

INSTRUCTION SHEET

Application For Certification (Trade Union Act, Section 23)

This form can be used to apply to the Board for union certification in the non-construction industry. (If you are applying for certification in the construction industry use TUA s95 form).

By filing this application, the applicant claims that:

- The employees affected by this application form a unit that is appropriate for collective bargaining;
- At least 40% of those employees are members in good standing of the applicant; and
- The employer is engaged in an industry which falls under the jurisdiction of the Province of Nova Scotia.

Important to note:

- Do not modify this form.
- This form must be completed in its entirety and properly signed before the application will be processed. The authority to sign an application is dealt with in Section 5 of the [Trade Union Act](#).
- Refer to the Board's Information Bulletin on Membership Evidence regarding sending membership information to the Board.
- Applications may be delivered by email, personal service, or by registered mail or other similar mail services.
- If an application is filed on a Saturday, Sunday, or holiday, it will be deemed to be filed on the following business day, as set out in the *Trade Union Act General Regulations*.
- Be as precise as possible when describing the bargaining unit.
- If there is another trade union or employee's organization that represents the affected employees, complete Section D of this Form.

Useful resources are available at <https://novascotia.ca/lae/labourboard/>, including:

- [The Nova Scotia Trade Union Act and Regulations](#)
- [Labour Board Rules of Procedure](#)
- [Past decisions of the Labour Board \(CanLII\)](#)
- [Information Bulletin: Dispute Resolution Alternatives](#)
- [Information Bulletin – “Ins and Outs”](#)
- [Information Bulletin – “Casual Employees in the Bargaining Unit”](#)

Applications can be submitted to:

Labour Board
1601 Lower Water Street, 3rd Floor
PO Box 202
Halifax NS B3J 2M4
Email: labourboard@novascotia.ca

Access

The Board aspires to provide services that are universally accessible. Once your application is submitted, the Board will contact you to provide information about the process. Any accessibility requests you have can be discussed at that time including any accommodation that may be required. The Labour Board does not provide legal advice. You may want to contact the [Legal Information Society of Nova Scotia](#) for legal assistance.

Privacy Statement

Any personal information requested in this form is collected under the authority of the Nova Scotia *Trade Union Act* (“TUA”) and the Nova Scotia *Freedom of Information and Protection of Privacy Act* (“FOIPOP”). It is collected for the purpose of processing your Application to the Labour Board. The collection, use, and disclosure of this information is managed under the TUA and FOIPOP. Any information provided to the Board may be shared with all parties affected by this application, subject to the discretion and policies of the Board. The Board's decision in this matter will be published online on CanLII and Carswell, both of which are publicly accessible databases.

SECTION A – CONTACT INFORMATION

We need to know how to reach the individuals involved in this application. Fill out as much of this section as possible. It is your responsibility to update the Board if there are any changes in your contact information.

TRADE UNION INFORMATION

If the applicant is a council of trade unions, provide the full name and address of each constituent union of the council.

Full Legal Name of Union:		Local No.:
Contact Person and Position:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

If applicable, fill out the following information related to the Union's Counsel and Law Firm:

Law Firm Name:		
Counsel Name:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

EMPLOYER INFORMATION

Full Legal Name of Employer:		
Contact Person and Position:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

Where the employer is a member of an employers' organization that may be affected by this application, provide the following information:

Employers' Organization Name:		
Contact Person and Position:		
Gender Pronouns:	Phone No.:	
Email Address:		

OTHER UNION INFORMATION

Is there existing union representation in place?

- YES** (complete Section D)
- NO** (Skip Section D)

SECTION B – EMPLOYER DETAILS

1. General nature of the employer’s business:

2. Employer’s hours of operation:

3. Describe the nature of the work performed by the employees in the proposed bargaining unit:

4. Provide the location(s) where the work referred to is performed (include civic address and description of the site location(s)):

SECTION C – PROPOSED BARGAINING UNIT

1. Provide a detailed description of the unit of employees the applicant claims are appropriate for collective bargaining (include job titles and classifications):

2. Are you applying to include casual employees?

- YES
- NO

SECTION D – EXISTING REPRESENTATION

Fill out this section **only** if there is another trade union or employee’s organization that represents the affected employees.

The applicant says that the trade union or council of trade unions named below claims some (or all) of the employees who may be affected by this application.

Full Legal Name of Union:		Local No.:
Contact Person and Position:		
Gender Pronouns:	Phone No.:	
Email Address:		
Street Address:		
Town/City:	Province:	Postal Code:

Collective Agreement Details:

1. Is a copy of the existing or recently expired collective agreement attached to this application?

YES

NO

Date the agreement was signed: _____

2. Names of the parties bound by the agreement:

3. Provide the terms of renewal or termination under the agreement in quotes:

4. If you are seeking early certification in accordance with section 23(3) of the *Trade Union Act*, provide an explanation of the grounds for this request and attach supporting affidavits, if any, as required by regulation 16:

SECTION E – REQUIRED DOCUMENTATION

Ensure you have carefully reviewed the list below, checked the applicable boxes, and attached all requested documentation.

1. Constitution, rules, and by-laws:

- I have attached a copy of the constitution, rules, by-laws of the applicant union, marked as “**Exhibit A**”

OR

- A current copy of the constitution, rules, and by-laws of the applicant union are already on file with the Labour Board.

2. List of elected officers:

- I have attached a list of the duly elected officers of the applicant union, marked as “**Exhibit B**”
(use the template attached to this form)

3. List of employees in good standing:

I have attached a list of the employees who are members in good standing of the applicant union, marked as “**Exhibit C**”

4. Support for Exhibit C:

In support of the list of employees who are members in good standing of the applicant union, I have attached (check all that apply):

- Their membership cards.
 Receipts or other evidence showing dues or fees have been paid.
 Other membership evidence because membership cards are not reasonably available.

5. Authorization to sign:

- We have authority to sign, being the president and secretary of the applicant trade union or employers’ organization.
 We have authority to sign, being two officers of the applicant trade union or employers’ organization.
 I have attached a copy of the resolution, duly passed at a meeting of the applicant union or employers’ organization, authorizing me to sign this application, marked as “**Exhibit D**”.
 A current copy of an authorization (e.g. resolution) is already on file with the Board.

6. Copy of collective agreement:

- I have attached a copy of the collective agreement referenced in Section D (existing representation)
 Section D does not apply to my application

IMPORTANT: This application must be completed in full, with all necessary documents attached. An incomplete application form will not be processed. Note that, except where protected by statute or Board policy, all information collected in this application form will be shared with other parties involved in this matter. Also, note that the decision of the Board may be posted online to searchable legal databases including Carswell and CanLII.

I/We _____
(print full name(s) of the applicant(s))

declare that the statements made and information given herein are true in substance and in fact and I/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 before me at:)
)
_____, Nova Scotia)
)
this _____ day of _____,)
)
20____.)
)
)
)
_____)
To be declared before a commissioner for taking affidavits or any)
person authorized by law to administer an oath)

Applicant's Signature

Applicant's Signature

Exhibit "B" to Form 1-PI

(Application for Certification – Part I, *Trade Union Act*)

CONFIDENTIAL

The following is a list of duly elected officers of the _____
(*Applicant's Name*)

Title	Name	Address
President		
Vice-President		
Recording Secretary		
Financial Secretary		
Treasurer		

