

**A MESSAGE FROM THE CHAIRPERSON
OF THE
MANITOBA LABOUR BOARD**

I am pleased to submit the Annual Report outlining the activities of the Manitoba Labour Board for the period April 1, 2017 to March 31, 2018.

During this reporting period, the Manitoba Labour Board successfully fulfilled its mandate and met its objectives. The Board continued to develop and implement initiatives designed to modernize its practices and procedures which has led to continued enhancements in service.

Mediation and case management are increasingly important features of the Board's work. These methods of alternative dispute resolution allow parties to narrow or resolve issues together with the assistance of the Board's experienced staff. Mediated resolutions and proper case management allow parties to resolve outstanding issues without the necessity of having formal hearings. The ability of the Board to provide timely and effective mediation is reflected in the statistics. During this reporting period, over 85% of cases referred by the Board to mediation resulted in resolution of issues between the parties. This is a significant achievement which contributes greatly to the Board achieving its mandate.

The Board saw several changes to its membership during this reporting period. Mr. William Hamilton's term as full-time Vice-Chairperson ended in October of 2017. He was subsequently re-appointed as a part-time Vice-Chairperson. Mr. Hamilton was first appointed as a Vice-Chairperson of the Board in 2002. He served as Chairperson of the Board from 2005 to 2012, following which he continued to serve as the full-time Vice-Chairperson. Mr. Hamilton is an outstanding adjudicator and he has made extraordinary contributions to the Board and the labour relations community. It has been my great privilege to have worked with him for many years and I am delighted that he is continuing to serve as a part-time Vice-Chairperson.

Ms. Karine Pelletier was appointed as the Board's full-time Vice-Chairperson effective February 20, 2018. I am very grateful to have the opportunity to work with her and I am confident that her considerable experience in labour relations and adjudication will significantly benefit the Board.

I would like to express my gratitude to all of the Vice-Chairpersons, Members and staff for their service. I am very grateful for their continuing guidance and expertise, and their dedication to the Board and its activities.

Colin S. Robinson
Chairperson

**MESSAGE DU PRÉSIDENT
DE LA COMMISSION DU TRAVAIL DU MANITOBA**

J'ai le plaisir de soumettre le rapport annuel faisant état des activités de la Commission du travail du Manitoba du 1^{er} avril 2017 au 31 mars 2018.

Au cours de cette période de déclaration, la Commission a respecté son mandat et a rempli ses objectifs. La Commission a continué d'élaborer et de mettre en œuvre des initiatives conçues pour moderniser ses pratiques et ses procédures, ce qui a entraîné des améliorations continues du service offert.

La médiation et la gestion de cas représentent une partie de plus en plus importante du travail de la Commission. Ces modes substitutifs de résolution des différends permettent aux parties de restreindre ou de résoudre les problèmes avec l'aide d'employés expérimentés de la Commission. Les résolutions obtenues par la médiation et la gestion de cas appropriée permettent aux parties de résoudre des questions en suspens sans nécessairement passer par des audiences formelles. La capacité de la Commission d'offrir une médiation opportune et efficace se reflète dans les statistiques. Pendant la période couverte par le présent rapport, plus de 85 % des cas renvoyés à la médiation par la Commission ont mené à une résolution des questions entre les parties. Cela constitue une réalisation importante qui contribue grandement à l'accomplissement du mandat de la Commission.

La Commission a connu plusieurs changements au sein de ses membres pendant la période couverte par le présent rapport. Le mandat de M. William Hamilton à titre de vice-président à temps plein s'est terminé en octobre 2017. Il a ensuite été nommé à titre de vice-président à temps partiel. M. Hamilton a été nommé à titre de vice-président pour la première fois en 2002. Il a été président de la Commission de 2005 à 2012, après quoi il est devenu vice-président à temps plein. M. Hamilton est un arbitre hors pair et il a fait des contributions extraordinaires à la Commission et à la communauté des relations du travail. Ce fut un grand honneur de travailler avec lui pendant de nombreuses années et je suis enchanté qu'il demeure avec nous à titre de vice-président à temps partiel.

M^{me} Karine Pelletier a été nommée à titre de vice-présidente à temps plein de la Commission à compter du 20 février 2018. Je suis très heureux d'avoir l'occasion de travailler avec elle et je suis persuadé que son expérience considérable en relations du travail et en arbitrage sera un excellent atout pour la Commission.

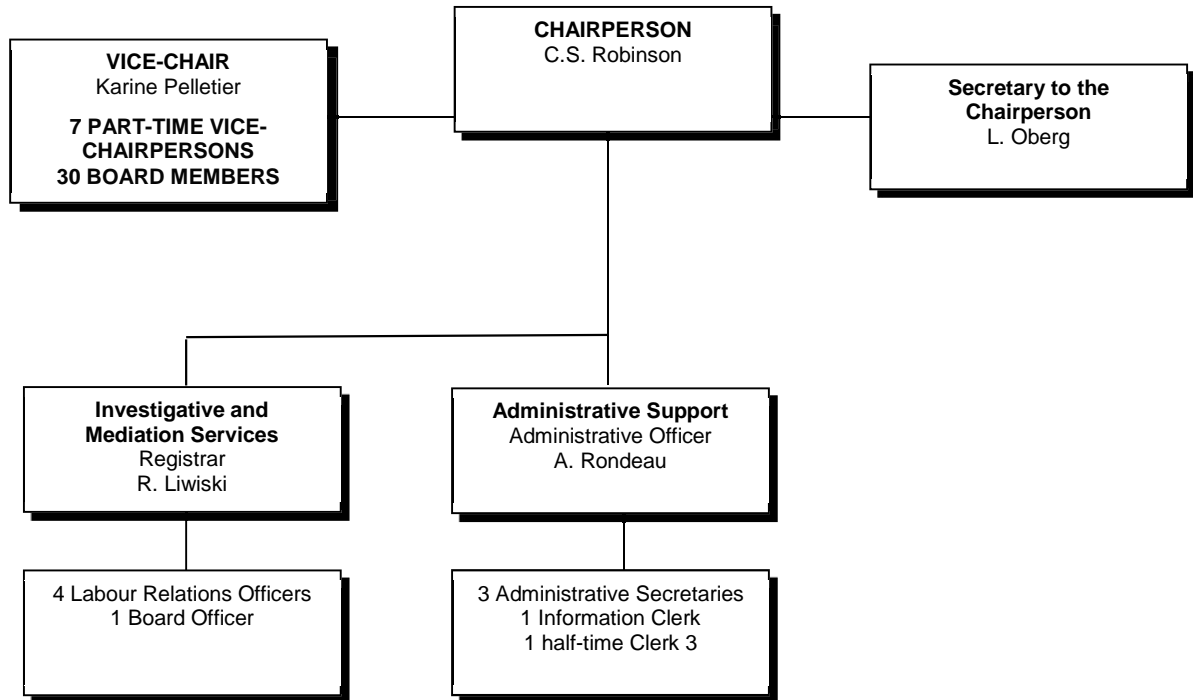
Je tiens à remercier de leurs services l'ensemble des vice-présidents, des membres et du personnel. Je leur suis très reconnaissant de leur expertise et de leurs conseils ainsi que de leur dévouement envers la Commission et ses activités.

Colin S. Robinson
Président

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**Manitoba Labour Board
Organization Chart
as of March 31, 2018**



The Manitoba Labour Board

INTRODUCTION

Report Structure

The Manitoba Labour Board ("the Board") annual report is prepared pursuant to subsection 138(14) of *The Labour Relations Act*.

"The report shall contain an account of the activities and operations of the board, the full text or summary of significant board and judicial decisions related to the board's responsibilities under this and any other Act of the Legislature, and the full text of any guidelines or practice notes which the board issued during the fiscal year."

Vision and Mission

To further harmonious relations between employers and employees
by encouraging the practice and procedure of collective bargaining
between employers and unions
as the freely designated representatives of employees.

Objectives

- to discharge its statutory responsibilities in an impartial, efficient, knowledgeable, timely, respectful and consistent manner;
- to encourage and facilitate the settlement of disputes through appropriate alternative dispute resolution mechanisms where possible while providing adjudication where necessary;
- to foster understanding of the rights, responsibilities and procedures set forth in the legislation under which it has responsibilities;
- to maintain current and effective rules, practices and procedures which are clear, accessible, fair and impartial; and
- to support constructive and harmonious labour relations between employers, employees and unions.

Role

The Board is an independent and autonomous specialist tribunal responsible for the fair and efficient administration and adjudication of responsibilities assigned to it under *The Labour Relations Act* and any other Act of the Consolidated Statutes of Manitoba.

The majority of the applications are filed under *The Labour Relations Act (L10)* and *The Employment Standards Code (E110)*. The Board is also responsible for the administration and/or adjudication of matters arising under certain sections of the following Acts:

The Apprenticeship and Certification Act (A110)
The Construction Industry Wages Act (C190)
The Elections Act (E30)
The Essential Services Act (Government and Child and Family Services) (E145)
The Essential Services Act (Health Care) (E146)
The Pay Equity Act (P13)
The Public Interest Disclosure (Whistleblower Protection) Act (P217)
The Public Schools Act (P250)
The Remembrance Day Act (R80)
The Victims' Bill of Rights (V55)
The Worker Recruitment and Protection Act (W197)
The Workplace Safety and Health Act (W210)

The Labour Relations Act

The Board receives and processes applications regarding union certification, decertification, amended certificates, alleged unfair labour practices, expedited arbitration, first contracts, board rulings, duty of fair representation, successor rights, religious objectors and other applications pursuant to the *Act*.

The Employment Standards Code

The Board hears complaints referred to it by the Employment Standards Division regarding wages, statutory holiday pay, vacation pay and wages in lieu of notice, including provisions pursuant to *The Construction Industry Wages Act* and *The Remembrance Day Act*. Until the April 30, 2007 amendment to the *Code*, the Board also handled hours of work exemption requests and applications for exemption from the weekly day of rest.

The Apprenticeship and Certification Act

The person named in a compliance order or required to pay an administrative penalty may appeal the matter to the Board within 14 days after receiving a notice under subsection 36(6) or 37(5) of the *Act*.

The Elections Act

A candidate, election officer, enumerator or an election volunteer for a candidate or a registered political party may file an application relating to requests for leave from employment under section 24.2 of the *Act*. An employer may apply to the chairperson of the Board to request an exemption from the requirement to grant a leave under section 24.2 of the *Act*, if the leave would be detrimental to the employer's operations.

The Essential Services Act

The Board receives and processes applications from unions for a variation of the number of employees who must work during a work stoppage in order to maintain essential services.

The Pay Equity Act

If parties fail to reach an agreement on an issue of pay equity, within the time frames stipulated in the *Act*, any party may refer the matter to the Board for adjudication.

