

# NOTIFYING THE PARTIES

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An officer notifies all affected parties by phone when an application is accepted. A standard letter is subsequently faxed to the applicant and their spokesperson, the union, the employer or former employer and their lawyers or counsel (if any). A notice posted at their worksite notifies employees. During your initial call, explain:

- your name and that you work for the Labour Relations Board;
- that someone (union/employer/former employer/group of employees) has applied to revoke a union's bargaining rights for a group of employees;
- the bargaining unit affected by the application;
- the date of application;
- the hearing date; and
- the possibility of a representation vote. For applications by former employers or trade unions, the Board does not conduct a representation vote.

Walk the parties through the process. Explain the major issues the Board examines before ordering a representation vote—most notably the 40% rule. Explain the applicable unfair labour practices outlined in [Section 148 and 149](#) to employers and [Section 151](#) to the union. Direct the employer to post the Notice to Employer and Employees. See: [[Objections and Responses, Chapter 23\(e\)](#)].

Confirm the following information with the affected parties:

- correct mailing address, phone and fax numbers;
- to whom correspondence should be addressed and copied;
- the name and position of the person receiving notice of the application; and
- the name and contact information of their legal counsel (if any).

Arrange a meeting with the employer. At this meeting, you will review their records for the investigation report. Outline the nature of the information required and specific records the officer will need to examine. **Schedule this meeting as soon as possible.** Inform the employer you will send them a letter shortly. See: [[Standard Letters and Documents, Chapter 23\(i\)](#)].

Ask the parties if they will be raising objections to the application and the nature of those objections. Try to determine their validity under the Code. **Do not advise the affected parties about the names or number of employees who signed a petition in support of the revocation application. The only name that can be revealed is that of the spokesperson for the petitioners.**

Tell the affected parties that the Board only releases whether or not an employee-initiated revocation application has the support of 40% of the members of the bargaining unit. The Board always keeps confidential the names of individuals supporting the application. The Board does send copies of the petition forms to the affected parties however everything but the heading is blacked out. The affected parties **only** see the heading of the petition.

If it is not possible to give verbal notice to the employer or someone in a position of authority with the company, conduct an Alberta Corporate Registries Website search. Send any correspondence by registered mail to the registered office address. See: [[Rules of Procedure 11 and 12](#)].

Have the appropriate standard letters, attachments and notices prepared and issued as soon as possible. These go to the union, the employer or former employer and the petitioner if it is an employee-initiated application.