



ALRB Cite: CLRa v. Finch Labour Contractors Ltd. et al.
[1987] Alta.L.R.B.R. 401

CONSTRUCTION LABOUR RELATIONS, Edmonton, Alberta and MECHANICAL (Calgary) TRADE DIVISION, Edmonton, Alberta and FINCH LABOUR CONTRACTORS LTD., Calgary, Alberta, and ALL SERVICES PLUMBING & HEATING LTD., Calgary, Alberta and CJB MECHANICAL, St. Albert, Alberta and KEMTEK CONSTRUCTION LIMITED, Calgary, Alberta, Applicants and UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA, LOCAL UNION 179, Calgary, Alberta, Respondent and UNITED ASSOCIATION OF JOURNEYMEN AND APPRENTICES OF THE PLUMBING AND PIPEFITTING INDUSTRY OF THE UNITED STATES AND CANADA, LOCAL UNION 496, Calgary,, Alberta, Respondent. Board Files L.R. 325-A-1, L.R. 325-C-2, L.R. 325-F-1, L.R. 325-K-1, Reg. #13. July 14, 1987.

A.K. Aldridge, Vice-Chairman and G. Hyslop, N. Leclaire, Members

For the Applicants: H. McPhail

For Respondents: L. Cook, G.L. Meservler

Reconsideration - s. 18(1) - Requests by employers to vary certificates and registration certificate.

Reconsideration - s. 18(1) - Allegations that second Union local being utilized to avoid registration provisions.

Registration - s. 52 - Evidence of majority support required on application to vary registration certificate — Cannot be assumed that presently affected employers support application.

A Registered Employers' Organization ("R.E.O.") and four Employers requested the Board to reconsider and amend the certificates issued to a Union local ("Local 179") by naming another local ("Local 496") of the Union in the certificates. Also sought was a variance of the relevant Registration Certificate to include reference to Local 179 in addition to Local 496. The Applicants argued that the two locals had a common trade jurisdiction and were effectively the same entity and were being utilized as part of a scheme to circumvent registration by enabling the Union to bargain individually with employers through Local 179.

No basis was found for reconsidering the certificates issued to Local 179. The commonality of trade jurisdictions was known at the time the certificates were originally issued and it was not unusual for a fledgling local union to rely on administrative aid from a more established local.

The request for variance of the registration certificate was one contemplated by the registration provisions of the Act, subject to evidence being demonstrated of support of such reconsideration by a majority of the eligible employers. The Board, however, rejected the Applicant's contention that it should assume that a majority of the employers currently represented by the R.E.O. under the Registration Certificate would favour a variance of the certificate that would result in the addition of a new union entity and bargaining relationship.

Therefore the application was granted, subject to the Board being satisfied of such support through the results of a Board-conducted vote or other approved method of canvassing the affected employers.

REASONS FOR DECISION

A.K. Aldridge: The applications before the Board were brought under Section 18 of the Act through a letter dated December 29, 1986, on behalf of Construction Labour Relations, an Alberta Association, Mechanical (Calgary) Trade Division (referred to as "CLR") and Finch Labour Contractors Ltd., All Services Plumbing and Heating Ltd., CJB Mechanical and Kemtek Construction Ltd. (referred to as the "Companies" or as "Finch", "All Services", "CJB" and "Kemtek," respectively). The application is in two parts as set out in the body of that letter from Counsel for the Applicants, Mr. McPhail, as follows:

1. An application is made to reconsider the certification orders granted by the Labour Relations Board in respect to the three companies on the basis that Local 179 is one and the same as Local 496. We ask that the present certificates be amended to refer to Local 496 as well as, or in substitution for, Local 179.
2. The three companies are all members of C.L.R. and an application is, therefore, made to reconsider the present Registration Certificate 2-71 granted to C.L.R. Mechanical (Calgary) Trade Division to include reference to Local 179. These three employers are three of the four employers for whom there is a Certification Order of the Board granted to Local 179.

Further particulars are that Local 179 is a sham of Local 496, being part and parcel of the operation of Local 496, set up to avoid registration certificate 2-71.

Counsel for the applicants submitted a supplementary letter to the Board on January 5, 1987, with attachments. The body of that letter reads as follows:

As we understand this matter will be coming before an administrative panel, we thought it would be worthwhile to provide more details of the application.

