Saskatchewan
Labour Relations Board

**INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, ORNAMENTAL, AND REINFORCING IRONWORKERS, LOCAL UNION NO. 771, Applicant V DCM INTEGRATED SOLUTIONS INC., Respondent and CONSTRUCTION, MAINTENANCE AND ALLIED WORKERS CANADA, Proposed Intervenor**

LRB File No. 204-25 and 222-25; January 21, 2026
Chairperson: Kyle McCreary; Board Members: Shawna Colpitts and Curtis Talbot, K.C.
Citation : *Ironworkers 771 v DCM Integrated Solutions*, 2026 SKLRB 5

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| Counsel for the Applicant, International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers, Local Union No. 771: | Gary Caroline |
| Counsel for the Respondent, DCM Integrated Solutions Inc.: | Christopher Lane, K.C. |
| Counsel for the Respondent, Construction Maintenance and Allied Workers Canada "CMAW": | Andrew Mercier |

**Amendment – Bargaining Unit Description – Amendment of bargaining unit description permitted as narrowing of description was not improper and did not cause undue prejudice**

**Intervention – Union claiming voluntary recognition over applied for employees – Intervention granted as union whose voluntary recognition is impacted has a direct interest in the proceeding**

## REASONS FOR DECISION

**Background:**

**[1] Kyle McCreary, Chairperson:** The International Association of Bridge, Structural, Ornamental, and Reinforcing Ironworkers, Local Union No. 771 (“Ironworkers 771”) has applied to certify an all-employees unit of DCM Integrated Solutions Inc. (“DCM”). DCM has asserted that it does not employ the persons in the proposed bargaining unit, but that an affiliate DLI Contractors Inc. (“DLI”) employs the employees at issue.

**[2]** Ironworkers 771 has subsequently sought to amend the applied for unit from an all-employees unit to an ironworker’s craft unit description. DCM opposes this proposed amendment.

**[3]** The Construction, Maintenance and Allied Workers of Canada (“CMAW”) has applied to intervene in the certification application. The basis for CMAW’s application is that it has a

voluntary recognition agreement with DLI for an all-employees unit and claims that the employees Ironworkers 711 have applied for are currently represented under CMAW's voluntary recognition. The current collective bargaining agreement between DLI and CMAW has a term of November 3, 2023 to March 27, 2027.

**[4]** The Board has received submissions on the amendment issue and replies on the intervention. Based on the Board's review of the materials, Ironworkers 771 amendment of the proposed bargaining unit in LRB File No. 204-25 is granted, and CMAW's application to intervene in LRB File No. 222-25 is granted.

**Relevant Statutory Provisions:**

**[5]** The Board's authority to permit amendments and to add parties is pursuant to s. 6-112 of the Act:

> ***Proceedings not invalidated by irregularities***
> ***6-112****(1) A technical irregularity does not invalidate a proceeding before or by the board.*
>
> *(2) At any stage of its proceedings, the board may allow a party to amend the party's application, reply, intervention or other process in any manner and on any terms that the board considers just, and all necessary amendments must be made for the purpose of determining the real questions in dispute in the proceedings.*
>
> *(3) At any time and on any terms that the board considers just, the board may amend any defect or error in any proceedings, and all necessary amendments must be made for the purpose of determining the real question or issue raised by or depending on the proceedings.*
>
> *(4) Without limiting the generality of subsections (2) and (3), in any proceedings before it, the board may, on any terms that it considers just, order that the proceedings be amended:*
>
> > *(a) by adding as a party to the proceedings any person that is not, but in the opinion of the board ought to be, a party to the proceedings;*
> >
> > *(b) by striking out the name of a person improperly made a party to the proceedings;*
> >
> > *(c) by substituting the name of a person that in the opinion of the board ought to be a party to the proceedings for the name of a person improperly made a party to the proceedings; or*
> >
> > *(d) by correcting the name of a person that is incorrectly set out in the proceedings.*

