

Manitoba



MANITOBA LABOUR BOARD

Suite 500, 5th Floor - 175 Hargrave Street, Winnipeg, Manitoba, Canada R3C 3R8
T 204 945-2089 F 204 945-1296
www.manitoba.ca/labour/labbrd
MLBRegistrar@gov.mb.ca

June 15, 2021

EMAIL and REGULAR MAIL

Dear Winnipeg School Division Employee:

**Re: Manitoba Government and General Employees' Union
- and -
WINNIPEG SCHOOL DIVISION
- and -
Winnipeg Association of Non-Teaching Employees
An Application for Certification
Case No. 90/21/LRA**

The Manitoba Labour Board has received an application from the Manitoba Government and General Employees' Union (MGEU) seeking certification as bargaining agent for a unit of employees within the Winnipeg School Division.

A Notice of this Application was posted in your workplace on June 10, 2021.

Please be advised that the Board has directed that an updated Notice be provided to all affected employees by regular mail and email and has extended the deadline for filing a response under Section 45 of the Act (as outlined in the attached Notice) until Tuesday, June 22, 2021.

Any response should be sent in by email to mlbregistrar@gov.mb.ca.

The Employer was instructed to provide the Board with a list of the names, addresses and work email addresses for the individuals that may be affected by this Application and intends to communicate using email for any future correspondence. Please monitor your work email.

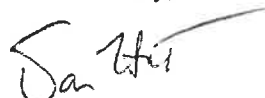
If you wish to receive correspondence at a different email address please send an email to the Board at mlbregistrar@gov.mb.ca advising your full name, mailing address and the email address you wish us to use on or before June 22, 2021.

Your mailing and email addresses will not be shared with any other party.

If you have any questions or concerns regarding this process, please contact me at 204-771-5349 and request to speak to me.

Note: If the Manitoba Labour Board determines that this matter proceeds to a vote, affected employees will be given an opportunity to cast their ballots at that time.

Yours truly,


Dan Hodgert
BOARD OFFICER

DH/acr
Encl.



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FORM III: Notice to Employees of Filing of Application for Certification

THE LABOUR RELATIONS ACT

Case No. 90/21/LRA

BETWEEN:

Manitoba Government and General Employees' Union,

Applicant,

- and -

WINNIPEG SCHOOL DIVISION,

Employer.

To the Employees of the above-named Employer:

TAKE NOTICE that the above-named Applicant has filed in the office of the Manitoba Labour Board an application seeking certification as bargaining agent for a unit of employees of the above-named Employer described as:

“Without limiting the generality of the foregoing, all Clerical (school and non-school sites), Computer Technicians, Library Technicians, Educational Assistants, Clinician Assistants, Interpreters, Food Coordinators, Vocational Trainers, Home Learning Assistants, Work Experience Coordinators, Crossing Guards, Child Development Lab Assistants, Coordinator Volunteer Services, Assistant Coordinator Volunteer Services, employed by the Winnipeg School Division, in the City of Winnipeg, in the Province of Manitoba, save and except those excluded by the Act.”

AND TAKE NOTICE that any employee, or group of employees, affected by the application who wish, pursuant to Section 45 of the *Act*, to file an objection or oppose the application being granted, must file a written statement with the Board stating the reason for their objection to the application. The statement must be verified by statutory declaration.

The statement must include the return mailing address of the employee, or where made by a group of employees, the mailing address of a representative of the group. A statement that does not include the above required addresses mentioned may not be accepted by the Board. The statement is to be filed in the office of the Board at Suite 500, 5th Floor – 175 Hargrave Street, Winnipeg, Manitoba **ON OR BEFORE Tuesday, June 22, 2021**. Failure to do so within this time limit could result in the Board refusing to accept it.

PLEASE NOTE: The Board upon receipt of such statement, shall serve a copy of any such objection, in its entirety, with the signature thereon, on the Applicant Union, the Employer and any other Interested Party pursuant to Rule 9(2) of *Manitoba Regulation 17/2002* (which amends *Manitoba Regulation 184/87*).

Issued from the office of the Manitoba Labour Board this 15th day of June, 2021.

A/Registrar

The Manitoba Labour Board

RM/acr

INFORMATION TO EMPLOYEES

If it is your intention to file a statement of objection, as referred to in the attached **FORM III: NOTICE TO EMPLOYEES OF FILING OF APPLICATION FOR CERTIFICATION**, the following sections of *The Labour Relations Act* may be relevant to your concerns. This information is not meant to be exhaustive of the rights of employees as it relates to *The Labour Relations Act* and is for informational purposes only. If you have any further concerns, or wish to file a statement, you may call the office of the Manitoba Labour Board at 945-2089 or by fax 945-1296.

Information to be provided to employee

45(3.1) *A union, or a person acting on behalf of a union, that solicits the support of an employee for an application for certification shall, at the time of the solicitation, provide the employee with information respecting the amount payable, or that is reasonably expected to be payable, by a member of the union for any initiation fees and regular membership dues.*

Board power re solicitation of membership

45(4) *Where a union applies to the board to be certified as the bargaining agent for employees in a unit and the board is satisfied that, in the solicitation of memberships, the union or an person acting on behalf of the union*

(a) *engaged in or committed acts of intimidation, fraud or coercion, or threatened to impose a pecuniary or any other penalty, to compel or induce a person to become a member of the union; or*

(b) *failed to comply with subsection (3.1);*

the board

(c) *may, in a case under clause (a), dismiss the application or order a vote to determine the wishes of the employees in the unit; and*

(d) *shall not, in a case under clause (b), accept the membership of an employee in the union as evidence of the wish of the employee to have the union represent the employee as bargaining agent, where the employee did not receive information in accordance with subsection (3.1).*

Standing of employee on certification application

47(2) *Any employee in a unit proposed by a union or determined by the board to be appropriate for collective bargaining may file an objection to an application for certification by the union on the ground that there was intimidation, fraud, or coercion, or the threatened imposition of a pecuniary or any other penalty, by the union or any person acting on behalf of the union, involved in the solicitation of union memberships.*

PLEASE NOTE:

Where, in accordance with the Act or the Regulations, an objection to an Application for Certification is filed by an employee or a group of employees, the Board, upon receipt, shall serve a copy of any such objection, in its entirety, with the signature thereon, on the Applicant Union, the Employer and any other Interested Party, pursuant to Rule 9(2) of Manitoba Regulation 17/2002 (which amends Manitoba Regulation 184/87).