The application has some history. We attach a copy of a letter of decision of Chairman Andy Sims which explains the preceding Board determinations.

In respect of the reconsideration of the Registration Certificate, the application will be based on the same rationale employed by the Labour Relations Board in reconsidering certification orders to expand bargaining units. This was discussed in detail by Ross McBain when he was Chairman in the case that we attach.

The respondent locals of the United Association of Journeyman and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada (referred to as the "Union") shall be termed "Local 179" and "Local 496" or "the Locals" herein.

The attachments enclosed by Counsel for the applicants were:

1. The Board's oral decision of December 5, 1986 on applications brought by CLR Mechanical (Calgary) Trade Division, Edmonton, Alberta, under sub-subsection 8(2)(p) and Section 18 of the Act. The body of that decision follows:

This letter will confirm the decision of the Board given orally on December 5, 1986 to deny the applications brought by the Construction Labour Relations Mechanical (Calgary) Trade Division, Edmonton, Alberta pursuant to Section 8 and Section 18.

The Section 8 application is dismissed, in part, because it is the same application as one filed and then withdrawn previously.

It appears, following the explanation offered by C.L.R.A., that the intent of these two applications is to have Registration Certificate 2-71 varied by adding Local 179 to that certificate and thus bind all employers certified to Local 179 for the territory and trade jurisdiction to that certificate, it being alleged that Locals 496 and 179 have a common trade jurisdiction within the meaning of Section 50(1). The C.L.R.A. alleges that this may be done in a manner similar to the way a bargaining unit may, by use of Section 18, be expanded.

The Board's view is that if this is the C.L.R.A.'s intent, a new application to that effect should be filed making that intention clear, following which the Board would investigate considering, in part, those matters in Section 52, and give notice to all affected parties as may be appropriate. The present applications which are dismissed did not, in the Board's view, disclose what appears to be the C.L.R.A.'s intention. The Board has already refused to accept an application pursuant to Section 135.

If it is the C.L.R.A.'s allegation that Local 179 is in fact not a trade union, that is a matter for determination upon any application for certification or upon a Section 18 application brought by a party with status who can justify such an application pursuant to Informational Bulletin 20-86.

2. The Board's decision in *Canadian Union of Public Employees Local Union 3023, Lethbridge, Alberta, and Town of Claresholm, Claresholm, Alberta* A.L.R.B. June 28, 1983 (McBain, Chairman).

The Board and parties also had before them copies of two reports of a Board investigating officer which were dated March 2 and March 5, 1987. In that report, the officer noted that the proper name of CLR as shown on Registration Certificate 2-71 had not been updated to reflect its change in name on October 30, 1981. No objections were taken to the Officer's report and, accordingly, the Board hereby varies the name of CLR in that certificate to read Construction Labour Relations - An Alberta Association, Mechanical (Calgary) Trade Division.

THE ISSUES

The applicants requested the Board, within its powers under Section 18 of the Act, to reconsider the bargaining agency certificates issued to Local 179 on the basis that Local 179 is the same Union Local as Local 496 and to add Local 179 to the certificates held by Local 496 or to substitute Local 179 for Local 496 as the local Union named in said certificates. For the same reason, the applicants requested the Board to reconsider and to vary Registration Certificate 2-71, CLR (Calgary) Mechanical Trade Division by making reference to Local 179.

EVIDENCE

Mr. Lorie Cook, Business Manager of Local 496, gave evidence and produced documents under Notices to Attend and to Produce documents approved by the Board on behalf of the applicants. The documents received were:

1. A letter from Mr. Cook to the Board covering all of the documents requested from Local 179 and Local 496 which he knew to exist, but with the exception of a report from the Union's Canadian Director to the Union's President, M.J. Boede, recommending expansion of the territorial jurisdiction of Local 179 to include Alberta as mentioned in an October 25, 1985, letter from Mr. Boede to Mr. Cook. Mr. Cook testified that he was unaware if such report existed;

2. Copies of receipts of initiation fees supposedly received from various persons relative to Local 179 totaling some 156 such receipts between February and November of 1986;

3. A copy of the notice to Mr. Cook to attend and give evidence at a hearing of the Board and to produce the following documents at that hearing:

TO: Mr. L.L. Cook
4715 - 1st Street S.W.
West Entrance
Calgary, Alberta

Pursuant to the provisions of Section 13(1)(b) of the Labour Relations Act, 1980 as amended, you are summoned and required to produce before the Labour Relations Board at the following time and place which has been designed by the Board: Room 3308, 1212 - 31st Avenue N.E., Calgary, Alberta on April 14, 1986 at the hour of 9:30 o'clock in the forenoon, the following documents or other things at that time and place:

(1) All documents discussing how Local Union 179 and the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting Industry of the United States and Canada will be funded in Alberta and how it has been funded in Alberta.