The Public Interest Disclosure (Whistleblower Protection) Act

Pursuant to section 28 of the *Act*, an employee or former employee who alleges that a reprisal has been taken against them may file a written complaint with the Board. If the Board determines that a reprisal has been taken against the complainant contrary to section 27, the Board may order one or more of the following measures to be taken:

- (a) permit the complainant to return to his or her duties;
- (b) reinstate the complainant or pay damages to the complainant, if the board considers that the trust relationship between the parties cannot be restored;
- (c) pay compensation to the complainant in an amount not greater than the remuneration that the board considers would, but for the reprisal, have been paid to the complainant;
- (d) pay an amount to the complainant equal to any expenses and any other financial losses that the complainant has incurred as a direct result of the reprisal;
- (e) cease an activity that constitutes the reprisal;
- (f) rectify a situation resulting from the reprisal;
- (g) do or refrain from doing anything in order to remedy any consequence of the reprisal.

The Public Schools Act

Certain provisions of *The Labour Relations Act* apply to teachers, principals, bargaining agents for units of teachers and school boards.

The Victims' Bill of Rights

Victims of crime may file applications with the Board relating to requests for time off work, without pay, to attend the trial of the person accused of committing the offence, for the purpose of testifying, presenting a victim impact statement or observing any sentencing of the accused person.

The Worker Recruitment and Protection Act

The director of the Employment Standards Division is empowered, on behalf of a foreign worker, a child performer or family member on behalf of a child performer, to issue orders to recover the amount of any prohibited recruitment fees or costs charged, directly or indirectly, by the employer or a person engaged in recruitment of the foreign worker or child performer and can also, by order, recover from an employer any reduction in wages or recover any reduction/elimination of a benefit or other term or condition of employment where the reduction is made to cover the costs of recruitment, all of which is contrary to sections 15, 16 and 17 of the *Act*. The Board's jurisdiction is triggered when a person affected by a director's order wishes to appeal an order of the director under any of these provisions. The Board hears the appeals pursuant to the provisions of *The Employment Standards Code*.

The Workplace Safety and Health Act

Any person directly affected by an order or decision of a safety and health officer may appeal the order or decision to the director of Workplace Safety & Health. The director may decide the matter or refer the matter to the Board for determination. Any person affected by an order or decision of the director of Workplace Safety & Health may also appeal to the Board to have the order or decision set aside or varied.

MANITOBA LABOUR BOARD MEMBERS

In the year under review, the Board consisted of the following members.

Chairperson

Colin S. Robinson

Appointed as chairperson in 2012, Colin Robinson previously served as the Board's full-time vice-chairperson since 2003. Mr. Robinson holds a Bachelor of Arts Honours degree from the University of Manitoba and a Bachelor of Laws degree from Osgoode Hall Law School. He was called to the Bar in Manitoba in 1995 and practiced primarily in the fields of labour and administrative law prior to being appointed to the Board. In addition, Mr. Robinson serves on the executive of the Manitoba Council of Administrative Tribunals and carries on an active practice as an interest and grievance arbitrator and mediator in Manitoba.

Vice-Chairpersons

Kristin L. Gibson

Appointed on a part-time basis in 2013, Kristin Gibson is a partner in the Winnipeg law firm MLT Aikins LLP. She carries on practice as a labour and employment lawyer, and as a labour mediator and arbitrator.

A. Blair Graham, Q.C.

Appointed on a part-time basis in 2006, Blair Graham holds a Bachelor of Arts degree and a Bachelor of Laws degree from the University of Manitoba. He practices law as a partner in the law firm of Thompson Dorfman Sweatman LLP with an emphasis on civil litigation, administrative law and labour arbitration as a chairperson. He was appointed a Queen's Counsel in December 1992, and inducted into the American College of Trial Lawyers in October 2004. He has been active as a chairperson in labour arbitration matters since 1997.

William (Bill) D. Hamilton

After serving as a part-time vice-chairperson from 2002 to 2005, William Hamilton served as the full-time chairperson of the Board from November 1, 2005 to October 31, 2012. Effective November 1, 2012, he was appointed as a part-time vice-chairperson serving on a half-time basis for a term of five years. Effective January 22, 2018, he was re-appointed as a part-time vice-chairperson for a term of five years. He holds a Bachelor of Arts degree from the University of Winnipeg and a Bachelor of Laws degree from the University of Manitoba. For many years, Mr. Hamilton has carried on, and continues to carry on, an active practice as an interest and grievance arbitrator/mediator in Manitoba.

Dennis Harrison

Appointed on a casual part-time basis in 2018, Dennis is a graduate of Red River College with a Diploma in Business Administration. He retired in June of 2017 following 32 years of employment with the Province of Manitoba in the labour department: a board officer with the Manitoba Labour Board, conciliation officer with Conciliation and Mediation Services and the executive director of Conciliation and Mediation Services.

Diane E. Jones, Q.C.

Appointed on a part-time basis since 1985, Diane Jones holds a Bachelor of Arts Honours degree from the University of Winnipeg and a Bachelor of Laws degree from the University of Manitoba. She is currently active as a chairperson in arbitration matters.

Karine Pelletier

After serving as a casual vice-chairperson from 2016-2018, Karine Pelletier was appointed part-time vice-chairperson, effective February 21, 2018. She holds a Bachelor of Arts degree from l'Université de Saint-Boniface, a Bachelor of Laws degree from l'Université d'Ottawa and a Masters of Law from the University of Ottawa. She also serves as a panel member for the Law Society Admissions and Education Hearing Panel. Karine sits on the board for the Plug In Institute and is President of Les Enfants Precieux, inc. Before joining the Board, Karine worked both as in-house legal counsel and in private practice in the areas of administrative law and labour and employment.

Michael D. Werier

Appointed on a part-time basis in 2006, Michael Werier is a partner in the Winnipeg law firm of D'Arcy & Deacon LLP. He carries on a practice as an arbitrator/mediator in Manitoba. He is currently chairperson of the Manitoba Labour Management Review Committee and chairperson of the Board of Directors of the Workers Compensation Board of Manitoba.

Gavin M. Wood

Appointed on a part-time basis in 2006, Gavin Wood holds a Bachelor of Laws degree from the University of Manitoba and a Masters of Laws degree from Columbia University in New York City. He is presently practicing as a sole practitioner under the firm name of Wood Orle Litigation Lawyers. He is currently active as a chairperson in arbitration matters.

Employer Representatives**Jim H. Baker, CPA CA**

Appointed in 2000, Jim Baker has served on several not for profit boards and government agencies during and following a career spanning partnership in a regional chartered accountancy firm; and most recently as president of the Manitoba Hotel Association. He was co-chair of the Athletes Villages committee for the 1999 Pan Am games and has been on the mission staff at the Canada and Western Canada Games. Mr. Baker is also a past director of the Winnipeg Convention Centre. He has lectured at Red River College on industrial relations and human resource management and been a sessional lecturer in accounting at the University of Manitoba. Mr. Baker is currently is the chair of the Minister's Advisory Council on Accessibility and past chair of the Friends of Elmwood Cemetery.

Elizabeth M. (Betty) Black

Appointed in 1985, Betty Black is a Fellow Certified Human Resource Professional (FCHRP) and holds a certificate in Human Resource Management from the University of Manitoba. She has spent over 30 years in senior human resource management roles in the private and public sectors in both union and non-union environments in the areas of manufacturing, hospitality, financial services and consulting. She is a member and past president of the Human Resource Management Association of Manitoba and has instructed in the Human Resource Management Certificate program at the University of Manitoba. She has served in voluntary leadership roles with the YMCA-YWCA of Winnipeg, the United Way of Winnipeg and numerous other community organizations.

Christiane Y. Devlin

Appointed in 2002, Christiane Devlin has held senior management positions in human resources, integrating human resources within the business needs of companies in the transportation, communication and printing, agriculture, manufacturing, health care, and retail co-operatives. She is currently the manager, Human Resources with the Kleysen Group. Ms. Devlin is bilingual and her human resource management experience includes unionized and non-unionized workplaces. She also sits as a part-time commissioner at the Appeal Commission.

Tom Goodman

Appointed in 2013, Tom Goodman retired from Hudbay Minerals Inc. in June 2012 having served in a variety of senior executive roles for over 34 years both in Canada and internationally. These roles have included oversight and/or direct responsibility for human resources including labour relations for organizations of more than 1,500 employees in both union and non-union environments. He is a past director and past chairman of the Mining Association of Manitoba. He is a member of the Mining Minister's Mining Council, chairman of the Hudbay Environment Health and Safety Committee, and a director of the Technical Committee and the Audit Committee. He is a member of the Governing Council of the University College of the North. He was elected to the Board of Directors of Hudbay Minerals Inc. upon his retirement in June 2012.

Colleen Johnston

Appointed in 1993, Colleen Johnston is the owner of Integre Human Resources Consulting and the former director, Total Rewards, Health and Wellness for Manitoba Liquor & Lotteries. She is a graduate of the

University of Manitoba with a Bachelor of Education degree and is a Fellow, Chartered Professional in Human Resources (FCPHR). She is a past chair of the Human Resource Management Association of Manitoba (HRMAM), a founding director of the Canadian Council of Human Resource Associations and a former member of the Regulatory Review Committee of the Canada Labour Code in Ottawa. She has represented Canadian employers at the United Nations in Geneva, is a past chair of the Board of Directors of CAA Manitoba and is currently chair of the Manitoba Advisory Committee of CAA Club Group.

Paul J. LaBossiere

Appointed in 1999, Paul LaBossiere retired from the position of president and CEO of P.M.L. Maintenance Ltd. He is past co-chairperson of the Employers Task Force on Workers Compensation, a past executive member of the Winnipeg Chamber of Commerce, past president, parliamentarian, and government affairs advisor of the Building Owners and Managers Association, a member of the Manitoba Employers Council and is a frequent international speaker on issues pertaining to the maintenance and service industries. He is a past member of the Board of Directors of the Building Services Contractors Association International (37 countries). He is the past board president of the Prairie Theatre Exchange (PTE) and a past trustee of the PTE Foundation Trust. His past affiliations include vice-chairperson and treasurer of the Winnipeg Chamber of Commerce and on the Advisory Committee for the Continuing Education Department at the University of Manitoba. He is a past trustee of Opimian Vineyard Trust and past vice-president of the Winnipeg Jazz Orchestra.

Chris W. Lorenc, B.A., LL.B.

Appointed in 2003, Chris Lorenc is president of the Manitoba Heavy Construction Association, president of the Western Canada Roadbuilders and Heavy Construction Association, founding board member of the Manitoba Construction Sector Council, immediate past chairperson of the Board of CentrePort Canada Inc, and member of the Blue Bomber Board of Directors and its Executive Committee. He has an extensive background in public policy writing related to trade, transportation, infrastructure, workplace safety and health. A lawyer by background, he graduated from the University of Manitoba with Bachelor of Arts and Bachelor of Laws degrees. He is a former Winnipeg city councillor having served for nine years between 1983 and 1992. During his tenure on council, he chaired a number of standing committees and held a variety of senior positions. He has also served and continues to serve on a number of boards of business, cultural, community and hospital organizations.

Harvey Miller

Appointed in 2010, Harvey Miller is the past president of the Merit Contractors Association of Manitoba. He holds a Bachelor of Arts degree from the University of Manitoba and a Master of Arts degree in Psychology from the University of Victoria. He has extensive senior management experience in both public and not-for-profit agencies, including the Worker Advisor Office and the Workers Compensation Board of Manitoba. He has served on numerous volunteer boards, and is a past president of the Winnipeg Mental Health Association and the Manitoba Biathlon Association.

