

Manitoba Labour Board

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DISMISSAL NO. 1823
CASE NO. 181/07/LRA

IN THE MATTER OF: *THE LABOUR RELATIONS ACT*
- and -

IN THE MATTER OF: An Application by

**G.S., on behalf of certain employees
of Ancast Industries,**

Applicant,

-and-

ANCAST INDUSTRIES LTD.,

Employer,

-and-

United Steelworkers of America, Local 3239,

Respondent.

**This Decision/Order has been edited to protect the personal
information of individuals by removing personal identifiers.**

WHEREAS:

1. On March 21, 2007, the Applicant filed an application Seeking Remedy for Alleged Unfair Labour Practice contrary to Section 20 of *The Labour Relations Act*.
2. On April 10, 2007, following an extension of time, the Union, through Counsel, filed its Reply requesting that the application be dismissed without a hearing.
3. The Employer did not file a Reply to the application.
4. The Board, following consideration of material filed, found that the application does not disclose a *prima facie* case contrary to Section 20 of *The Labour Relations Act*, in that the complaint made relates to the collective bargaining process and potential adjustments to a Collective Agreement during its normal term. The Board does not have jurisdiction under Section 20 in this case because the conduct complained of does not relate to the Union representing the rights of any employee under the Collective Agreement. Accordingly, the application is **DISMISSED**.

T H E R E F O R E

The Manitoba Labour Board **HEREBY DISMISSES** the application filed by G.S., on behalf of certain employees of Ancast Industries Ltd., on March 21, 2007.

DATED at **WINNIPEG**, in Manitoba, this 8th day of May, 2007 and signed on behalf of the Manitoba Labour Board by

"Original signed by"

William D. Hamilton, CHAIRPERSON

JD/ar/rb-s