(2) All documents showing what has happened to dues and initiation fees and membership application fees paid by those who have joined Local 179 in Alberta, including Records showing membership application fees and union dues paid by those who have joined Local 179 in Alberta, if any.

(3) All documents showing where Local 179 has received its operating funds for its operations in Alberta and all documents showing any exchange of funds or other financial exchange between the aforesaid Local 496 and the aforesaid Local 179.

(4) All documents relating to the appointments of agents of the aforesaid Local 179 in Alberta and arrangements for their remuneration.

(5) A copy of the report of Russ St. Eloi made to the President of the U.A., Marvin J. Boede, in which he recommends that the territorial jurisdiction of Local 179 be expanded to include Alberta which is referred to in the letter from Marvin Boede to Lorie Cook dated October 25, 1985.

(6) All documents involving reports or instructions to Local 496 members on organizing efforts of Local 179.

(7) All banking records of Local 179 in Alberta or relating to Local 179 operations in Alberta.

(8) Records showing what has happened to funds received by Local 179 in Alberta.

DATED at the City of Calgary, in the Province of Alberta, this 23rd day of March, A.D. 1987.

With respect to the various documents produced and related matters, Mr. Cook testified that he had asked the Union’s Canadian director for a copy of his written report to Mr. Boede on an expanded territorial jurisdiction for Local 179, which is Regina based, but was advised that the report was oral. The concept of another local of the Union in southern Alberta came from the Canadian Director who asked Mr. Cook to represent Local 179 in Alberta on whose behalf he is Area Manager.

The members of the existing Union local in southern Alberta, Local 496, were given a copy of the so-called *Organizing Report* of the Union as general information to provide assurance to its members that Local 496 would not be abandoned. Mr. Cook explained that Local 179 would permit the opportunity of collective bargaining with individual employers, whereas no discussion to arrange meetings for collective bargaining in respect of Local 496 had occurred in the past six months. The Union’s *Organizing Report* is set out below:

ORGANIZING REPORT

Ken Jones and Arnie de Roode have been working hard and long hours in an attempt to organize and for the most part have been very successful. What with the Labour Act and particularly the way the Labour board and the Alberta Courts are interpreting the Labour Act, it has not been easy in any respect.

The United Association Head Office is attempting to deal with these Anti-Labour Laws and Government in the Province and have established a “new” Local Union, Local 179. What we attempting to do therefore, is certifying Companies, using Local 179.

This, of course, raises many questions by Local 496 Members and how it will affect them. I have listed some of the questions our Members have been asking, hoping that if and when an attempt is made to organize a Company using either Local 496 or Local 179, you will understand the procedure and co-operate with the Organizer.

If I sign a Local 179 application will it affect me in getting work through Local 496?

1) No – There are no restrictions at all (special arrangements have been made through Head Office).

2) Will my Employer go broke if he has a job or jobs already bid?

3) Why certify anyway?

4) What if my boss threatens to fire or lay everybody off?

5) What if the Company I am working for is paying a good wage now, why should we co-operate to organize the Company?

6) Will the employer know if I signed the application for certification?

2) No – It would not be in your interest or the Company’s interest of the rest of the Membership of the Union for that to take place.

3) Two reasons – The Local will be able to negotiate a fair wage with the Company and when they finally sign an Agreement for the whole industry they will continue to be a Union Shop.

4) That is an unfair labour practice. A number of cases have already been won and an automatic certification has been granted.

5) The only reason companies will pay better than average wages during this depression is simple; they need your skills. As an example:

They know there are hundreds of Plumbers available. Check and see how fair Plumbers rates are now. But if the Employers need your skills in start-up – shut-downs, instrumentation, exotic welding, etc., you can be sure the wages will be decent, but the next job if there is a clear indication he can get any numbers of the skill he wants just watch the wages drop.