Yvette Milner

Appointed in 1996, Yvette Milner is president of Merit Contractors Association, an industry association providing services to open shop contractors in Manitoba. She also owns a consulting company specializing in assisting companies to manage injury and illness in the workplace. Ms. Milner's background is in human resources, safety and disability management. Active in the Manitoba business community, she is involved with the Manitoba Employers Council, and the Manitoba and Winnipeg Chambers of Commerce.

Brian Peto

Appointed in 2011, Brian Peto has extensive senior human resource experience in the retail, manufacturing and financial services sectors. He has served on the board of directors of one of Canada's largest defined contribution pension plans. He is a graduate of the University of Winnipeg and Red River Community College. Mr. Peto is a former cabinet member of the United Way of Winnipeg and past president of the Human Resource Management Association of Manitoba.

Lloyd Schreyer

Appointed in 2015, Lloyd Schreyer has had a lengthy career in human resources and labour relations. From 2000 until his retirement in 2014, he was secretary to the Compensation Committee of Cabinet,

Government of Manitoba, where he was responsible for liaison with employers and unions in the Manitoba public sector regarding collective bargaining and labour relations. From 1978 to 2000, he was employed in human resources at the University of Manitoba, where he progressed to director of the department. He began his career in 1972 as a business agent with the Operating Engineers Union. He has served on the Manitoba Labour Management Review Committee, the Board of Directors of Manfor Ltd., Selkirk Mental Health Centre and Red River College. He is a graduate of the University of Manitoba.

Darcy Strutinsky

Appointed in 2008, Darcy Strutinsky concluded a lengthy career in senior healthcare human resource leadership positions in 2012. He now provides independent human resource, labour relations and respectful workplace consulting services to employers in the private and public sectors. He is a member of the Manitoba Labour Management Review Committee and is a board member of the Children's Hospital Foundation of Manitoba.

Denis E. Sutton

Appointed in 1983, Denis Sutton has had extensive training in business administration and human resource management and has extensive experience in labour relations in both the private and public sectors. He has served as chairperson of the Industrial Relations Committee, Manitoba Branch of the Canadian Manufacturers Association, chairperson of the Western Grain Elevator Association Human Resource Committee, chairperson of the Conference Board of Canada, Council of Human Resource Executives (West) and is an active member of many labour relations committees and associations. He is presently employed as vice-president Human Resources, MCI Coach | NFI Parts | Frank Fair.

Peter Wightman

Appointed in 2013, Peter Wightman is the executive director of the Construction Labour Relations Association of Manitoba, a position he has held since 1996. Previously, he was Manitoba Health Organization's senior labour relations negotiator/consultant providing collective bargaining and other labour relations services to all of Manitoba's health care employers and prior to that was a senior labour relations officer at the corporate headquarters of the Canada Post Corporation in Ottawa. Mr. Wightman chairs the employer caucus of the Manitoba Labour Management Review Committee, is a founding member of the Government of Manitoba's ongoing Construction Industry Wages Act Review Committee, and chairs a Provincial Trade Advisory Committee for the Manitoba Apprenticeship Branch. Mr. Wightman is also chairman of eight Manitoba Construction Industry Pension and Health and Welfare Benefit Trust Funds and is a Canadian director on the International Foundation of Employee Benefit Plans Board of Directors. A graduate of Carleton University in Ottawa, he holds a bachelor's degree in economics and law and has been engaged in the field of labour relations for over 25 years.

Jim Witiuk

Appointed in 2004, Jim Witiuk is the former director of labour relations for Sobeys West Inc. with responsibility for labour relations matters in Manitoba, Saskatchewan and Ontario. He retired in 2016. He sits on a number of trustee health and welfare and pension plans as a management trustee and is a member of and sits on the Canadian Board of the International Foundation of Employee Benefit Plans. He is a past member of the Employment and Immigration Board of Referees. He serves on the Manitoba Labour Management Review Committee, serves on that group's Arbitration Advisory Sub-Committee and is an active member of the Manitoba Employers Council. Mr. Witiuk is also on the Board of Directors of MEBCO (Multi Employee Benefit Plan Council of Canada). He is a graduate of Carleton University in Ottawa.

Employee Representatives

L. Lea Baturin

Appointed in 2007, Lea Baturin was employed as a national representative with the Communications, Energy and Paperworkers Union (CEP - now Unifor) for over 18 years, dealing primarily with grievance arbitration matters, collective bargaining and steward education in the industrial sectors of telecommunications, broadcasting and manufacturing. Her educational background includes a Bachelor of Arts degree and a Bachelor of Laws degree from the University of Manitoba. Ms. Baturin received her call to the Manitoba Bar in 1981 and worked as a lawyer at Legal Aid Manitoba and at Myers Weinberg LLP before joining CEP as staff. During her employment as a union representative, she was a member of the Manitoba Federation of Labour and the MFL Women's Committee. Ms. Baturin retired from her position with the union in 2014.

Beatrice Bruske

Appointed in 2007, Beatrice Bruske has been employed since 1993 as a Union representative/negotiator with the United Food and Commercial Workers Union Local No. 832. (UFCW Local No. 832). In that time she has worked as a servicing representative enforcing collective agreements, investigating incidents and processing grievances in the retail, security, health care and non-profit sectors. From 2005 to 2011, Ms. Bruske worked as a full time negotiator negotiating collective agreements in the food production, security, warehousing, health care, retail and non-profit sectors. In November of 2011, she was elected as Secretary Treasurer for UFCW Local No. 832. In this capacity she is responsible for the finances of the local and is directly involved in the day to day administration and management of the staff of the local. In addition, Beatrice continues to negotiate collective agreements and serves as a trustee on a number of jointly trustee health and welfare benefit and pension plans. In May of 2018, she was appointed to the UFCW National Council Executive board. She is a graduate of the University of Manitoba with an Arts degree in the Labour Studies program.

Bill Comstock

Appointed in 2013, Bill Comstock worked in a number of human resource positions early in his career. He had been employed by the Manitoba Government and General Employees' Union for 29 years, retiring in 2006 as director of Negotiating Services. In 2014, he retired from the Winnipeg Association of Public Service Officers where he had been providing labour relations services on a part-time basis. Mr. Comstock was a founding member of Manitoba Special Olympics. He was a member of the Manitoba Labour Management Review Committee and serves on the board of St. Amant.

Abs Diza

Appointed in 2015, Abs Diza has been employed as a staff union representative for Workers United Canada Council since June 2006. She is actively involved in collective bargaining, grievance handling and guiding members with their health benefits. Mrs. Diza is also currently a vice-president of the Manitoba Federation of Labour.

Sheila Gordon

Appointed in 2013, Sheila Gordon has been employed with the Manitoba Government and General Employees' Union (MGEU) since 1991. As a staff representative, she worked with members to resolve issues, process grievances and negotiate collective agreements in a variety of different public sector workplaces. In 2009, she was appointed MGEU director of negotiations, responsible for negotiating the Government Employees' Master Agreement, and for supporting a team of staff representatives working with members of the Manitoba Civil Service. More recently, Ms. Gordon has assumed the position of director of negotiations, responsible for all negotiations undertaken by the union. Ms. Gordon's educational background includes a Bachelor of Social Work degree from the University of Manitoba and a Master of Social Work degree from Carleton University.

Tom Henderson

Appointed in 2016, Tom Henderson is employed by the Manitoba Nurses Union (MNU) as a workplace safety and health officer, as well as working in labour relations, since 2002. Prior to working with the MNU, he was employed in the private sector within the aerospace industry and has held a number of leadership roles including local union president, bargaining committee chairperson, and local union discussion leader. As a labour relations officer, he deals with grievance arbitration, collective bargaining

and the delivery of specific membership training needs as required. He is a certified health and safety professional and provides the MNU, and its leadership, with workplace safety and health advice and also handles files related to workplace safety and health with employers where MNU represents nurses. He sits on the Provincial Violence Prevention in Healthcare Steering Committee and co-chairs the Joint Employer/Manitoba Council of Healthcare Unions Workplace Safety and Health Committee.

Marc Lafond

Appointed in 2016, Marc Lafond has been employed as business manager and financial secretary of the International Union of Operating Engineers of Manitoba, Local 987 (IOUE) since 2011. Previous to his employment with the IOUE, he was the executive director of OETIM Inc. a crane, heavy equipment and safety training facility from 2006 - 2011, and was a Red Seal mobile crane operator for 1997 - 2006. He currently serves as a trustee on several pension and health and welfare boards and the Manitoba Apprenticeship and Certification Board. He is a graduate of the University of Manitoba Labour Studies program.

James Murphy

Appointed in 1999, James Murphy was the Canadian director of the International Union of Operating Engineers (IUOE) from August 2011 until he retired in January 2015. From 1985 to 1987, he was the training coordinator for Local 901 and was a business representative for the local from 1987 through 1995. In 1995, he was elected as the business manager of IUOE Local 987. He held that position until his appointment as Canadian director. Prior to 1985, he was a certified crane operator and had been an active member of the IUOE since the late 1960s. He was the past president of the Allied Hydro Council of Manitoba and the Manitoba Building and Construction Trades Council.

Shelley A. Neel

Appointed in 2014, Shelley Neel worked as a staff representative for the Manitoba Government and General Employees' Union from 2002 until her retirement in January 2015. She was actively involved in member education, collective bargaining, grievance handling and other activities related to the needs of the membership. Previously, Ms. Neel worked for a rural health authority and the Workers Compensation Board.

Sandra R.M. Oakley

Appointed in 2008, Sandra Oakley was employed by the Canadian Union of Public Employees (CUPE) from 1981 to 2013. She worked as a national servicing representative, dealing with negotiations, grievance arbitrations and other labour relations issues, and as an assistant managing director in the Organizing and Servicing Department of CUPE at its national office in Ottawa. She was the regional director for CUPE in Manitoba from October 2002 to March 2013. She is a graduate of the University of Manitoba and the Labour College of Canada. She serves on the Children's Rehabilitation Foundation Board of Directors and on the United Way of Winnipeg's Board of Trustees and was the chairperson of the United Way of Winnipeg's 2014 Campaign. Ms. Oakley is the chairperson of the Board of Directors of the Community Unemployed Help Centre (CUHC) and co-chair of the Manitoba Federation of Non-profit Organizations.

Maureen Morrison

Appointed in 1983, Maureen Morrison worked for the Canadian Union of Public Employees (CUPE) for many years, first as a servicing representative and then as equality representative. Her work was primarily in the areas of pay and employment equity, harassment and discrimination, accommodation issues, and other human rights concerns. Ms. Morrison retired from CUPE in June 2014.

Rik A. Panciera

Appointed in 2011, Rik Panciera is currently employed as a national staff representative for the Canadian Union of Public Employees where he has served for the past 22 years. As a staff representative, he deals with daily grievance and labour/management issues, as well as negotiates collective agreements. Mr. Panciera also represents his peers as a regional vice-president for the Canadian Staff Union.

