

FORM 12
The Trade Union Act

**APPLICATION UNDER SECTION 31 OF THE ACT (SUCCESSOR RIGHTS)
BEFORE THE LABOUR BOARD**

Between:

Applicant

- and -

Respondent

The Applicant applies to the Labour Board under Section 31 of the *Act* with respect to the bargaining rights of

_____ (trade union)
as a result of an alleged

___ (a) sale of a business by
_____ (predecessor employer)
to
_____ alleged to have taken place on or about the _____ day of _____, 20____

OR

___ (b) amalgamation of one or more municipalities into another municipality or an amalgamation, union or other joining of two or more municipalities involving
_____ (successor municipality)
alleged to have taken place on or about the _____ day of _____, 20____

OR

___ (c) contracting out of work regularly done by employees of
_____ (predecessor employer)
to
_____ alleged to have taken place on or about the _____ day of _____, 20____ allegedly to avoid obligations under the *Trade Union Act*.

The applicant states:

1. (a) Name of applicant: _____
(b) Address: _____
2. ____ (check box if trade union is applicant)
(a) Name of trade union claiming bargaining rights: _____
(b) Address of trade union claiming bargaining rights: _____
3. ____ (check box if successor employer is applicant)
(a) Full name of successor employer: _____
(b) Address of successor employer: _____
4. ____ (check box if predecessor employer is applicant)
(a) Full name of predecessor employer: _____
(b) Address of predecessor employer: _____
5. (a) Full name of any trade union, employer or other person known to have an interest in this application: _____
(b) Address of any other trade union, employer or other person known to have an interest in this application: _____
6. (1) A sale of a business {____ did / ____ did not} take place.
(2) An amalgamation of one or more municipalities into another municipality, union or other joining of two or more municipalities {____ did / ____ did not} take place.
(3) The employer {____ did / ____ did not} contract out work regularly done by his employees and {____ did / ____ did not} do so to avoid obligations under the *Trade Union Act*.

7. As a result,

_____ (a) _____
{ ___ is / ___ is not } bound by a collective agreement entered into
by _____ (trade union)
and _____

OR

_____ (b) _____
{ ___ is / ___ is not } required to bargain with
_____ (trade union)
with a view to making a collective agreement.

8. A change in the character of the business so that it is substantially different from the business of the predecessor employer { ___ has / ___ has not } taken place.

9. An intermingling of employees of one business with employees of another business represented by a trade union { ___ has / ___ has not } taken place.

10. The applicant makes the following request (state nature of relief claimed):

11. The applicant submits with this application the following documents:

12. Other relevant statements, including a statement of events which led to this application (attach additional pages if necessary):

I/WE _____ declare that the statements made and information given herein are true in substance and in fact and we make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and made by virtue of the Canada Evidence Act.

Declared by the said

and

before me at _____ in the County of _____

this _____ day of _____, A.D. 20_____

A Commissioner of the Supreme
Court of Nova Scotia

(To be declared before a Commissioner for taking affidavits or any person authorized by law to administer an oath.)