6) No – The Union files the names with the Labour Board and they (by law) cannot release the names.

Hopefully the above answers most of your concerns and if you have further questions please do not hesitate to call the Union Hall for further clarification.

Fraternally yours,

L.L. (Lorie) Cook, Business Manager

LETS HANG IN TOGETHER OR FOR SURE THEY WILL HANG US SEPARATELY!

Mr. Tidsbury, President of CLR testified that he had not requested bargaining with Local 496 in the past year nor had he received such a request from Local 496. Mr. Tidsbury also stated that the last bargaining between CLR and Local 496 had occurred on January 23, 1986.

Documentary evidence was received which showed that a request to commence bargaining on behalf of Local 179 had been sent to Finch on Local 496 letterhead and was signed by Ken Jones as business agent of Local 496. Mr. Cook wrote a letter in a similar vein to All Services on September 24, 1986, as manager of Local 179, and on September 25 signed a follow-up letter as business manager, Local 496.

ARGUMENTS

In support of the proposition that Local 179 and Local 496 are effectively one and the same entity, Mr. McPhail, Counsel for the applicants, cited the commonalities between the two locals as to: territorial jurisdiction, where there is a major degree of overlap; trade jurisdiction; control and direction in Alberta where Mr. Cook is manager of both Locals and Messrs. Jones and de Roode serve both; common office premises in respect of southern Alberta operations; the receipt by Local 496 of membership application fees or initiation fees in respect of Local 179; the joint operating character of both Locals where correspondence is "muddled" and where special Union head office arrangements mentioned in the *Organizing Report* provide that membership in Local 179 will not affect hiring hall standing in Local 496.

Mr. McPhail asserted that Local 179 was a means of circumventing registration as evidenced by its attempts to bargain with All-Services and Finch and this was the real meaning behind the remarks of the Canadian Director of the Union about the anti-labour laws of Alberta, as set out in the Union's *Organizing Report*. The applicants' Counsel contended that if the separate status of Local 179 were to be continued, the statutory scheme of registration could be destroyed and that the Board did not have jurisdiction to amend the Act.

Counsel for the Applicants asked the Board to:

1. Reconsider the certificates held by Local 179. He argued that Local 179 is a sham and is really Local 496. He drew a parallel to the Board's decision in *International Brotherhood of Electrical Workers, Local Union 424 and 248048 Alberta Ltd., Emcon Construction Inc., Monenco Limited, Monalcon Construction Inc., and Monenco Engineers and Constructors Inc.* [1987] Alta. L.R.B.R. 232 (Sims, Chairman), where the Board substituted one company for another as the true employer, and

2. Reconsider the current registration certificates and add thereto the employers certified by Local 179 on the basis of the majority support of the Registered Employer's organization of the employers in the territory and trade jurisdiction in respect of whom Local 179 has established bargaining rights. Mr. McPhail contended that the situation in this case is analogous to the Board's requirements set out in the *Town of Claresholm* where, the Board determined that an application to add a previously unorganized group of employees to an existing bargaining unit could be made at any time so long as the add-on group supported the application and where it was assumed that the applicant retained majority in the previous unit. He urged that employers certified by Local 179 be added to the majority assumed to be retained by CLR with respect to Employers organized by Local 496, but qualified the request by maintaining that the bargaining certificates held by Local 179 should still be varied by substituting Local 496 for Local 179.

Mr. Cook responded on behalf of Local 179 and Local 496 by saying that the Board had heard the same arguments in *Kemtek* and that an applicant on a reconsideration must show a change to the Board which the applicants in this case have failed to do. He observed that the officers of Local 179 and Local 496 are different and it is not uncommon for paid employees in a Union local to perform work outside of the local without remuneration as in an organizing campaign, for example. Similarly, he argued that free service might be provided to members of Local 179 without dues deductions and that Local 179 would not have its own financial accounts unless and until it reached a certain size.