Bobbi Taillefer

Appointed in 2014, Bobbi Taillefer is the general secretary of the Manitoba Teachers' Society (MTS). Prior to assuming that role, she held positions of assistant general secretary, staff labour representative and

bargainer for teachers across the province. Prior to joining MTS, Ms. Taillefer was a high school teacher and principal in Winnipeg. Her educational background includes a Masters in Educational Administration and, undergraduate degrees and certificates in human resources, economics, political sciences and law. Ms. Taillefer is bilingual in French and English.

Sonia E. Taylor

Appointed in 2005, Sonia Taylor has been employed since 1991 as a union representative with the United Food and Commercial Workers Union, Local No. 832. She is actively involved in grievance handling, negotiations, arbitrations and organizing.

Glenn Tomchak

Appointed in 2015, Glenn Tomchak has held positions in International Association of Machinists and Aerospace Workers, Local 1953 executive since 1984; including six years as chief steward and 19 years as president, dealing with grievance arbitration matters, collective bargaining and shop issues. In March 2015, he was elected as the directing business representative for District 181. Mr. Tomchak has worked at Motor Coach Industries for over 30 years.

OPERATIONAL OVERVIEW

Adjudication

During 2017/18, the Board was comprised of a full-time chairperson, a vice-chairperson, seven part-time vice-chairpersons and 30 board members with an equal number of employer and employee representatives. The chairperson is the presiding officer of the Board pursuant to the provisions of *The Labour Relations Act*. Part-time vice-chairpersons and board members are appointed by Order in Council and are paid in accordance with the number of meetings and hearings held throughout the year. The Board does not retain legal counsel on staff; legal services are provided through Civil Legal Services of Manitoba Justice.

Investigative and Mediation Services

Investigative and mediation services is comprised of the registrar, four labour relations officers and one board officer dealing with Employment Standards appeals. The registrar, who reports to the chairperson, is the official responsible for the supervision of the day-to-day investigative and mediation activities of the Board. The primary responsibility of the registrar is the development and execution of the administrative workload as it relates to the various Acts under which the Board derives its adjudicative powers. The registrar, in conjunction with the chairperson and board members, is involved in the establishment of Board practice and policy. The registrar, together with the board officers, communicates with all parties and with the public regarding Board policies, procedures and jurisprudence.

Reporting to the registrar are four "labour relations" board officers who are responsible for dealing with various cases and conducting investigations pertaining to the applications filed with the Board, under the varying statutes. They can be appointed to act as Board representatives in an endeavour to effect settlement between parties, reducing the need for costly hearings. The board officers act as returning officers in Board conducted representation votes, attend hearings and assist the registrar in the processing of various applications. They also play a conciliatory role when assisting parties in concluding a first or subsequent collective agreement and they act as mediators during the dispute resolution process. Also reporting to the registrar is a board officer, primarily responsible for processing all referrals from the director of the Employment Standards Division and who is involved in mediation efforts in an attempt to resolve the issues. The board officer also attends Board hearings.

Administrative Services

The staff of the administrative services and the staff of investigative and mediation services work closely to ensure the expeditious processing of applications. Administrative services is comprised of the administrative officer and five administrative support staff. Reporting to the chairperson, the administrative officer is responsible for the day-to-day administrative support of the Board, fiscal control and accountability of operational expenditures and the development and monitoring of office systems and procedures to ensure departmental and government policies are implemented.

Reporting to the administrative officer are three administrative secretaries responsible for the processing of documentation. Also reporting to the administrative officer is the information clerk who is responsible for the case management system and files and responds to information requests from legal counsel, educators and the labour community for name searches, collective agreements and certificates. The half time Clerk position also assists with the information clerk responsibilities and preparation of the annual report.

LIBRARY COLLECTION

Copies of these documents can be viewed by the public in the Board's office or made available in accordance with the fee schedule.

- Arbitration awards
- Collective agreements
- Certificates
- Unions' constitution & by-laws
- Written Reasons for Decision and Substantive Orders

Publications Issued

- *Manitoba Labour Board Annual Report* - a publication disclosing the Board's staffing and membership as well as highlights of significant Board and court decisions and statistics of the various matters dealt with during the reporting period.

The Board distributes full-text copies of Written Reasons for Decision and Substantive Orders to various publishers, including CanLii, for selection and reprinting in their publications or on their websites.

Website Contents

<http://www.gov.mb.ca/labour/labbrd>

*link to French version available

- Board Members* (list and biographies)
- Forms*
- "Guide to *The Labour Relations Act*"* (explanations in lay persons' terms of the various provisions of the *Act* and the role of the Board and Conciliation & Mediation Services)
- Preparing for Your Hearing*
- Information Bulletins* (listing and full text)
- Manitoba Labour Board's Arbitrators List* (list of arbitrators maintained pursuant to section 117(2) of *The Labour Relations Act*)
- Written Reasons for Decision and Substantive Orders (full text, English only, from January 2007 to present, with key word search capability)
- *The Labour Relations Act* and other statutes under which the Board has jurisdiction*
- Regulations* (including *The Manitoba Labour Board Rules of Procedure*)
- Library* (hours)
- Publications* (list and links for convenient access, including previous annual reports)
- Contact Us* (information and links to the Government of Manitoba Home Page, other Department of Labour and Regulatory Services, LexisNexis Quicklaw and Statutory Publications)

E-mail (General Enquiry)

MLB@gov.mb.ca

E-mail (Case Related)

MLBRegistrar@gov.mb.ca

E-mail service is available for general enquiries and requests for information.

If you wish to file an application, contact:

Manitoba Labour Board
Suite 500, 5th Floor - 175 Hargrave Street
Winnipeg, Manitoba, Canada R3C 3R8
Telephone: 204-945-2089 Fax: 204-945-1296

Information Bulletins

The Board produces information bulletins regarding its practice and procedure. The Board did not issue any new or amend any existing information bulletins during the reporting period. The following is a list of the current information bulletins.

1. Review and Reconsideration
2. *Manitoba Labour Board Rules of Procedure* – Regulation 184/87 R - Rule 28 (Part V – Rules of Board Practice)
3. The Certification Process
4. Financial Disclosure
5. Fee Schedule
6. Arbitrators List
7. Filing of Collective Agreements
8. Process for the Settlement of a First Collective Agreement
9. Objections on Applications for Certification
10. *The Employment Standards Code* - Appeal Hearings
11. Reduction of Deposits on Referrals to the Manitoba Labour Board under *The Employment Standards Code*
12. Exemption to Requests for Leave under *The Elections Act*
13. Extension of Time to File Documentation, Notice of Hearing and Request for Adjournment
14. Bargaining Agent's Duty of Fair Representation
15. Disclosure of Personal Information
16. Appointment of Arbitrators
17. Grievance Arbitration/Labour Relations Act
18. The Employment Standards Code – Appeal Hearings – Administrative Penalties

The information bulletins are available on the Board's website at <http://www.gov.mb.ca/labour/labbrd/bulletin.html>. Copies of the information bulletins may be requested from the Board by calling 204-945-2089 or by emailing the Board at MLB@gov.mb.ca.

SUSTAINABLE DEVELOPMENT

The Board strives to achieve the goals set out in the Sustainable Development Action Plan. In compliance with *The Sustainable Development Act*, the Manitoba Labour Board is committed to ensuring that its activities conform to the principles of sustainable development. The Board promoted sustainable development through various activities including recycling, paper management, use of environmentally preferable products and duplex copying.

FINANCIAL INFORMATION

Expenditures by Sub-Appropriation	Actual 2017/18 (\$000s)	FTE's	Estimate 2017/18 \$(000s)	Variance Over/(Under) \$(000s)	Expl. No.
Total Salaries	1,328	14.50	1,406	(78)	
Total Other Expenditures	194		200	(6)	
Total Expenditures	1,522	14.50	1,606	(84)	

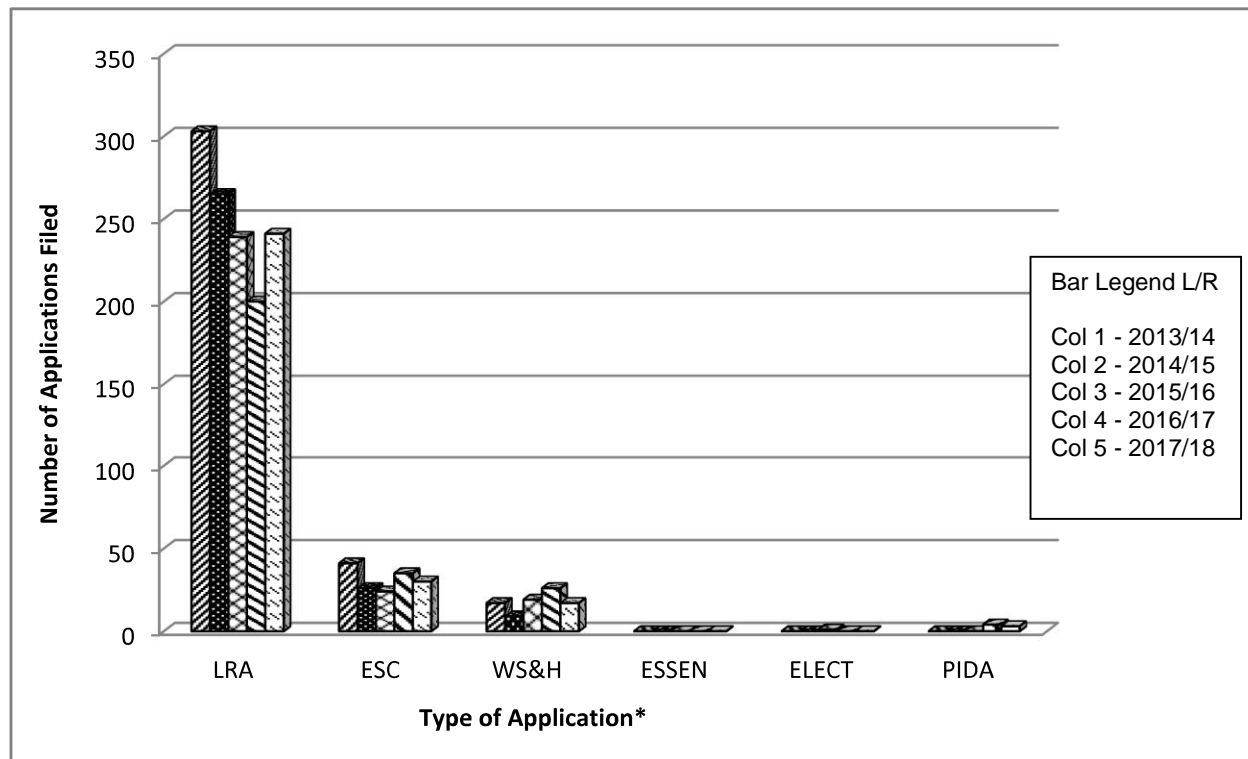
PERFORMANCE REPORTING

Summary of Performance

The Manitoba Labour Board adjudicated disputes referred to it under various provincial statutes and its decisions established policy, procedures and precedent and provided for a sounder, more harmonious labour relations environment. The Board conducted formal hearings; however, a significant portion of the Board's workload was administrative in nature. When possible, the Board encouraged the settlement of disputes in an informal manner by appointing a board representative to mediate outstanding issues and complaints. During the 2017/18 fiscal year, issues before the Board were resolved or narrowed in 90 percent of cases where a representative was formally appointed or assisted the parties informally through the dispute mediation process. This represents an increase of 15% from the previous fiscal year. In addition, the Board monitored its internal processes to improve efficiencies and expedite processing of applications or referrals.

