

WHAT'S NEW

ISSUE 12 - December 2012

In an effort to keep the Labour Relations Community informed on an ongoing basis of happenings at the Labour Relations Board, the Board produces a monthly newsletter - "What's New." The following is Issue 12 for 2012.

NEWS AROUND THE BOARD

New Board Officer – The Board is pleased to announce that Don Watson is the successful candidate for the position of Labour Relations Officer in the Edmonton office. Don has a Masters Degree in Public Administration and a BA (Honors) from Carleton University. He has over 15 years of directly related experience in human resource management and labour relations, and has worked in a variety of sectors including with the provincial government in B.C., the Alberta government, in health care and most recently in the post-secondary sector.

Don's first day with the Board will be Wednesday, January 2, 2013.

ALRB Seasonal Open House – The Board will be hosting its annual Open House on Wednesday, December 19, 2012 from 2:00 to 6:00 pm. Please stop by for refreshment, food and an opportunity to catch up with friends and colleagues from the labour relations world.

RECENT CASES

Construction Labour Relations – An Alberta Association v. Driver Iron Inc., International Association of Bridge, Structural, Ornamental and Reinforcing Ironworkers, Local Union No. 720 and Alberta Labour Relations Board

Following a relatively long history of litigation, the Supreme Court of Canada recently confirmed the Board's original decision in *CLRa v. Driver Iron et al.* In allowing the appeal, the Court reinstated the Board's original decision which found an employer actually or customarily engaged in the construction industry that enters into an agreement with a trade union bound by a registration certificate which picks up some of the terms of the registration agreement is bound by the entirety of the registration agreement. Put another way, such parties cannot pick and choose which provisions of the registration collective agreement will apply – choosing to be bound by some of the terms of the registration agreement automatically results in the entirety of that agreement applying.

The only limitation on this result would appear to be that the registration agreement will apply but only while any agreement to comply remains in force.