He also drew an analogy between Local 179 and the Christian Labour Association of Canada which is not barred from organizing and being certified in the construction industry outside of registration. He noted that the Board has granted certification to Local 179 and that there has been no subsequent material change in any respect. Mr. McPhail's rebuttal was that the September 19, 1985 letter of the Union's Canadian Director, which is now before the Board, clearly ensconced Mr. Cook as southern Alberta Manager of Local 179 with the implied authority, in effect, to act independently of the Officers of Local 179 in Regina. He drew the Board's attention to Section 52 and to subsection 53(3) of the Act as applied to Locals 179 and 496. Those provisions are:

52(1) On receipt of an application for registration by an employers' organization, the Board shall inquire into

- (a) whether the application is timely, taking into consideration any seasonal factors affecting the work relating to the trade jurisdiction described in the application;*
- (b) in the 6-month period preceding the 90 days prior to the end of the term of the collective agreement between the trade union and the majority of the employers named in the application.*
- (c) if applicable; whether 2 or more trade unions have a common trade jurisdiction;*

- (d) *whether the employers' organization has as members the majority of the employers in the territory and trade jurisdiction with whom the trade union has established the right of collective bargaining;*
- (e) *the trade jurisdiction for which the employers' organization should be registered;*
- (f) *the territory for which the employers' organization should be registered;*
- (g) *whether the work relating to the trade jurisdiction described in the application in whole or in part is part of the construction industry;*
- (h) *any other matter that is, in the opinion of the Board, material to the application.*

(2) *for the purpose of determining whether a majority of employers engaged in the territory and trade jurisdiction in the construction industry in respect of whom a trade union has established the right of collective bargaining are members of the employers' organization applying for registration, the Board may fix a period of time during which any employer so engaged shall be deemed to be an employer for the purposes of the application.*

(3) *In any inquiry under subsection (1), the Board may*

- (a) *determine which employers come within or should be excluded from the territory or trade jurisdiction;*
- (b) *alter or amend the territory or trade jurisdiction;*
- (c) *do any other things it considers appropriate.*

53(1) When the Board is satisfied that an employers' organization should be registered as the agent for collective bargaining on behalf of all employers in a territory and trade jurisdiction in the construction industry in respect of whom a trade union has established the right of collective bargaining, the Board shall issue a registration certificate to the employers' organization.

(2) *The registration certificate shall state*

- (a) *the name of the registered employers' organization,*
- (b) *the name of the trade union with which the registered employers' organization may bargain collectively.*
- (c) *the trade jurisdiction in respect of which the registered employers' organization and a trade union may bargain*

- collectively, and*
 (d) *the territory to which the registration certificate applies.*

(3) *When 2 or more trade unions are named in a registration certificate, this Act applies to the trade unions with respect to the settlement of disputes, strikes or lockouts as if they were a single trade union.*

He noted that the Quality Control Council reflected two or more trade unions being named in a Joint certificate under s. 53(3) which had some similarity to the present case, while another example was a number of carpenter locals named in the province-wide registration certificate covering a portion of that trade.

BOARD DETERMINATIONS

Essentially, the applicants seek determinations that:

1. Local 179 is, in reality, Local 496 and that the certificates issued to Local 179 be reconsidered and be accordingly varied;
2. Alternatively, that the registration certificate affecting Local 496 be varied by adding Local 179 thereto.

On the first request, it is noted that the Board has issued a number of certifications to Local 179, the inappropriateness of which has been argued before us at hearing. Those certificates were issued notwithstanding the overlap of territorial jurisdiction as between the two Locals. Local 496 is bound to Registration Certificate 2-71, whereas the fact that Local 179 is not so bound is the real issue of concern to the Applicants.

On the factor of substantially overlapping territorial jurisdiction of the two Locals, the Board heard no argument that would cause it, on this ground alone, to conclude that Locals 179 and 496 are a unitary entity.

As to other commonalities between Locals 179 and 496, it is clear that their trade jurisdictions are essentially similar, if not identical, which was known at the time certificates issued to Local 179. No argument was advanced that this factor would compel a joining together of the two Locals. On the arguments as to the full-time staff of Local 496 providing service to Local 179, the Board does not find that element to be unusual in respect of a fledgling local union or new branch of a local any more than does the provision of office services to the new Union Local by an established local union. Since Local 179 in southern Alberta is a separate geographical branch of a Regina-based Union Local, it is not surprising that the Union's General President would vest certain administrative authority in the staff of Local 496 and Local 488 of the Union to assist in the operation of Local 179 in southern and northern Alberta, respectively. That administrative directive does not mean, however, that the members of Local

179 within these geographic areas do not have the authority to decide major issues within the Local. The tenor of the *Organizing Report* issued to Local Union members in southern Alberta by Mr. Cook clearly seeks their support of Local 179, and does not, in any sense, convey an attempt to exercise control over the members.