The number of applications filed with the Manitoba Labour Board during the past 5 years (for the period April 1 to March 31) is indicated in the chart below.

**Manitoba Labour Board
Number of Applications Filed**



*Types of Applications	
LRA	Labour Relations Act
ESC	Employment Standards Code
WS&H	Workplace Safety and Health Act
ESSEN	Essential Services Act
ELECT	Elections Act
PIDA	Public Interest Disclosure Act

Detailed statistical tables can be found beginning on page 39 of this report.

Program Performance Measurements

During the past reporting year, the Board continued its initiative to measure service activities and client responsiveness.

Program Performance Measurements

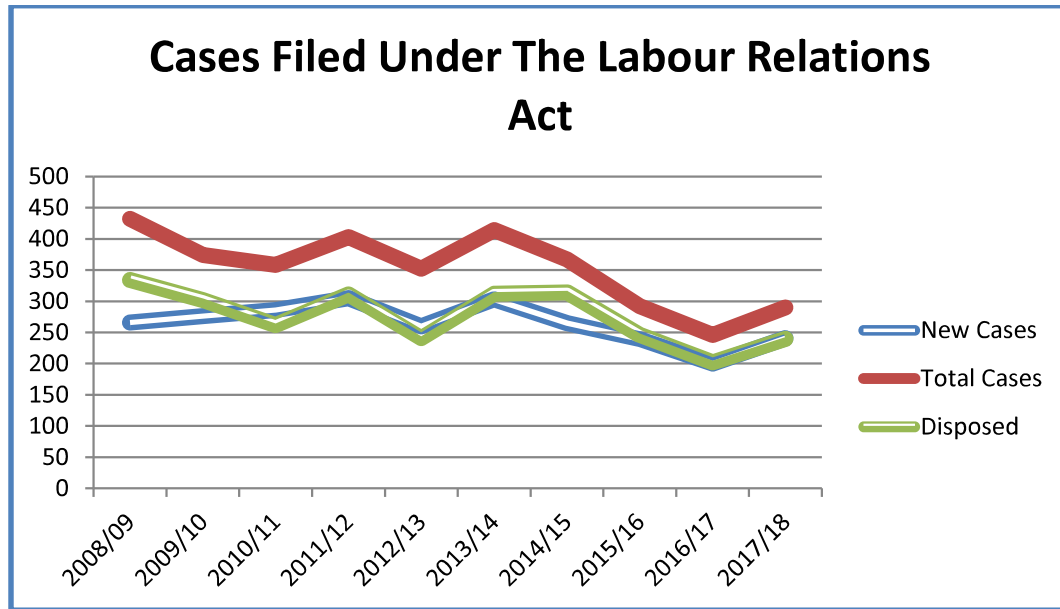
April 1 - March 31

Indicator	Actual 2016/17	Actual 2017/18
Percentage of Cases disposed of	75%	78.5%
Number of hearing dates scheduled	228	301
Percentage of hearings that proceeded	28%	18%
Number of votes conducted	14	44
Median processing time (calendar days):		
<i>The Labour Relations Act</i>	33	41
<i>The Workplace Safety and Health Act¹</i>	52	142
<i>The Essential Services Act</i>	N/A	N/A
<i>The Elections Act</i>	N/A	N/A
<i>The Employment Standards Code</i>	105	116
<i>The Public Interest Disclosure Act</i>	50	129

"N/A" - No applications processed in reporting period

¹ - The median processing time for applications filed under *The Workplace Safety and Health Act* was based on the processing of 8 cases in 2016/17 and 28 cases in 2017/18. The processing times are not necessarily indicative of the normal median processing times of the Board.

Ten Year Trends

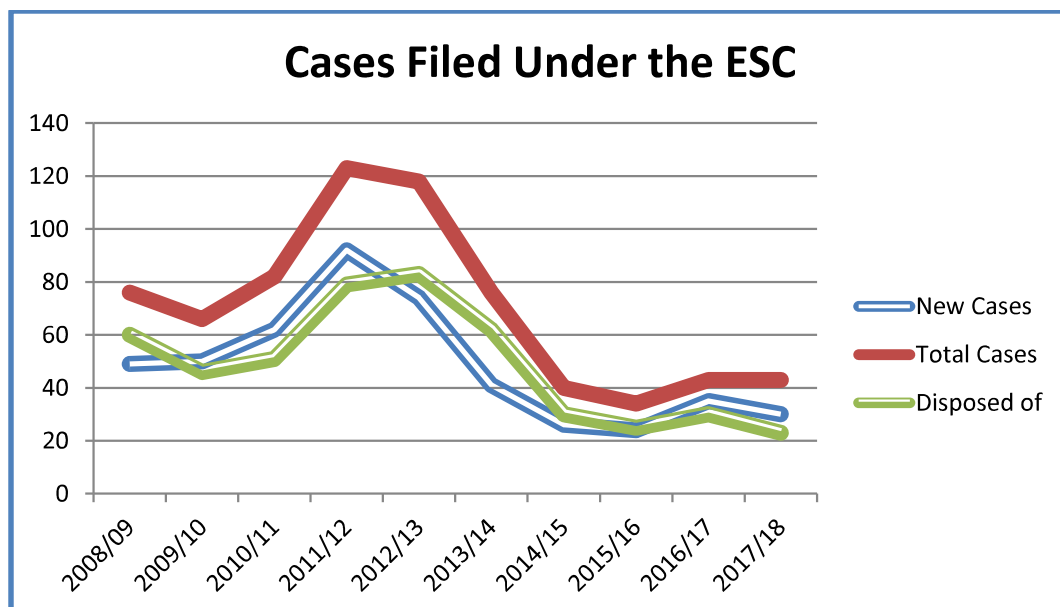


2017/2018 Totals	
New Cases:	241
Total Cases:	290
Disposed:	240

The ten-year trend in the number of new cases filed under *The Labour Relations Act* ranges from the minimum of 200 applications filed in 2016/17 to a maximum of 305 filed in 2011/12. The average number of applications filed each year is 264 files.

On average, the Board disposed of 276 cases per year which were filed under *The Labour Relations Act*.

	Min	Max	Avg
Cases Filed	200	305	264
Total Cases	246	432	353
Disposed	202	334	276

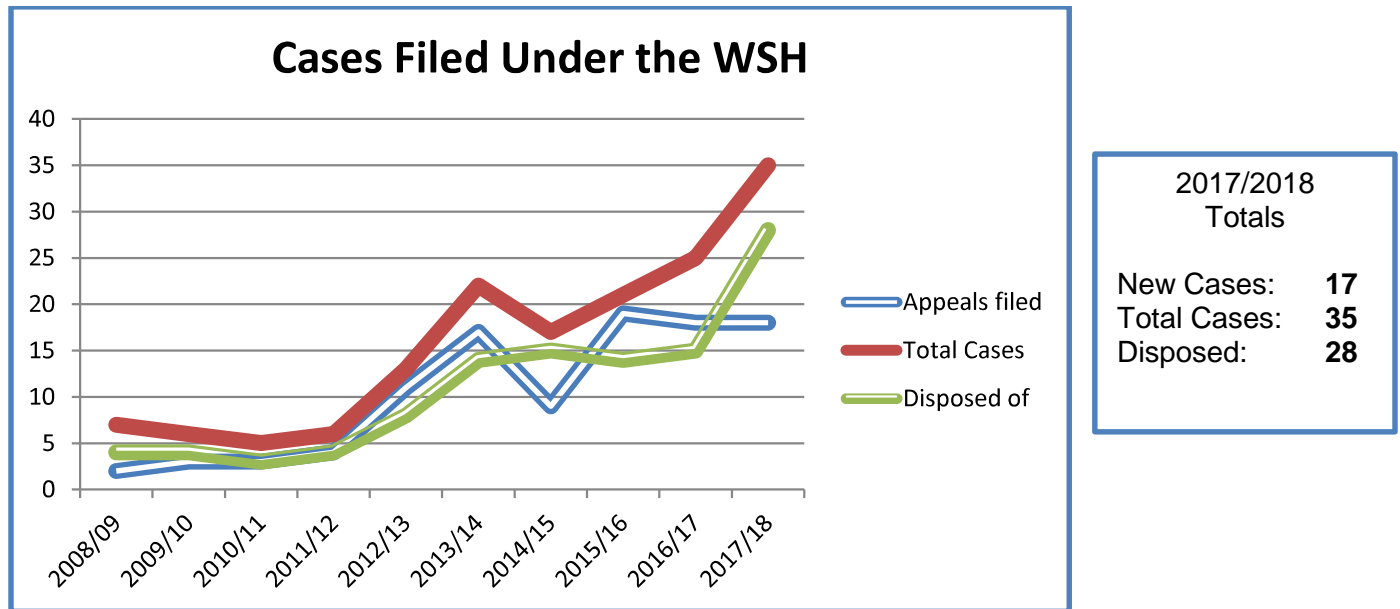


2017/2018 Totals	
New Cases:	30
Total Cases:	43
Disposed:	23

The ten-year trend in the number of new cases filed under *The Employment Standards Code* ranges from the minimum of 24 applications filed in 2015/16 to a maximum of 92 filed in 2011/12. The average number of applications filed each year is 48 files.

On average, the Board disposed of 49 cases per year which were filed under *The Employment Standards Code*.

	Min	Max	Avg
New Cases	24	92	48
Total Cases	34	123	70
Disposed of	23	83	49



The ten-year trend in the number of new cases filed under *The Workplace Safety and Health Act* ranges from the minimum of 2 application filed in 2008/09 to a maximum of 19 filed in 2015/16. The average number of applications filed each year is 10 files.

On average, the Board disposed of 11 cases per year which were filed under *The Workplace Safety and Health Act*.

	Min	Max	Avg
New Cases	2	19	10
Total Cases	5	35	16
Disposed of	3	28	11

Key Statistics in the Reporting Period

- 372 cases before the Board (pending from previous period plus new applications);
- 292 (78.5 percent) of the cases before the Board were disposed of/closed;
- 116 applications scheduled for hearing;
- 53 hearing dates proceeded;
- Board conducted 44 votes; and
- Issued 45 Written Reasons for Decision or Substantive Orders.

Ongoing Activities and Strategic Priorities

- Review and evaluate the organizational structure;
- Develop succession plan for key positions;
- Promote learning plans for staff;
- Conduct bi-annual seminar for vice-chairpersons and Board members;
- Strengthen the capacity to perform mediation;
- Increase use of alternative dispute resolution techniques to effect successful dispute resolutions without the need for formal hearings;
- Improve practices and procedures to increase efficiencies;
- Modernize communications;
- Expand information available on the website for ready access by the labour relations community, legal practitioners, educators and the public;
- Maintain accountability for allocated budget;
- Explore options for creating efficiencies and reducing costs.

