

PROVINCE OF NEW BRUNSWICK

FILE NO. _____



Industrial Relations Act
(R.S.N.B., c. I-4)

COMPLAINT OR APPLICATION CONCERNING A WORK ASSIGNMENT,
DESIGNATION OF A JURISDICTIONAL TRIBUNAL OR A BARGAINING UNIT
DESCRIPTION BEFORE THE LABOUR AND EMPLOYMENT BOARD

Between:

*Complainant,
*Applicant,

-and-

Respondent.

THE COMPLAINANT, with respect to the matter of the assignment of work, on the complaint set forth hereinafter and made pursuant to subsection 83(1) of the Act, requests the Labour and Employment Board pursuant to the section to inquire into the complaint and to issue a direction with respect to the assignment of the work; *and further requests that

- *(a) The Chief Executive Officer, pursuant to section 84 of the Act, notify the designated jurisdictional representatives of the filing of the complaint with a view to effecting a settlement; *and that
- *(b) The Chief Executive Officer, pursuant to section 85 of the Act, notify the designated tribunal of the complaint with a view to effecting a settlement; *and that
- *(c) The Board, pursuant to subsection 85(2) of the Act, prescribe referral of the complaint in accordance with the provisions of the collective agreement with a view to effecting a settlement; *and that
- *(d) The Board, pursuant to subsection 86 of the Act, prescribe an appropriate jurisdictional tribunal to inquire into the complaint with a view to effecting a settlement; *and that
- *(e) The Board, pursuant to subsection 87(1) of the Act, issue an interim order with respect to the assignment of the work.

*THE COMPLAINANT, requests that a direction made under subsection 83(1) of the Act be binding on the parties for other jobs in existence or to be undertaken as hereinafter set forth.

THE *COMPLAINANT, *APPLICANT requests the Board, pursuant to section 89 of the Act, to alter the bargaining unit determined in a certificate or defined in a collective agreement as hereinafter set forth,

- (a) to conform, as provided in subsection (1) of the section, with the release of an order or direction made under section *83, *88,
- (b) to conform, as provided in subsection (2) of the section, with the decision of a tribunal made under section 85 of the Act;

*Strike out if not applicable

*THE APPLICANT requests the Board pursuant to subsection 89(3) of the Act to alter the description of the bargaining units as hereinafter set forth.

*THE COMPLAINANT requests the Board, pursuant to subsection 87(3) of the Act, to issue a direction that _____
_____ cease and desist from doing anything intended or likely to interfere with the terms of an interim order respecting the assignment of work.

*THE APPLICANT requests the Board pursuant to subsection *87(1), *88(3) of the Act to amend, vary or revoke an interim order, order of direction as hereinafter set forth.

The *Complainant *Applicant states:

1. (a) Name of *Complainant: *Applicant:

(b) Address and telephone number of *Complainant: *Applicant:

(c) Address for service:

2. Name and address of each of the respondents:

3. Name and address of any other person, trade union, council of trade unions or employers' organization that may be affected by the complaint or application:

4. (a) The date(s) upon which the act(s) or work assignment(s) complained of occurred:

(b) Detailed description of the work in dispute:

(c) The work has been assigned to:

*Strike out if not applicable

(d) The material facts upon which the complainant proposes to rely at the hearing:

(e) The relief to which the complainant claims to be entitled by reason of such facts:

(f) The submissions the complainant proposes to make in support of a claim for relief:

*5. (Where the complainant requests that an interim order with respect to the work assignment be issued by the Board under subsection 87(1) of the Act)

(a) Particulars of the allegation that a strike is imminent or is taking place by reason of the requirement as to the assignment of work or by reason of the assignment of work are:

(b) Particulars as to the terms of the order sought:

*6. (Where the complaint requests that the Board issue a cease and desist order or direction under subsection 87(3) of the Act)

(a) The name of the respondent(s) against whom a cease and desist order or direction is requested:

(b) Particulars as to the terms of the order or direction sought:

(c) The material facts upon which the complainant proposes to rely to establish that the respondent(s) intends or is likely to interfere with the terms of an interim order of the Board respecting the assignment of work:

*7. (Where the *applicant *complainant requests relief under section 89 of the Act)

(a) Particulars as to the bargaining unit:

(b) Particulars, if any, as to the order, direction or decision:

(c) Particulars as to the terms of the relief sought:

(d) The following documents related to the claim are attached:

*8. (Where the complainant requests, pursuant to subsection 83(2) of the Act, that a directive be binding on the parties for other jobs)

(a) Names and addresses of the parties to be bound:

(b) Particulars as to the jobs as set out in subsection 83(2):

(c) Particulars as to the terms of the direction sought:

(d) Submissions in support of the request made:

*9. (Where the applicant requests that an interim order, order or direction be amended, varied or revoked)

(a) Particulars of the interim order, order or direction are:

(b) Particulars as to the terms of the relief sought:

(c) Submissions in support of the relief sought:

*10. The following steps have been taken by or on behalf of the complainant for the adjustment of the matters giving rise to the complaint:

*11. *(a) The complainant has previously filed with the Board the name of its jurisdictional representative as provided under section 82 or has designated a tribunal thereunder as follows:

*(b) The complainant files with the Board the name of its jurisdictional representative in Form 50-1779 as follows:

*(c) (Where the complainant requests referral of the complaint under subsection 85(2) of the Act) The complaint is within the following provisions of a collective agreement:

A copy of the collective agreement is filed herewith and the following submissions are made in support of the request:

*(d) (Where the complainant requests the Board, pursuant to section 86 of the Act, to prescribe an appropriate jurisdictional tribunal)

(i) Jurisdictional representatives or a tribunal *have *have not been designated.

*Strike out if not applicable

(ii) The designation made of the following jurisdictional representatives or tribunal _____ is inadequate or inappropriate for the following reasons:

(iii) Particulars, if any, as to the designation sought:

(iv) (Where (ii) is completed) the following submissions are made with respect to the established practice in the industry:

12. Other relevant statements:

*13. Additional pages annexed or attached:

(a) Number of pages:

(b) Paragraph numbers of this form completed on the additional pages:

*14. In addition to the normal service of documents relating to this *complaint, *application , a request is made that copies be forwarded as follows (name and address):

Dated at _____, this _____ day of _____, 20 _____.

(Signature and office)

(Signature and office)

N.B. This form must be completed and signed in accordance with the provisions made in the Act and under the rules of the Board.

*Strike out if not applicable