**[6]** Applications to intervene are pursuant to s. 25 of *The Saskatchewan Employment (Labour Relations Board) Regulation*s, RRS c S-15.1 Reg 11, which reads:

*Intervention 25(1) In this section:*
*"application to intervene" means an application in Form 22 (Application to Intervene);*

*"original application" means an application made to the board pursuant to the Act and these regulations that is the subject of an application to intervene.*

*(2) An employer, union, labour organization or other person shall file an application to intervene if the employer, union, labour organization or other person:*

*(a) is not named in that application; and*
*(b) intends to apply to intervene in the proceedings before the board.*

*(3) All applications to intervene must be filed within 20 business days after the date on which the original application was filed with the board.*

*(4) The registrar shall provide a copy of every application to intervene to:*

*(a) the party that filed the original application;*
*(b) any person that filed a reply to the original application or an application to intervene; and*
*(c) any other employer, union, labour organization or person that is directly affected by the application to intervene.*

*(5) If an application to intervene is filed pursuant to subsection (2), the board has the authority to:*

*(a) determine if the employer, union, labour organization or other person that filed the application to intervene is a party to the proceedings before the board and what standing is to be granted; and*
*(b) impose terms and conditions on a party to the proceedings before the board.*

**Analysis and Decision:**

***Amendment***

**[7]** The Board takes a generous approach to the amendment of applications, *Alison Deck v SEIU-WEST*, 2024 CanLII 77396 (SK LRB). Amendments that promote the determination of the real issue in dispute are permitted as long as the amendment is not an improper pleading, not done for an improper purpose, or would not cause undue prejudice to a responding party.

**[8]** The amendment in this case is to the proposed bargaining unit description from an all-employees unit to an ironworker craft unit. The Employer relies on *Construction and General Workers' Union, Local 180 v Aecon Construction Group Inc*, 2014 CanLII 42399 (SK LRB) ("*Aecon Construction Group*"), in opposing the Ironworkers 771 application to amend.

**[9]** In *Aecon Construction Group*, the Board granted summary dismissal of an Employer's application to amend an issued certification order. In summarily dismissing the application to amend, the Board also denied granting the Employer an opportunity to amend its application to

cure the defects identified by the Board because the required amendments would be extensive, as stated at para 38:

> *The Employer has not filed an application for reconsideration; it has filed a series of amendment applications. While this Board has generous authority[13] to permit a party to amend technical defects or errors in any proceeding for the purpose of determining the real question or issue raised by the proceedings, we are not satisfied that it would be possible for the Employer to merely "amend" its applications to cure the defects contained therein. The Employer has filed the wrong type of application. In our opinion, it would be very difficult to cure the defects in the Employer's application by amendment; the required amendments would be extensive and new supporting material would be required. For all intents and purposes, to cure the defects we have identified would require the Employer to file entirely new applications. While this Board may have generous authority to permit an applicant to cure defects in an application, we are not satisfied that permitting the Employer to amend its application in the extensive manner that would be necessary in the present applications would be an appropriate exercise of that discretion.*

**[10]** The within case is distinguishable as it is not an amendment of an application that may be summarily dismissed. Further, it is not a question of whether Ironworkers 771 filed the right applications. Ironworkers 771 has filed for certification, that application has not been determined. Prior to it being determined, Ironworkers 771 has sought to amend the proposed bargaining unit description. Ironworkers 771's request to amend is not an improper amendment in the same manner as permitting extensive amendments on an application being considered for summary dismissal.

**[11]** The Employer has also objected on the basis of whether Ironworkers 771 had the necessary support. As discussed in *Canadian Union of Public Employees v The Town of Preeceville*, 2024 CanLII 73795 (SK LRB) and *United Food and Commercial Workers, Local 1400 v Affinity Credit Union*, 2015 SKCA 14 (CanLII), the support threshold is an administrative matter. The Board does not revisit the threshold question after the issuance of the direction for vote. The direction for vote was issued on November 24, 2025. The vote in this matter has already been conducted on a voters list that appears to reflect the estimated size of an ironworkers unit. The concern of the Board going forward is whether the proposed unit is appropriate and if it is appropriate, whether that unit has the support of the individuals who voted.