Statistiques importantes pendant la période de référence

- 372 cas ont été portés devant la Commission (demandes en instance depuis l'exercice précédent et nouvelles demandes).
- 78.5 % des cas portés devant la Commission (292) ont été réglés ou classés.
- Une date d'audience a été fixée pour 116 demandes.
- La Commission a tenu 53 audiences.
- La Commission a tenu 44 votes.
- La Commission a rendu 45 motifs écrits de décision ou ordonnances importantes.

Activités en cours et priorités stratégiques

- Révision et évaluation de la structure organisationnelle.
- Élaboration d'un plan de relève pour des postes de premier plan.
- Promotion de plans d'apprentissage à l'intention du personnel.
- Tenue de séminaires semestriels pour les vice-présidents et les membres de la Commission.
- Renforcement de la capacité d'effectuer la médiation.
- Augmentation de l'utilisation d'autres modes de règlement des différends afin de permettre le règlement de différends sans avoir recours à des audiences officielles.
- Amélioration des pratiques et des procédures et augmentation de l'efficacité.
- Modernisation des communications.
- Diffusion de davantage de renseignements sur le site Web afin qu'ils soient facilement accessibles aux intervenants du secteur des relations du travail, aux professionnels du droit, aux éducateurs et au public.
- Respect de l'obligation redditionnelle pour le budget alloué.
- Exploration des possibilités pour créer des économies et réduire les coûts.

SUMMARIES OF SIGNIFICANT BOARD DECISIONS

The full text of the Written Reasons and the Substantive Orders issued since January 2007 are available on the Board's website (<http://www.gov.mb.ca/labour/labbrd/decision/index.html>) or from the Board's office, upon payment of the applicable processing fee.

Under *The Labour Relations Act*

Fresh Hemp Foods Ltd. carrying on business as Manitoba Harvest Hemp Foods or Manitoba Harvest - and - Workers United Canada Council

Case No. 260/15/LRA

April 3, 2017

UNFAIR LABOUR PRACTICE – Nineteen Employees terminated – Employer alleged termination for legitimate business reasons – Union alleged that termination and manner in which employees termination motivated by anti-union animus – Employer's onus to demonstrate under section 7 and 9 of the *Labour Relations Act* that decision not at all tainted by any improper motive – Evidence demonstrated that financial issues commenced prior to certification drive – Union took issue with the manner in which termination conducted by Employer and the pressure exercised on employee in signing releases as evidence of anti-union animus – Board not satisfied on evidence presented that Employer's action were evidence of anti-union animus – Union alleged that termination, rather than lay-off, was evidence of anti-union animus – While Board said that termination was an issue of concern, Employer's explanation for proceeding by way of termination was reasonable – Union concerned that terminations not done in order of seniority – Employer said that it reviewed employee files to ensure remaining employees had variety of cross-competencies, work experience in various departments and good disciplinary records – Board concerned with Employer reliance on disciplinary records for two employees that it knew or likely knew were union supporters - For these two employees, Board found that Employer did not establish that terminations were not tainted by improper motive, namely involvement with union – Union alleged improper employer communications to prospective union members during organizing drive – Board determined that evidence on alleged interference inconclusive – Evidence of rumour relating to initiation fee was inconclusive – Allegation by Union that informational letter negatively influenced employees against union inconclusive – Board determined that Employer either actively encouraged or knowingly acquiesced in anti-union communications between individuals whom the Employer was aware were opposed to union to various employees – Employer ordered to reinstate and pay for lost income of 2 employees deemed improperly terminated and pay \$2,000 for interference with rights of Union –Discretionary certification request by Union denied.

REVIEW AND RECONSIDERATION - Union requested Review and Reconsideration of Application for Certification – Application held in abeyance pending future determination of Unfair Labour Practice complaint.

APPLICATION FOR CERTIFICATION – Union filed new Application for Certification – Application held in abeyance pending future determination of Unfair Labour Practice complaint.

BBE Hydro Constructors LP - and - International Association of Bridge, Structural and Ornamental Iron Workers - and - B. N.

Case No. 16/17/LRA

April 25, 2017

DUTY OF FAIR REPRESENTATION – FAILURE TO FILE GRIEVANCE - Employee filed duty of fair representation application submitting Respondents failed to file grievance regarding cheque for late payment of wages – Employee never raised issue with Union with respect to failure to grieve late payment of wages and did not indicate how Respondents acted in arbitrary, discriminatory or bad faith manner - No

provision in collective agreement for Employer to pay late penalty – Application dismissed – Substantive Order.

DUTY OF FAIR REPRESENTATION - DIFFERENTIAL TREATMENT - Employee filed duty of fair representation application submitting he was treated differently and less favourably than other co-workers with respect to suspension from worksite and transportation from worksite – Board found Employee did not assert any facts in application respecting how such differential treatment by Employer constituted violation of section 20 by Union – Application dismissed – Substantive Order.

DUTY OF FAIR REPRESENTATION - JURISDICTION - Employee filed duty of fair representation application submitting Union had only dispatched him once from its hiring hall since September 22, 2016 – Board concluded it did not have jurisdiction under section 20 of the *Act* over this complaint – Application dismissed – Substantive Order.

DUTY OF FAIR REPRESENTATION - PRIMA FACIE – Although application does not expressly allege that Respondents violated section 20 in regard to dismissal, Employee asserted his complaint concerned “failure to grieve” - Board noted application does not contain any facts that failure to grieve constituted violation of section 20 of the *Act* – Once Employee advised Respondent Union his termination was unjust, Respondent Union undertook full and complete investigation of Employee’s situation, - Board found Respondent Union obtained legal opinion from counsel which indicated arbitrator would likely uphold termination, and provided appeal procedures to Employee to appeal his indefinite ban from worksite, which he failed or refused to do – Employee failed to establish *prima facie* violation of Section 20 – Application dismissed – Substantive Order.

Amalgamated Transit Union - and - L.L.

Case No. 221/16/LRA

May 5, 2017

UNFAIR LABOUR PRACTICE – INTERNAL UNION AFFAIRS - Applicant filed unfair labour practice application asserting Union blocked him from running for office and asked that local’s decision regarding meeting credits for three missed membership meetings be reversed; asserting the refusal was caused by a faulty interpretation of the Union’s Bylaws which deemed him ineligible to stand for election as a result of not reaching the threshold for meeting attendance set forth in the Bylaws; also the Union failed to comply with its own Bylaws in relation to posting notice of the nomination meeting - Board not satisfied actions of the Union constituted intimidation, fraud, or coercion, or the imposition of a pecuniary or any other penalty as those terms are employed in section 19(d) of the *Act*. Moreover, it was not established that the Respondent was acting in a manner prohibited by the section in order to compel or induce the Applicant to refrain from becoming, or seeking election as an officer of the union or to otherwise deprive the Applicant of his rights under the *Act*. Jurisdiction limited - violation has not been established. Board accepts evidence individuals and executive board attempted to interpret and apply the relevant provisions of the Bylaws - Applicant failed to establish breach of section 19(d) of the *Act* – Application dismissed – Substantive Order

5984417 Manitoba Ltd. operating as Tim Horton’s Store #3950 - and - Workers United Canada Council

Case No. 153/17/LRA

July 21, 2017

APPLICATION FOR CERTIFICATION – INTERIM ORDER – Employer objected to Union’s description of bargaining unit on basis that not appropriate for bargaining – Employer argued there was regular and recurring interchange of employees between this location and another downtown store – Evidence of integration of both stores not demonstrated in evidence – Board not satisfied that Employer’s submission regarding proliferation of bargaining units and fragmentation sufficient to demonstrate that unit applied for not appropriate for bargaining - Board satisfied that unit applied for by Union appropriate for bargaining – Board orders ballots counted.

University of Manitoba - and - University of Manitoba Faculty Association

Case No. 67/16/LRA

August 15, 2017

UNFAIR LABOUR PRACTICE, ADMINISTRATION OF UNION, BARGAINING DIRECTLY - Faculty association alleged that employer unilaterally developed, promoted and implemented two programs – Voluntary Days Off Program (VDOP) and Vacation Purchase Plan (VPP) – which affected the terms and conditions of employment, which constituted impermissible direct dealing with bargaining unit members contrary to section 6(1) of *The Labour Relations Act* - Employer asserted that it was no longer offering programs to bargaining unit members so the matter was moot, and further that the programs in question only facilitated taking leaves of absence without pay as contemplated by collective agreement.

Board found that by unilaterally implementing and promoting VDOP and VPP, employer engaged in direct dealing with members of faculty association with respect to terms and conditions of their employment - Employer thereby interfered with faculty association's administration and its representation of employees in bargaining unit contrary to section 6 of the Act. Impugned programs affected terms and conditions of employment and were demonstrably bargainable - Board was not satisfied that evidence supported a conclusion that collective agreement and supporting practices contemplate direct negotiations between employer and individual employees on the terms and conditions of the VDOP and VPP - Negotiations and agreement with faculty association with respect to terms and conditions of programs was clearly required given its exclusive authority to bargain collectively on behalf of employees in bargaining unit – Reasons for decision.

Winnipeg Regional Health Authority - and - Manitoba Nurses Union

Case No. 195/17/LRA

August 30, 2017

UNFAIR LABOUR PRACTICE – Interim Order - Union disputed Employer unilateral deductions from Employee wages for alleged overpayments – Union sought cease and desist order in collection of overpayments and in unfair labour practices – Employer argued Board should refuse to hear the Application as matters raised could be determined under Collective Agreement – Board determined this was not a case that satisfied requirements for an interim order – Request for interim relief dismissed - Board ordered Application proceed to oral hearing.

Boeing Canada - and - Unifor 2189 - and - U. V.

Case No. 64/16/LRA

September 19, 2017

DUTY OF FAIR REPRESENTATION - Applicant alleged that Respondent failed in its duty of fair representation when it denied Applicant's request to proceed to arbitration with his grievances regarding unpaid overtime opportunities in four material ways, it failed to conduct a meaningful investigation and acted on irrelevant facts; it made recommendations on settlement and advice based on incomplete facts; its representatives behaved in a matter indicative of bad faith; and it failed to inform him of his right to appeal following a legal opinion - Board determined that Respondent had conducted meaningful investigations of complaints requested and followed a legal opinion - Actions of the Respondent were not, arbitrary, discriminatory or in bad faith. Application dismissed – Substantive Order.

Fresh Hemp Foods Ltd. carrying on business as Manitoba Harvest Hemp Foods or Manitoba Harvest - and - Workers United Canada Council

Case No. 261/15/LRA c/r Case No. 229/15/LRA

November 8, 2017

EXPANDED PANEL, REVIEW, INELIGIBLE VOTER, UNFAIR LABOUR PRACTICE, DISCRETIONARY CERTIFICATION - Review and reconsideration of application for certification dismissed following a tied vote - Unfair Labour Practice and new certification application filed concurrently with this review application

- Union requested that results of vote be quashed and rescinded as a result of improper inclusion of a voter on voters list, further Board should presume that ballot cast by ineligible voter was against the union and therefore grant certification on basis that union won the vote – Alternatively, Board should grant discretionary certification as true wishes of employees in bargaining unit cannot be ascertained through a fresh vote - In the third alternative, Board should reserve its decision pending determinations in a second unfair labour practice application - In the final alternative, Board should exercise its discretion to waive the six-month bar on an application for certification and order that a vote be conducted.

