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May 8, 2015

Via email: susan.nicholas@tribunal.gc.ca

Susan Nicholas
Senior Legal Counsel
Canada Industrial Relations Board
C.D. Howe Building
240 Sparks St., 4th Floor West
Ottawa, ON K1A 0X8

Dear Ms. Nicholas:

Re: *Canada Industrial Relations Board Regulations, 2012 amendments*

I am writing on behalf of the Labour and Employment Law Section of the Canadian Bar Association (the CBA Section) to comment on the proposed amendments to the *Canada Industrial Relations Board Regulations, 2012* that are needed to implement the *Employees' Voting Rights Act*. We appreciate the opportunity to comment on these amendments.

The CBA is a national association representing 36,000 jurists, including lawyers, notaries, law teachers and students across Canada. The Association's primary objectives include improvement in the law and in the administration of justice. The CBA Section includes lawyers who act for unions and who act for employers. We typically comment on matters of policy or administration, but not on substantive issues on which the perspectives of our members would diverge. On those latter matters, our members may respond individually or through organizations such as the Canadian Association of Counsel for Employers (CACE) or Canadian Association of Labour Lawyers (CALL).

This letter addresses proposed amendments except for the proposed time lines to respond to or intervene in applications for certification or revocation, and the question of whether revocation applications are properly supported by petition v. individual statements. For the balance of the proposed amendments, the CBA Section has no concerns.

We do have questions about the Board's intended use of mail ballot or e-vote mechanisms for representation votes and how those mechanisms may affect the likely timing of those votes. In our view, it may be beneficial for the Board to issue an Information Circulation or other bulletin to the labour relations community to answer these questions.

We are happy to discuss these matters further at your convenience.

Yours truly,

(original letter signed by Tamra L. Thomson for Delayne Sartison)

Delayne Sartison, Q.C.
Chair, CBA Labour and Employment Law Section