In summary, the Board finds no basis to reconsider the certificates issued to Local 179 and, therefore, dismisses that part of the application.

The second request of the Applicants is that Local 179 be added to Registration Certificate 2-71 held by CLR's Mechanical (Calgary) Trade Division through a reconsideration by the Board of that certificate relative to Local 496. While this request may seem contradictory to the Applicants' position that Local 179 is, in reality, Local 496, it nevertheless reflects their over-riding concern that Local 179 not operate outside of registration under Division 4 of the Act. This second request is one which is permitted within the mandated registration scheme under the Act subject to evidence of support of such reconsideration by a majority of the eligible employers.

The Applicants asserted that CLR has been assigned bargaining rights by three or four of the five employers in respect of whom Local 179 has been certified. However, the Board had its investigating officer's report before it concerning the group of employers certified by Local 179 and no objections were taken to that report which is the subject of later reference in this decision.

One question remaining is whether a majority of employers within the existing registered employers' organization would favour the variance of the Registration Certificate by adding Local 179 to that certificate and, thereby, tying them into a new bargaining relationship. That question may have many ramifications for those employers who are currently engaged in the territory and trade jurisdiction covered by Local 496 and who are represented by CLR as bargaining agent relative to Local 496, since they could be affected in a number of ways by the addition of Local 179 to the registration certificate concerning Local 496 and since there have been many diverse occurrences within that territory and trade jurisdiction over the past several years. These occurrences include a lockout, a strike, a number of firms presumably leaving the industry and, perhaps, others changing their operations.

Counsel for the Applicants suggested that the Board assume that a majority of the pre-existing trade division employers within CLR would favour the addition of Local 179 to the Registration Certificate. However, quite apart from major occurrences in the industry as noted above, those employers elected a registered employer's organization to represent them in bargaining with a single entity, Local 496, but not Local 179, as well. The Board does not accept the argument that it should assume that a majority of this group would favour an added bargaining relationship simply because the Board assumed in *The Town of Claresholm* that members of the existing bargaining unit would favour adding new categories of employees to the unit. In *The Town of Claresholm*, the bargaining relationship of the pre-existing bargaining unit continued to be with the Employer, in contrast with the present case before the Board where an added bargaining relationship would issue if the registration certificate is varied as requested. The Board has no indication that the individual members of CLR affected by Local 496 would favour a

variance of that Registration Certificate by adding a new union entity and bargaining relationship.

Accordingly, the Board finds:

1. From the Board investigating officer's report dated March 2, 1987, that two firms, All Services and Finch, of the two employers eligible, through having employed employees as per subsection 52(2) of the Act, to select CLR as their bargaining agent relative to Local 179 have done so. (Of the remaining employers certified by Local 179, the officer's reported indicated that Kemtek had no employees in the sixty-day period under subsection 52(2) prior to the January 5, 1987, amended date of the application herein, whereas CJB Mechanical and Expert Labour were not members of CLR and also had no employees in the territorial jurisdiction of the Union during said period.)
2. The requirements of sub-subsection 52(1)(c) and subsection 52(2) of the Act have thereby been met with respect to adding this so-called "add-on group" to Registration 2-71;
3. Subsection to Item 4. below, there are no other reasons why Local 179 should not be added to Registration Certificate 2-71;
4. That evidence of majority support by the pre-existing group of CLR members of its (Calgary) Mechanical Trade Division for the variance sought by CLR in this reconsideration application shall be a pre-requisite to the Board issuing such variance;
5. That the requested variance of Registration Certificate 2-71 shall issue when the Board is satisfied of such support as in the preceding Item 4;
6. In the event that the requested variance does issue as above, the territorial jurisdiction of Local 179 shall be amended under sub-subsection 52(3)(b) of the Act to be the same as the territorial jurisdiction of Local 496 but such limitation shall, otherwise, not affect the territorial jurisdiction of Local 179 in any other part of Alberta.
7. As to the form of evidence that the pre-existing group of employers within CLR's Mechanical (Calgary) Trade Divisions favours the addition of Local 179 to Registration Certificate 2-71 under Item 4 of the Board's findings herein, the Board will leave this matter to CLR either requesting that a vote of those employers be conducted by the Board or proposing for the Board's approval another method of canvassing those employers on that question.