Employer submitted that union did not object to ineligible voter at time of settling of voters list, despite concerns raised about his eligibility - Further it would be improper for Board to presume how ineligible voter cast his ballot - Employer asserted Board had specifically determined in the unfair labour practice application that discretionary certification was not appropriate in that matter, and that this application was not an unfair labour practice application, and therefore statutory conditions necessary for Board to grant discretionary certification had not been met - Finally it was Employer's position that Board should not exercise its discretion to allow new certification application, and therefore new certification application would be untimely.

An expanded panel determined Rules do not contemplate challenge of a voter after a vote has been counted, and doing so would not be in the interest of harmonious labour relations - Further Board was not prepared to make a determination as to manner in which a person voted, indicating that to do so would threaten the integrity of the voting process. Board declined to issue a discretionary certificate as present application was not an unfair labour practice application and previous unfair labour practice application considered and declined discretionary certification as a remedy in that matter - Board exercised its discretion and allowed second certification application to proceed, and ordered a representation vote – Application allowed in part – Substantive Order.

Carte International - and - United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union - and - M. D.

Case No. 81/17/LRA

December 14, 2017

DUTY OF FAIR REPRESENTATION – Prima Facie – Last Chance Agreement (LCA) – Employee presented with LCA following progressive discipline for poor attendance – Union negotiated amendment to LCA with Employer which Employee refused to sign – Employee terminated and Union filed a grievance which was denied by Employer – Staff representative for Union reviewed grievance and wrote recommendation that grievance not proceed to arbitration – Recommendation sent to legal counsel for review and after confirming that Employee did not have any drug or alcohol issues to report, shared it with Union local executive who agreed not to proceed – Board noted its role not to determine appropriateness of Employer's actions but to assess standard of conduct expected of Union when considering interests of members in context of withdrawal or settlement of a grievance – Board determined that Employee did not establish a prima facie violation of section 20 that Union acted in a manner that could be construed as arbitrary, discriminatory or bad faith; or that union failed to take reasonable care while representing his rights – Application dismissed – Substantive Order.

University of Manitoba - and - University of Manitoba Faculty Association

Case No. 215/16/LRA

January 29, 2018

UNFAIR LABOUR PRACTICE, DUTY TO BARGAIN IN GOOD FAITH, UNSOLICITED DISCLOSURE - In Fall of 2016, representatives of Provincial government communicated with University respecting a new mandate requiring a minimum one year pause in wage increases - Collective bargaining had been ongoing for an extended period of time - University failed to disclose its communications with government in a timely manner - University complied with Provincial government's mandate requiring a one year pause in wage increases which resulted in withdrawing wage offer that it had tabled during collective bargaining - University failed to disclose mandate until first day of mediation which occurred shortly prior to strike deadline set by Faculty Association - Lengthy strike ultimately occurred.

University failed to comply with duty to bargain in good faith as set out in section 63 of the Act and thereby committed an unfair labour practice contrary to section 26 of the Act - Duty to bargain in good faith requires timely disclosure of decision and de facto decisions that will have a significant impact on employees in unit - University's failure to make a timely disclosure in present case resulted in Board issuing remedies to Faculty Association and all employees in bargaining unit - Board did not agree that strike was caused by University's unfair labour practice – Reasons for decision.

Under *The Employment Standards Code*

Farm Boy Asphaltting - and - H. D.

Case No. 225/16/ESC

April 21, 2017

WAGES – Calculation - Employer disputed Order to pay Employee wages, general holiday wages and vacation wages asserting Employee did not work during period from November 2 – 10, 2015, that no commission should be payable to Employee and that commission advanced should be reimbursed and not used in any calculation to determine amounts owed for general holiday wages or vacation wages to Employee – Based on photos presented during Employee's evidence, Board satisfied Employee worked during period November 2 – 10, 2015 - Board reviewed Employee's pay statements and concluded that amounts owed to Employee as calculated in Statement of Adjustment were accurate and noted that Employer did not provide documentary evidence to support its claim that it paid additional amounts to Employee - Board satisfied Employee was entitled to claim wages and commission (paid as earnings) with general holiday wages and vacation wages associated with that commission – Substantive Order.

NOTICE – Employer appealed Order to pay wages in lieu of notice on basis it had terminated Employee's employment on October 31, 2015 – Employee claimed he worked until date of termination on November 10, 2015 – In letter, Employer's Counsel suggested that Employee's employment ended on November 12, 2015 - Board accepted Employee's evidence that he was terminated in telephone call on November 10, 2015 - Board concluded that Employee was not terminated for cause and Employer had not established evidence that any of other exemptions in Section 62(1) of the *Code* were applicable – Employee entitled to receive wages in lieu of notice – Substantive Order

APPEAL - PRACTICE AND PROCEDURE - Notice of Appeal - Employment Standards Division ordered Employer to pay wages, general holiday wages, vacation wages and wages in lieu of notice - Employer appealed Order – During Board hearing, Employee made application for leave to appeal Order in favour of additional commission allowances – Board not prepared to award these additional amounts because Employee failed to file written Notice of Appeal specifying grounds for appeal and evidence led by Employee was not sufficient to demonstrate that he was owed any additional amount of compensation - Substantive Order.

Winnipeg Dodge Chrysler Ltd. - and - K. O.

Case No. 218/16/ESC

April 27, 2017

WAGES - OVERTIME – MANAGERIAL EXCLUSION – Employee appealed Dismissal Order and asserted \$5,187.92 in overtime wages were not paid upon termination of employment - Board satisfied Employee did not perform management functions primarily within meaning of section 2(4)(a) of the *Code* – Employee's duties as finance manager related to processing and implementing documents and contracts concerning purchasing and leasing of cars by customers, which were negotiated by sales people and always subject to review and approval of General Manager (G.M.) – Employee did not have supervisory responsibilities nor could he alter any transactions without approval of G.M. or designate – Further, Board satisfied Employee did not have substantial control over hours of work within meaning of section 2(4)(b) of the *Code* – Board noted Employee's contradicted evidence that his hours were scheduled by G.M. and any variation of hours were subject to approval of G.M. – As requirements under subsections 2(4)(a) and (b) of *The*

Employment Standards Code were not met, Employee entitled to receive overtime wages for which he was not paid at rate of 150% of his regular wage rate – Appeal allowed – Substantive Order.

Clearline Self Storage Ltd. - and - O. S.

Case No. 19/17/ESC

June 28, 2017

NOTICE – DISCHARGE – JUST CAUSE - Employee, who was a full time manager, appealed Dismissal Order claiming that he was entitled to receive six weeks wages in lieu of notice pursuant to Section 77 of *The Employment Standards Code* – Once it has been established that employee was dismissed without notice, onus shifts to employer who seeks to take advantage of exceptions – Employer relied on section 62(1)(h) of *The Employment Standards Code* – Board is satisfied that Employee was not honest in his interactions with Employer – Employee was confronted by Employer who had been advised by one of his tenants that items were disappearing in his storage unit – Tenant had taken photographs and personally installed surveillance cameras in his unit and provided copies to Employer – Individual in photographs was Employee's daughter – However, Employee denied knowing individual in photographs to protect her and advised that he did not know how she accessed property, despite acknowledging in his evidence that he provided her with a swipe card – Board concluded Employee's misconduct, coupled with his failure to demonstrably appreciate that his conduct was inappropriate, violates an essential condition of his employment contract – Board determined that Employer has met its onus of demonstrating it had just cause to terminate Employee's employment within meaning of Section 62(1)(h) of *Code* - Appeal dismissed – Substantive Order.

Paradise Restaurant (New Paradise Restaurant Incorporated t/a). - and - N. C. - and - Director, Employment Standards Division

Case No. 156/17/ESC

January 15, 2018

WAGES – OVERTIME WAGES – ASSOCIATED OR RELATED COMPANIES – SINGLE EMPLOYER -

Employer appealed Order to pay overtime wages – Board noted that a single Employer declaration can be made when associated or related businesses are carried on under common control or direction – Board found that the companies did not distinguish hours worked by Employee at each restaurant - Employee worked exclusively at Paradise Restaurant Co. Ltd. and did little, if anything related to the operation at New Paradise Restaurant Incorporated – Paradise Restaurant Co. Ltd. paid Employee for first forty hours worked in a week and any hours worked beyond forty hours were paid by New Paradise Restaurant Incorporated – Board found that structuring Employee's pay in this fashion had effect of substantially impairing Employee's rights under the *Code*, by depriving her of overtime wages to which she would have been entitled if the related businesses were carried on through a single corporate entity - Other factors considered were: there was a relationship between the ownership of the two companies, both companies operated Italian restaurants in Winnipeg serving the same general market, both companies utilized overlapping work forces and supported each other - Board concluded that Paradise Restaurant Co. Ltd.; and New Paradise Restaurant Incorporated to be a single employer under Section 134(1) of the *Code* – Substantive Order

WAGES – OVERTIME WAGES – CONTRACTING OUT - Employer disputed Order to pay Employee

overtime wages on basis that Employee requested additional hours and agreed that she would not be paid overtime rates for any hours worked in excess of forty hours in a week – Employee adamantly denied the existence of such agreement - Board concluded that even if the evidence had established the existence of such an agreement, the parties cannot contract out of the minimum protective provisions of subsections 3(3) and 4(1) the *Code* - Employer's appeal dismissed - Substantive Order

Under The Workplace Safety and Health Act

BBE Hydro Constructors LP - and - E. S. - and - Director, Workplace Safety and Health

Case Nos. 184, 185, 186, 187,189, 190, 191 & 192/16/WSH

April 18, 2017

DISCRIMINATORY ACTION – Appeal by Employee of Director’s dismissal of discriminatory action complaint – Preliminary issues raised by Employer regarding timeliness of Appeal; that no prima facie case established - Hearing by written submissions – Incident occurred on or about October 3, 2014 – Complaint filed on June 7, 2016 – Board determined that elements of Appeal did not demonstrate a prima facie case – Appeal also dismissed due to timeliness.

Marathon Drilling - and - E. C. - and - Director, Workplace Safety & Health

Case No. 87/17/WSH

September 19, 2017

DISCRIMINATORY ACTION – Employee emailed Minister of Justice and Attorney General of Manitoba regarding his discriminatory action complaint, which was ultimately directed to the Workplace Safety and Health Branch for response - In this correspondence, he expressed that: “I do not agree to be deceived and unjustly punished by officials from [the] Office of [the] Fire Commissioner and Workplace Safety and Health of Manitoba” – Preliminary Issue raised by Employer that Employee did not file appeal in accordance with section 37 of the Workplace Safety and Health Act, that there was no basis for the matter to be referred to the Board, and that Appeal should be dismissed without hearing - Board provided several opportunities to the Employee to provide response to the preliminary issue - No response provided – Board determined that Appellant has not made clear his intention for an appeal – Appeal dismissed –Substantive Order.

