

**Form A-22**

**File No. 0815-16-R**

LABOUR RELATIONS ACT, 1995

**RESPONSE TO APPLICATION FOR DECLARATION  
CONCERNING STATUS OF SUCCESSOR TRADE UNION**

BEFORE THE ONTARIO LABOUR RELATIONS BOARD

**Between:**

Public Service Alliance of Canada

**Applicant,**

- and -

Carleton University Postdoctoral Association

**Responding Party  
Trade Union,**

- and -

Carleton University

**Responding Party  
Employer.**

**The responding party trade union states in response to the application:**

**OR**

**The responding party employer states in response to the application:**

**OR**

\_\_\_\_\_ **intervenes in this**  
**(Name of Intervenor)**

**proceeding and states in response to the application:**

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1. (a) Correct name of the responding party **Employer:**

**Carleton University**

(b) Address, telephone number, facsimile number and e-mail address of the responding party:

**Human Resources  
507 Robertson Hall  
1125 Colonel By Drive  
Ottawa, Ontario K1S 5B6**

**Robert Monti (Counsel)  
Telephone: 613-520-2600 x8635  
Fax: 613-520-4464  
Email: [Robert.monti@carleton.ca](mailto:Robert.monti@carleton.ca)**

(c) Name, address, telephone number, facsimile number and e-mail address of a contact person for responding party:

**Jacques A. Emond  
Emond Harnden, LLP  
707 Bank Street  
Ottawa, Ontario K1S 3V1  
Telephone: 613-940-2730  
Fax: 613-563-8001  
Email: [jemond@ehlaw.ca](mailto:jemond@ehlaw.ca)**

(d) E-mail address of representative and assistant (if any):

**Counsel:** Jacques Emond      **Assistant:** Josephine (Jo) Bruno  
[jemond@ehlaw.ca](mailto:jemond@ehlaw.ca) ..... [jbruno@ehlaw.ca](mailto:jbruno@ehlaw.ca)

**Paralegal:**      **Assistant:**

**other:**      **Assistant:**

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2. (a) Name, address, telephone number, facsimile number and e-mail address of any other person, trade union, employer or employers' organization who may be affected by the application and who has not already been identified by another party:

**n/a**

- (b) The person, trade union, employer or employers' organization named in paragraph 2(a) is affected by the application for the following reason(s):

**n/a**

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[You must deliver to the person(s) named in paragraph 2(a): a copy of the application, a copy of the Notice to Responding Party and/or Affected Party of Application for Declaration Concerning Status of Successor Trade Union, a completed copy of your response, and a blank response form. You must also complete the attached Certificate of Delivery.]

- [ x ] has
3. The applicant [ ] has not acquired the rights, privileges and duties of its predecessor

**Carleton University Postdoctoral Association**

(Name of predecessor union)

4. [ x ] The responding party consents to the declaration requested being made without an oral hearing by the Board.

**OR**

- [ ] The responding party requests an oral hearing of the application by the Board and undertakes to attend a hearing for this purpose. The responding party makes the following representations in support of its request:

\_\_\_\_\_

\_\_\_\_\_  
(Explain why the Board should schedule an oral hearing in this matter.)

5. The following statements in the application are agreed to:

**n/a**

\_\_\_\_\_

6. The following statements in the application are not agreed to:

**n/a**

\_\_\_\_\_

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7. In support of its response, the responding party relies on the following material facts:

**n/a**

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(Include **all** of the material facts on which you rely including the circumstances, what happened, where and when it happened, and the names of any persons said to have acted improperly. Please note that you will not be allowed to present evidence or make any representations about any material fact that was not set out in the response and filed promptly in the way required by the Board's Rules of Procedure, except with the permission of the Board.)

8. In respect of the order(s) requested by the applicant, the responding party makes the following representations:

**n/a**

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(Describe your position with respect to the order(s) requested by the applicant. Include **all** of the submissions that you would like the Board to consider.)

9. The responding party submits with this response the following documents:

**n/a**

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(List **all** documents upon which you will be relying in this case and include copies of them. The documents must be arranged in consecutively numbered pages and must be accompanied by a table of contents describing each document.)

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10. **[Complete this section only if you are intervening in this case.]**

The intervenor claims to be affected by the application for the following reasons:

n/a

11. Other relevant statements:

**The Responding Party Employer, Carleton University, does not oppose this transfer.**

**DATED** June 27, 2016.

**CARLETON UNIVERSITY**  
**Per: Emond Harnden LLP on**  
**behalf of the Responding Party**  
**Employer**



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**Signature for the Responding  
Party/Intervenor**

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**CERTIFICATE OF DELIVERY**

1. I certify that a completed copy of the response was delivered to [x ] the applicant, [ ] the responding party or parties, and/or [ x] any affected party named in paragraph 2 of the application or in a response filed by another party, as follows:

<b>Public Service Alliance of Canada</b>	<b>(613) 563-3492</b>
<b>Attention: Shannon Blatt</b>	<b>1 (604) 566-0402</b>
Name of Organization and name and title of person to whom documents were delivered	Address or facsimile number to which documents were delivered

<b>Public Service Alliance of Canada</b>	<b>(613) 563-3492</b>
<b>Attention: Mr. Adrian Dumitru</b>	<b>1 (604) 566-0402</b>
Name of Organization and name and title of person to whom documents were delivered	Address or facsimile number to which documents were delivered

2. **[Complete this section only if you named an affected party in paragraph 2 of your response that was not named in paragraph 2 of the application or a response filed by another party.]**

I certify that the following documents were delivered to the affected party named in paragraph 2 of this response:

- a copy of the application;
- a copy of the Notice to Responding Party and/or Affected Party of Application for Declaration Concerning Status of Successor Trade Union (Form C-8);
- a completed copy of the response; and
- a blank copy of a Response to Application for Declaration Concerning Status of Successor Trade Union (Form A-22).

\_\_\_\_\_  
Name of Organization and name and title of person to whom documents were delivered

\_\_\_\_\_  
Address or facsimile number to which documents were delivered

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**[Complete either section 3 or section 4 or section 5 below.]**


3. The documents delivered by [ x ] facsimile transmission or [ ] hand delivery on June 27, 2016 on or before 4:30p.m.  
(Date)

4. The documents sent by [ ] regular mail on \_\_\_\_\_  
(Date)  
at \_\_\_\_\_ a.m./p.m.

5. The documents given to \_\_\_\_\_ on  
(Name of Courier)  
\_\_\_\_\_, and I was advised that they would be  
(Date)  
delivered not later than \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m.  
(Date)

NAME: Josephine Bruno

TITLE: Legal Assistant

SIGNATURE: 



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### IMPORTANT NOTES

#### **FRENCH OR ENGLISH**

Si vous communiquez avec la Commission, vous avez le droit de recevoir des services en français et en anglais. Vous pouvez consulter les règles de la Commission, les formulaires et les bulletins d'information sur le site Web de la Commission au [www.olrb.gov.on.ca](http://www.olrb.gov.on.ca) ou composer le 416-326-7500 ou (sans frais) le 1 877 339-3335 pour de plus amples renseignements. Veuillez prendre note que la Commission n'offre pas de services d'interprétation dans les langues autres que le français et l'anglais.

You have the right to communicate with, and receive available services from, the Board in either English or French. You can access the Board's Rules, Forms and Information Bulletins from its website at [www.olrb.gov.on.ca](http://www.olrb.gov.on.ca) or by calling 416-326-7500. Please note that the Board does not provide translation services in languages other than English or French.

#### **CHANGE OF ADDRESS**

Please notify the Board immediately of any change in your address, phone or fax numbers, or your e-mail address. If you fail to notify the Board of any changes, correspondence sent to your last known address may be deemed to be reasonable notice to you and the application may proceed in your absence.

#### **EMAIL**

If you have provided an e-mail address with your contact information, the Board will in all likelihood communicate with you by e-mail from a generic outgoing address. Please be advised that the Board is not yet equipped to receive communications from you by e-mail.

#### **OLRB RULES OF PROCEDURE**

The Board's Rules of Procedure describe how an application, response or intervention must be filed, what information must be provided and the time limits that apply. You can obtain a copy of the Rules from the Board's office at 505 University Avenue, 2<sup>nd</sup> Floor, Toronto, Ontario, M5G 2P1 (Tel: 416-326-7500) or from the Board's website.

#### **ACCESSIBILITY and ACCOMMODATION**

In accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*, the Board makes every effort to ensure that its services are provided in a manner that respects the dignity and independence of persons with disabilities. Please tell the Board if you require any accommodation to meet your individual needs.

#### **FREEDOM OF INFORMATION and PROTECTION OF PRIVACY**

Personal information is collected on this form under the authority of the Board's governing legislation to assist in the processing of this application. In

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addition, information received in written or oral submissions may be used and disclosed for the proper administration of the Board's legislation and processes. The *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990 F.31 governs the collection, use and disclosure of this information.

Any information that you provide to the Board that is relevant to this application must in the normal course be provided to the other parties to the proceeding.

### ***HEARINGS and DECISIONS***

Board hearings are open to the public unless the panel decides that matters involving public security may be disclosed or if it believes that disclosure of financial or personal matters would be damaging to any of the parties. Hearings are not recorded and no transcripts are produced.

The Board issues written decisions, which may include the name and personal information about persons appearing before it. Decisions are available to the public from a variety of sources including the Ontario Workplace Tribunals Library, and over the internet at [www.canlii.org](http://www.canlii.org), a free legal information data base. Some summaries and decisions may be found on the Board's website under *Highlights* and Recent Decisions of Interest.