>	<b>3</b>	<b>2</b>
Section 5 .....	1	—	—	—
Section 11 .....	—	—	—	1
Section 16 .....	—	1	—	—
Section 25 .....	—	—	1	—
Section 29 .....	1	—	2	—
Section 30 .....	—	—	—	1
Section 37 .....	1	—	—	—

\* *The Construction Industry Labour Relations Act, 1992* was proclaimed in 1992, therefore, statistics are only available commencing in the 1993-94 fiscal year.

Source: Saskatchewan Labour Relations Board files.