



NOTICE TO COMMUNITY – March 23, 2020 (REVISED April 8, 2020)

Effective immediately, and until further notice, in light of current public health and government information, the Ontario Labour Relations Board is implementing the following changes:

1. With respect to **certification/ termination/ displacement applications**, the applicant will now be required to confirm to the Board that the employer is continuing to operate and carry on business. Changes have been made to the following forms: A-1, A-6, A-71 and A-77.
2. While the Board is continuing to hold representation votes electronically, votes will not be held for workplaces closed as a result of the current public health situation. Applicants should also be aware that votes may be delayed.
3. With respect to grievance referrals in the construction industry, no default decisions will be issued until the applicant has confirmed to the Board, by way of declaration, that the employer is continuing to operate and carry on business , **and the applicant has set out the basis for that belief.**
4. Case Management Hearings for March 18 and March 25 were cancelled. Efforts will be made to schedule upcoming CMHs via teleconference. These CMHs will not be limited to Wednesdays, and may be scheduled for any weekday.

An order was made on March 20, under subsection 7.1(2) of the *Emergency Management and Civil Protection Act*. The order suspends limitation periods retroactive to Monday, March 16, 2020, and also suspends, retroactive to March 16, 2020, any statute, regulation, rule or by-law establishing any period of time in which any step must be taken in any proceeding. This latter suspension, however, is subject to the discretion of the court, tribunal or other decision-maker responsible for the proceeding.

Please be advised that the Board is exercising its discretion NOT to suspend the time periods in which steps must be taken in its proceedings. So long as the required declarations that an employer is continuing to operate and carry on business have been made, the Board will process applications in the usual course. The Board will continue, however, to exercise its discretion to extend timelines at the request of the parties to proceedings, as may be appropriate in all of the circumstances and where there is a specific and compelling reason to do so.