



ONTARIO LABOUR RELATIONS BOARD

Colleges Collective Bargaining Act, 2008

OLRB Case No: 0805-17-R
Certification (Industrial)

Ontario Public Service Employees Union ("OPSEU"), Applicant v College
Employer Council, Responding Party

COVER LETTER

TO THE PARTIES LISTED ON APPENDIX A:

The Board is attaching the following document(s):

Decision - April 16, 2025 and French translation

0805-17-R - Certificate - Bilingual

DATED: April 16, 2025

Catherine Gilbert
Registrar

Website: www.olrb.gov.on.ca

Address all communication to:

The Registrar
Ontario Labour Relations Board
505 University Avenue, 2nd Floor
Toronto, Ontario M5G 2P1
Tel: 416-326-7500
Toll-free: 1-877-339-3335



ONTARIO LABOUR RELATIONS BOARD

THIS IS AN OFFICIAL NOTICE OF THE BOARD

OFFICIAL NOTICES OF THE BOARD MUST NOT BE REMOVED, DEFACED
OR DESTROYED

ALL NOTICES MUST IMMEDIATELY BE POSTED BY THE EMPLOYER (IN
LOCATIONS WHERE THEY ARE MOST LIKELY TO COME TO THE
ATTENTION OF EMPLOYEES OR OTHER INDIVIDUALS AFFECTED BY THE
APPLICATION) NEXT TO THE APPLICATION, THE BOARD'S NOTICE TO
EMPLOYEES OF APPLICATION, AND/OR THE BOARD'S DECISION

NOTICES MUST REMAIN POSTED FOR 45 BUSINESS DAYS



COMMISSION DES RELATIONS DE TRAVAIL DE
L'ONTARIO

Loi de 2008 sur la négociation collective dans les collèges

N° de cas de la CRTO : 0805-17-R
Accréditation syndicale (secteur industriel)

Syndicat des employés de la fonction publique de l'Ontario ("SEFPO"), requérant
c Conseil des employeurs des collèges, intimée

LETTRE D'ACCOMPAGNEMENT

À L'ATTENTION DES PARTIES INDIQUÉES À L'ANNEXE A :

La Commission joint à la présente le ou les documents suivants :

Décision - rendue le 16 avril 2025 et la traduction en français

0805-17-R - Certificat - Bilingue

FAIT LE : 16 avril 2025

Catherine Gilbert
Greffière

site Web : www.olrb.gov.on.ca

Toutes les communications
doivent être adressées à :

La greffière
Commission des relations de travail de
l'Ontario
505, avenue University
2^e étage
Toronto (Ontario) M5G 2P1
Téléphone : 416-326-7500
Sans frais : 1-877-339-3335



COMMISSION DES RELATIONS DE TRAVAIL DE
L'ONTARIO

CET AVIS OFFICIEL DE LA COMMISSION
NE DOIT PAS **ÊTRE ENLEVÉ**, **ALTÉRÉ** OU **DÉTRUIT**

L'EMPLOYEUR DOIT AFFICHER IMMÉDIATEMENT CETTE DÉCISION (AUX
ENDROITS **OU** ELLE EST LE PLUS SUSCEPTIBLE D'ATTIRER L'ATTENTION
DES EMPLOYÉS ET AUTRES PERSONNES TOUCHÉES PAR LA REQUÊTE), **À**
CÔTÉ DE LA REQUÊTE, DE L'AVIS DU **DÉPÔT** DE LA REQUÊTE **DONNÉ** PAR
LA COMMISSION AUX EMPLOYÉS ET/OU DE TOUTES LES AUTRES
DÉCISIONS DE LA COMMISSION.

LE **PRÉSENT** AVIS DOIT RESTER AFFICHÉ PENDANT 45 JOURS
OUVRABLES.



ONTARIO LABOUR RELATIONS BOARD

OLRB Case No: **0805-17-R**

Ontario Public Service Employees Union ("OPSEU"), Applicant v **College Employer Council**, Responding Party

BEFORE: Jesse Kugler, Vice-Chair

DECISION OF THE BOARD: April 16, 2025

1. This is an application for certification brought by the Ontario Public Service Employees Union ("OPSEU") pursuant to the *Colleges Collective Bargaining Act, 2008*, S.O. 2008 c.15 (the "CCBA") seeking to represent part-time academic staff as defined in the CCBA. This application was filed on June 23, 2017.

2. Section 25 and Schedule 1 of the CCBA define the part-time academic staff bargaining unit as follows:

Part-time academic staff bargaining unit:

2 (1) Subject to subsection (2), the part time academic staff bargaining unit includes all persons employed by an employer as,

- (a) teachers who teach for six hours or less per week;
- (b) counsellors or librarians employed on a part time basis; and
- (c) teachers, counsellors or librarians who are appointed for one or more sessions and who are employed for not more than 12 months in any 24-month period.

(2) The part time academic staff bargaining unit does not include,

- (a) chairs, department heads or directors;

- (b) persons above the rank of chair, department head or director;
- (c) other persons employed in a managerial or confidential capacity within the meaning of section 5 of this Schedule;
- (d) a person who is a member of the architectural, dental, engineering, legal or medical profession, entitled to practise in Ontario and employed in a professional capacity; or
- (e) a person employed outside Ontario.

3. By decision dated July 14, 2017, the Board (differently constituted) directed that a representation vote be held in respect of the part-time academic staff bargaining unit commencing October 2, 2017. The responding party, the College Employer Council (the "CEC"), gave notice under section 31 of the CCBA and the Board subsequently sealed the ballot box pending a determination of whether OPSEU had the necessary membership support (35%) to count the ballots.

4. In the intervening period, the parties worked cooperatively to narrow the list of status disputes, both through agreement and litigation. By decision dated July 30, 2024, the Board determined that at least 35% of the individuals in the bargaining unit were members of OPSEU at the time the application for certification was filed. The Board therefore directed that the ballot boxes be opened, and the unchallenged ballots be counted.

5. On April 14, 2025, a Vote Officer's Report was issued to the parties disclosing the results of the representation vote. In accordance with that Report, more than 50% of the ballots cast by employees in the bargaining unit were cast in favour of OPSEU.

6. There are no outstanding issues that would cause the Board to delay issuing a certificate in this application.

7. Therefore, a certificate will issue to the applicant in respect of the part-time academic staff bargaining unit as defined by section 25 and Schedule 1 of the CCBA.

8. The Registrar will destroy the ballots cast in the representation vote taken in this matter following the expiration of 30 days from the date of this decision unless a statement requesting that the ballots be preserved is received by the Board from one of the parties before then.

9. All meeting and hearing dates set previously by the Board are hereby cancelled.

10. The CEC is directed to post copies of this decision immediately, adjacent to all copies of the "Notice of Vote" posted previously. These copies must remain posted for a period of sixty (60) days.

"Jesse Kugler"
for the Board

APPENDIX A / ANNEXE A

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College Employer Council
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