**[12]** The proposed amendment is not an improper pleading and causes no prejudice to the Employer. The request to amend the proposed bargaining unit description is granted.

***Intervention***

**[13]** CMAW has sought to intervene on the intervention application on the basis of being a direct interest intervenor or an exceptional interest intervenor. The Board finds it only necessary to consider whether CMAW meets the test for a direct interest intervenor.

**[14]** A direct interest intervenor is a party who seeks standing on the basis that their legal rights or obligations may be directly affected by a matter before the Board, *Construction Workers Union, Local 151 v Tercon Industrial Works Ltd*, 2012 CanLII 2145 (SK LRB) at para 31, *and International Brotherhood of Electrical Workers, Local 2067 v Technical Safety Authority of Saskatchewan (TSASK)*, 2024 CanLII 69954 (SK LRB) at para 12. The Board finds that the existing voluntary recognition over the employees at issue establishes a direct interest, as CMAW's right to represent these individuals may be impacted by a determination of the Board.

**[15]** Even if a direct interest is established, the granting of intervenor status is discretionary. In exercising this discretion, the Board considers the Latimer principles, *Saskatchewan Building Trades Council v United Brotherhood of Carpenters And Joiners of America Local 1985*, 2024 CanLII 72521 (SK LRB) at para 46, which are as follows:

> *(1) whether the intervention will unduly delay the proceedings.*
>
> *(2) possible prejudice to the parties if intervention is granted.*
>
> *(3) whether the intervention will widen the lis between the parties.*
>
> *(4) the extent to which the position of the intervener is already represented and protected by one of the parties; and*
>
> *(5) whether the intervention will transform the Board into a political arena.*

**[16]** As CMAW was involved in initial scheduling, it is unlikely its participation will unduly delay this matter.

**[17]** There is some potential prejudice in CMAW's participation to Ironworkers 771 in adding an adversarial party, however, this prejudice is not undue.

**[18]** Ironworkers 771 has sought to limit the issues CMAW may raise to prevent CMAW from widening the lis between the parties. The Board does not find it necessary to make such an order, but CMAW is not permitted to raise new issues and must focus its evidence and argument on the issues already raised between Ironworkers 771 and DCM and DLI. The question of the true employer, and the question of appropriate bargaining unit and potential application of the Board's

decision in *United Brotherhood of Carpenters & Joiners of America, Local 1985 v CLAC Local 151*, 2025 SKLRB 48 (CanLII), are already live issues between the parties.

**[19]** The interests of CMAW may be represented to some degree by DLI, but DLI and DCM do not represent employee interests.

**[20]** The Board does not believe CMAW's intervention will transform the Board into a political arena.

**[21]** Considering the above, and the distinct issues raised by this application, in particular how appropriate bargaining units are determined when there is a potentially conflicting voluntary recognition, the Board grants CMAW's application to intervene. In addition to argument, CMAW will be permitted to call witnesses and cross examine the witnesses of other parties. CMAW's participation must be restricted to the issues in LRB File No. 204-25 and must not raise new issues.

**[22]** As a result, with these Reasons, an Order will issue that the request to amend the applied for bargaining unit description for in LRB File No. 204-25 is granted and CMAW's application in LRB File No. 222-25 to intervene in LRB File No. 204-25 is granted.

**[23]** The Board thanks the parties for the helpful submissions they provided, all of which were reviewed and considered in making a determination in this matter.

**DATED** at Regina, Saskatchewan, this **21st** day of **January, 2026.**

**LABOUR RELATIONS BOARD**

Kyle McCreary
Chairperson