

**THE EMPLOYER MUST IMMEDIATELY POST THIS NOTICE  
AND THE ATTACHED DECISION ADJACENT TO THE  
NOTICE TO EMPLOYEES OF  
APPLICATION FOR CERTIFICATION**

LABOUR RELATIONS ACT, 1995  
and  
COLLEGES COLLECTIVE BARGAINING ACT, 2008

**NOTICE OF VOTE**

BEFORE THE ONTARIO LABOUR RELATIONS BOARD

**Between:**

Ontario Public Service Employees Union ("OPSEU"),

**Applicant,**

- and -

College Compensation and Appointments Council,

**Responding Party.**

**TO ALL EMPLOYEES AND TO THE PARTIES:**

**The Board has directed that a representation vote be held. A copy of the Board's decision is attached.**

**VOTING CONSTITUENCY**

The Board has established the following voting constituency:

"Part time academic staff includes all person employed by an employer:

- (a) as 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.

The part time academic unit does not include:

- (a) chairs, department heads or directors;
- (b) persons above the rank of chair, department head or director;

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- (c) other persons employed in a managerial or confidential capacity within the meaning of section 5 of the Schedule, which will be set out below;
- (d) a person who is a member of the architectural, dental, engineering, legal or medical profession, entitled to practice in Ontario and employed in a professional capacity, or
- (e) a person employed outside of Ontario. "person employed in a managerial or confidential capacity" means a person who,
  - (a) is involved in the formulation of organization objectives and policy in relation to the development and administration of programs of the employer or in the formulation of budgets of the employer,
  - (b) spends a significant portion of his or her time in the supervision of employees,
  - (c) is required by reason of his or her duties or responsibilities to deal formally on behalf of the employer with a grievance of an employee,
  - (d) is employed in a position confidential to any person described in clause (a), (b) or (c),
  - (e) is employed in a confidential capacity in matters relating to labour relations,
  - (f) is not otherwise described in clauses (a) to (e) but who, in the opinion of the Ontario Labour Relations Board, should not be included in a bargaining unit by reason of his or her responsibilities to the employer."

If employees believe that they are eligible to vote, or have any question as to their eligibility to vote, they should attend at a polling place and identify themselves to the Board Officer conducting the vote. If an employee's eligibility to vote is unclear or in dispute, the employee will be given an opportunity to mark a ballot, but it will be segregated. This means that the ballot will be sealed in a separate envelope until the employee's eligibility to vote has been determined.

### **TIME AND PLACE OF TAKING VOTE**

The vote will take place as follows:

**Please see attached Revised Vote Arrangements.**

Voters may cast a ballot at a polling place during the periods described.

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### **SECRET BALLOT**

The vote will be by secret ballot. The Officer conducting the vote will issue a ballot to voters who present themselves to vote at a polling place. Voters will mark their ballot in secret in a voting booth, fold it and deposit it in the ballot box provided at the polling place.

DO NOT SIGN, NUMBER OR OTHERWISE MARK YOUR BALLOT  
IN SUCH A WAY AS TO REVEAL YOUR IDENTITY.

IF YOU BELIEVE THAT YOU MAY HAVE SPOILED YOUR BALLOT,  
SPEAK TO THE OFFICER BEFORE DEPOSITING IT IN  
THE BALLOT BOX.

VOTERS ARE ENTITLED TO VOTE WITHOUT INTERFERENCE,  
RESTRAINT OR COERCION.

### **SCRUTINEERS**

One scrutineer representing each interested party may be present at each polling place. Scrutineers have the following duties and privileges:

1. To check the voters list as voters attend to vote.
2. To assist in the identification of voters.
3. To assist in the conduct of the vote as may be required by the Board Officer.

### **QUESTION ON THE BALLOT**

The ballot that will be provided to voters contains the following question:

IN YOUR EMPLOYMENT RELATIONS WITH YOUR EMPLOYER DO YOU  
WISH TO BE REPRESENTED BY THE UNION?

DANS VOS RELATIONS DE TRAVAIL AVEC VOTRE EMPLOYEUR  
DÉSIREZ-VOUS ÊTRE REPRÉSENTÉ PAR LE SYNDICAT?

### **NOTICE OF MEETING**

A meeting with a Labour Relations Officer will take place on TUESDAY, MARCH 24, 2009 at 9:30 A.M. in the "Boardroom", 505 University Avenue, 2<sup>nd</sup> Floor, Toronto, Ontario, for the purpose of trying to settle all or part of the application if it is not already settled by that date.

If the case is not settled during that meeting, a hearing may be held.


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The purpose of the hearing is to hear the evidence and representations of the parties with respect to all matters relating to this application that have not been settled.

If employees want to say something to the Board about this application and to participate in any meetings and/or hearings held, they must send a written statement to the Board as described on the Notice to Employees of Application for Certification (Form C-2), not later than February 19, 2009.

If you do not attend the Labour Relations Officer meeting or the hearing, the Board may decide the application without further notice to you and without considering any document you may have filed.

**DATED** January 14, 2009.



"Tim R. Parker"

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Registrar  
Ontario Labour Relations Board

**THIS IS AN OFFICIAL NOTICE OF THE BOARD AND  
MUST NOT BE REMOVED OR DEFACED.  
THIS NOTICE MUST REMAIN POSTED FOR 30 DAYS.**

APPENDIX "A"

Paliare Roland Rosenberg Rothstein LLP  
Barristers and Solicitors  
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Ontario Public Service Employees Union  
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Organizing Representative  
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Ontario Public Service Employees Union  
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College Compensation and Appointments Council  
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