



March 18, 2022

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OUR VISION...

The fair and equitable application of Alberta's collective bargaining laws.

OUR MISSION...

To administer, interpret and enforce Alberta's collective bargaining laws in an impartial, knowledgeable, efficient, timely and consistent way.

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RE: An unfair labour practice complaint brought by the Civic Service Union 52 affecting The City of Edmonton – Board File No. GE-08708

On March 15, 2022, the Board received an unfair labour practice complaint from Kara O'Halloran, legal counsel on behalf of Civic Service Union 52 (the "Applicant" or the "Union") affecting The City of Edmonton (the "Respondent" or the "Employer"). We enclose a copy of the application for the records of the Employer.

The Applicant alleges the Respondent has violated sections 12(2)(e), 16(1) 147(3), and 148(1)(a)(ii) of the Alberta *Labour Relations Code* (the "Code").

Specifically, the Applicant alleges that, by changing its policy regarding Income Protection Benefits:

- the Employer has altered the terms and condition of bargaining unit members during a statutory freeze; and
- the Employer is interfering with the Union's representation of its members.

The Board accepts this as an application under sections 12, 16, 147(3) and 148(1)(a)(ii) of the *Code*.

Information Bulletin #2 generally describes how the Board processes complaints.

Particulars

If the Respondent requires additional particulars from the Applicant, file your written request for more particulars **on or before March 25, 2022**. Specify in detail the additional information needed. If no request is made by the deadline, the Board will proceed with this complaint based on the information provided by the Applicant.

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Particulars are the details, the “who, what, when, where, and how” of the complaint. They are the facts and events the applicant relies on to justify the Board giving the relief the Applicant seeks. The Applicant must allege facts and events that, if true, can prove the *Code* applies or has been violated.

Responses

The Board directs the Respondent to file a written response to this complaint **on or before April 5, 2022**. Please include the details required in Information Bulletin #2 and the Rules of Procedure.

Setting the Hearing Date

The presumptive method of hearing will be by video conference, unless the Board Chair or Vice-Chair approves and directs otherwise in a particular case.

Officers scheduling matters for resolution conferences and hearings will operate on the presumption that video conferencing will be used unless:

- 1) a party asserts the matter is one where a video conference hearing is not appropriate due to the nature of the issue, the complexity of the file, the unavailability of video conference resources, the case being appropriate for written-submissions alone, or other extenuating factors; or
- 2) the Board itself identifies the matter, or type of matter, as one where another option may be more appropriate.

Where a party seeks a resolution conference or hearing other than by video conference, the Board will schedule a case management conference for the Board to determine the issue. The Board will then explore the options of video conference hearing; in-person hearing where the safety of participants can be ensured; written submissions only; or a hybrid of the preceding alternatives. All parties must provide a brief written position on the appropriate method of hearing in advance of the case management conference, including, where applicable, their reasons why the presumption of a video conference hearing ought not to apply in their case.

All matters set for video conference will have a further case management conference booked later with the Chair or Vice-Chair presiding at the hearing, to:

- determine the extent an Agreed Statement of Facts, affidavits and/or an agreed exhibit book can be used;
- address deadlines for providing potential exhibits, authorities and submissions;
- address the scheduling of witnesses;
- determine whether the hearing should proceed by a single Chair as opposed to a three-member panel; and
- address any other video conferencing issues.

For video conference hearings, please see the [Board's Guidelines for Remote Proceedings](#).

For in-person hearings, please see the [Board's Protocol for In-Person Hearings](#).

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For a thoughtful analysis of proceedings being conducted via video conference in contrast to "in-person" hearings please see OLRB Case No: 2788-17-U (*Labourers International Union of North America, Local 183 v. Innovative Civil Constructors Inc., et al.*)

Correspondence and Notice

The Board has developed Guidelines for Email Filing and Email Communications, (http://alrb.gov.ab.ca/docs/Guidelines_Email_Filing.pdf) which include naming conventions, and other procedures and best practices for submitting material to the Board via email. Some of the key components of the Guidelines include:

- The correct email addresses to use when filing materials;
- Naming conventions;
- Instructions for submitting and formatting PDF documents; and
- General "best practices" when communicating with the Board via email.

Further submissions to the Board related to this file may be submitted via the following e-mail address: ALRB.EDM@gov.ab.ca. Email communications that are sent to an email address at the Board other than the one identified here will be returned to the submitting party and will not be accepted. Please ensure the Board File Number is referenced in the subject line of all e-mail correspondence.

The parties are responsible to ensure they send copies of all correspondence to all other parties and the Board. You can confirm you have done this by statement in the letter or by noting a "cc to ____" on the letter. We encourage you to send copies to the other parties in the same way you send them to the Board.

We enclose a **NOTICE TO EMPLOYER AND EMPLOYEES**. The Board directs the Respondent to immediately post it where all affected employees will see it. After the notice is posted, please advise the Board of the date, time and location of posting. If extra copies are required, make as many as necessary.

Labour Relations Officer Patricia Lafave is assigned to these files and can be contacted at patricia.lafave@gov.ab.ca.

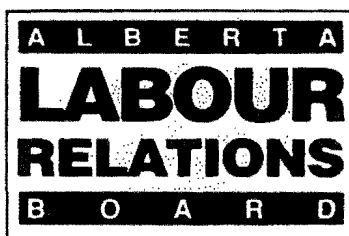


Tannis Brown
Director of Settlement

PL/td

Enclosure

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NOTICE TO EMPLOYER AND EMPLOYEES

On March 15, 2022, the Board received an unfair labour practice complaint from Civic Service Union 52 (the "Applicant" or the "Union") affecting The City of Edmonton (the "Respondent" or the "Employer")

The Applicant alleges the Respondent has violated sections 12(2)(e), 16(1) 147(3), and 148(1)(a)(ii) of the *Alberta Labour Relations Code* (the "Code").

Specifically, the Applicant alleges that, by changing its policy regarding Income Protection Benefits:

- the Employer has altered the terms and condition of bargaining unit members during a statutory freeze; and
- the Employer is interfering with the Union's representation of its members.

Any employees or groups of employees affected by this application may make representations on the matter by filing a written statement with the Labour Relations Board **on or before April 5, 2022**. The statement must provide in detail the reasons for the representation.

If an individual files a statement on behalf of a group of employees, it must contain the names, addresses, telephone numbers and signatures of all employees supporting the statement, in addition to the name, address, telephone number and signature of the individual filing on behalf of those employees who have signed the statement.

Please note that any document sent to the Board regarding the application will be placed on the public record and provided to the parties affected by the application.