Sport Chek - and - N. C. - and - Director, Workplace Safety & Health

Case No. 74/17/WSH

October 23, 2017

DISCRIMINATORY ACTION – TERMINATION - Director Workplace Safety and Health referred Employee’s appeal of a decision dismissing discriminatory action complaint - Board found Employee gave information about workplace conditions affecting safety, health or welfare of any worker to Employer on numerous occasions, specifically with regards to violent encounters relating to shoplifting and, as such, he acted in manner contemplated by subsection 42(1) of The Workplace Safety and Health Act – Onus shifted to Employer to establish discriminatory action not influenced by Employee’s conduct described in section 42 – Employer asserted that termination of employment was contemplated several months before it took place, that it had been delayed due to financial constraints in previous fiscal year, was further delayed by an incident investigation, and employment was ultimately terminated without cause – Employer provided evidence to suggest that Employee’s raising of safety and health concerns partly predicated on promotion of new business venture – Board noted Workplace Safety and Health attended workplace and determined Employer’s violence prevention program was compliant with WSHA and applicable regulations – Board satisfied Employer’s decision to terminate Employee not influence by fact he had conducted himself in manner described in section 42 of the Act - Appeal dismissed – Substantive Order.

Manitoba Hydro - and - U. I. X. - and - International Brotherhood of Electrical Workers, Local 2034 - and - Director, Workplace Safety & Health

Case No. 34/17/WSH

January 24, 2018

DISCRIMINATORY ACTION – Appeal by Employee of Director’s dismissal of discriminatory action complaint – Appellant claimed that his work scheduled had been modified after he had raised a safety issue with Employer relating to unlicensed electricians - Appellant said that reassignment resulted in fewer hours

of overtime – Board’s role to determine whether Employer’s actions tainted with retaliation against employee for exercise of rights under Workplace Safety and Health Act (“WSHA”) – While Board ruled that Employee met prima facie case under WSHA, Board satisfied that Employer’s discharged onus to prove that safety issues raised by Appellant did not influence Employer’s decision to reassign Appellant – Appeal dismissed – Substantive Order.

River East Transcona School Division - and - N. N. - and - Director, Workplace Safety & Health

Case No. 169/17/WSH

March 7, 2018

DISCRIMINATORY ACTION – Appeal of Employer of Director’s decision that Employer had contravened The Workplace Safety and Health Act, and issuance of three improvement orders as a result - Employee alleged that he was disciplined due to raising health and safety concerns – Employer completed an independent investigation into matters that had occurred in workplace, which led to written warning for Employee – Board accepted Employer evidence that investigator made independent findings in accordance with “Respectful Schools and Workplaces” policy - Board not satisfied Employee met initial onus to establish nexus between termination and conduct as falling within section 42(1)(e) of The Workplace Safety and Health Act – In any event, Board not satisfied that discipline linked to Employee having raised health and safety concerns – Request from Employee for Board to extend timelines for filing of grievance denied – Improvement Orders issued on Employer by Director set aside - Appeal dismissed.

STATISTICAL TABLES

TABLE 1
STATISTICS RELATING TO THE ADMINISTRATION OF THE LABOUR RELATIONS ACT
(April 1, 2017 – March 31, 2018)

Type of Application	Cases Carried Over	Cases Filed	Total	Disposition of Cases					Number of Cases Disposed	Number of Cases Pending
				Granted	Dismissed	Withdrawn	Did Not Proceed	Declined to Take Action		
Certification	6	40	46	32	6	6	0	0	44	2
Revocation	0	7	7	5	1	0	0	0	6	1
Amended Certificate	0	51	51	38	0	1	0	0	39	12
Unfair Labour Practice	17	22	39	3	3	25	0	0	31	8
Board Ruling	4	8	12	1	0	7	0	1	9	3
Review and Reconsideration	1	3	4	1	1	0	0	0	2	2
Successor Rights	0	0	0	0	0	0	0	0	0	0
Termination of Bargaining Rights	0	1	1	0	0	1	0	0	1	0
Changes in Work Conditions (Sec.10(1)) ¹	0	0	0	0	0	0	0	0	0	0
Changes in Work Conditions (Sec. 10(3)) ²	0	4	4	4	0	0	0	0	4	0
Duty of Fair Representation (Sec. 20)	9	24	33	0	14	6	0	0	20	13
Speed Up Decision (Sec. 125(4))	0	0	0	0	0	0	0	0	0	0
Access Agreement (Sec. 22)	0	0	0	0	0	0	0	0	0	0
Ratification Vote Complaint (Sec. 69, 70)	0	0	0	0	0	0	0	0	0	0
Minister Requires Ratification Vote (Sec. 72.1)	0	0	0	0	0	0	0	0	0	0
Religious Objector (Sec. 76(3))	0	1	1	1	0	0	0	0	1	0
First Collective Agreement (Sec. 87(1))	0	6	6	1	0	4	0	0	5	1
Subsequent agreement (Sec. 87.1(1))	0	0	0	0	0	0	0	0	0	0
Appoint Arbitrator (Sec. 115(5))	1	3	4	1	0	3	0	0	4	0
Extension of Time Limit (Sec. 130(10.1))	0	0	0	0	0	0	0	0	0	0
Disclosure of Union Information (Sec. 132.1)	0	0	0	0	0	0	0	0	0	0
Referral for Expedited Arbitration ³	11	71	82	-	-	-	-	-	74	8
Totals	49	241	290	87	25	53	0	1	240	50

1. When an Application for Certification is filed with the Board, changes in conditions of employment cannot be made without the Board's consent until the Application is disposed of.
2. Within the first 90 days following certification of a union as a bargaining agent, strikes and lockouts are prohibited, and changes in conditions of employment cannot be made without the consent of the bargaining agent. Applications under this section are for an extension of this period of up to 90 days.
3. See Table 3 for a breakdown of statistics relating to applications for referral for expedited arbitration.

TABLE 2
STATISTICS RELATING TO THE ADMINISTRATION OF THE LABOUR RELATIONS ACT RESPECTING REPRESENTATION VOTES
(April 1, 2017 – March 31, 2018)

TYPE OF APPLICATION INVOLVING VOTE	Number of Votes Conducted	Number of Employees Affected by Votes	Applications GRANTED After Vote	Applications DISMISSED After Vote	Applications Withdrawn After Vote	Outcome Pending	Vote Conducted but not counted
Certification	40	595	32	5	1	2	7
Revocation	4	85	4	0	0	0	0
Intermingling	0	0	0	0	0	0	0
Termination of Bargaining Rights	0	0	0	0	0	0	0

TABLE 3
STATISTICS RELATING TO THE ADMINISTRATION OF THE LABOUR RELATIONS ACT RESPECTING REFERRALS FOR EXPEDITED ARBITRATION
(April 1, 2017 – March 31, 2018)

Cases Carried Over	Referrals Filed	TOTAL	Cases Where Mediator Appointed	Disposition of Cases						
				Settled by Mediation	Settled by Parties	Arbitration Award Issued	Declined to Take Action	Withdrawn	Cases Disposed	Cases Pending
11	71	82	8 ¹	8	27	6	1	32	74	8

1. - The count of mediators appointed relates to the files opened during the fiscal year. In cases where two or more applications were consolidated, the mediation is counted as one appointment.

TABLE 4
STATISTICS RELATING TO THE ADMINISTRATION OF THE EMPLOYMENT STANDARDS CODE
(April 1, 2017 – March 31, 2018)

Cases Carried Over	Number of Applications Filed	TOTAL	Orders Issued by the Board	Applications Withdrawn	Not Proceeded with by Applicant	Number of Cases Disposed of	Number of Cases Pending
13	30	43	12	11	0	23	20

TABLE 5
STATISTICS RELATING TO THE ADMINISTRATION OF *THE WORKPLACE SAFETY AND HEALTH ACT*
(April 1, 2017 – March 31, 2018)

Cases Carried Over	Number of Applications Filed	TOTAL	Decisions/Orders Issued by the Board	Applications Withdrawn	Number of Cases Disposed	Number of Cases Pending
18	17	35	16	12	28	7

TABLE 6
STATISTICS RELATING TO THE ADMINISTRATION OF *THE ESSENTIAL SERVICES ACT*
(April 1, 2017 – March 31, 2018)

Cases Carried Over	Number of Applications Filed	TOTAL	Orders Issued by the Board	Applications Withdrawn	Not Proceeded with by Applicant	Number of Cases Disposed of	Number of Cases Pending
0	0	0	0	0	0	0	0

TABLE 7
STATISTICS RELATING TO THE ADMINISTRATION OF *THE ELECTIONS ACT*
(April 1, 2017 – March 31, 2018)

Cases Carried Over	Number of Applications Filed	TOTAL	Orders Issued by the Board	Applications Withdrawn	Not Proceeded with by Applicant	Number of Cases Disposed of	Number of Cases Pending
0	0	0	0	0	0	0	0

TABLE 8
STATISTICS RELATING TO THE ADMINISTRATION OF *THE PUBLIC INTEREST DISCLOSURE (WHISTLEBLOWER PROTECTION) ACT*
(April 1, 2017 – March 31, 2018)

Cases Carried Over	Number of Applications Filed	TOTAL	Orders Issued by the Board	Applications Withdrawn	Not Proceeded with by Applicant	Number of Cases Disposed of	Number of Cases Pending
1	3	4	0	1	0	1	3

TABLE 9
STATISTICS RELATING TO BOARD HEARINGS
(April 1, 2017 – March 31, 2018)

During the reporting period, 301 matters were scheduled to be heard involving 116 applications. ¹	Scheduled Hearing Dates	Hearing Dates that Proceeded	Percentage of Proceeded to Scheduled
Number of hearing dates ²	301	53	18%

- 1 A "matter" may deal with one or more applications. For example, a matter could involve one application for unfair labour practice or a matter could involve an unfair labour practice and a related application for certification.
2 A hearing can be either a full or half day.

TABLE 10
FIRST AGREEMENT LEGISLATION REVIEW OF CASES FILED
(April 1, 2017 – March 31, 2018)

Union	Employer	Date of Application	Outcome of Application	Status as at March 31
<u>Pending from Previous Reporting Period</u>				
Nil				
<u>New Applications from Current Reporting Period</u>				
Physicians and Clinical Assistants of Manitoba	Prairie Mountain Health	April 28, 2017	Board imposed first collective agreement	Expires June 27, 2018
International Union of Operating Engineers, Local 987	Municipality of Swan Valley West	May 16, 2017	Withdrawn	
Workers United Canada Council	KFC Taco Bell (Hi Flyer Food Canada cob)	August 2, 2017	Withdrawn	
Workers United Canada Council	KFC Taco Bell (Hi Flyer Food Canada cob)	August 2, 2017	Withdrawn	
Manitoba Government and General Employees' Union	Southern Health – Santé Sud	January 12, 2018	Withdrawn	
International Union of Operating Engineers, Local 987	Rural Municipality of Victoria Beach	March 28, 2018	Pending	

TABLE 11
SUBSEQUENT AGREEMENT LEGISLATION REVIEW OF CASES FILED
(April 1, 2017 – March 31, 2018)

Union	Employer	Date of Application	Outcome of Application	Status as at March 31
<u>Pending from Previous Reporting Period</u>				
Nil				
<u>New Applications from Current Reporting Period</u>				
Nil				