



Order No.: 11373-U

Supercedes: 6250-U

IN THE MATTER OF THE

Canada Labour Code

- and -

Innotech Aviation Limited Employees' Association,

applicant-complainant,

- and -

Innotech Aviation Limited,

respondent,

- and -

I.M.P. Group Limited,
Execaire,
Innotech-Execaire Aviation Group,

employers,

- and -

United Food and Commercial Workers (U.F.C.W.), Local 501,

intervenor.

WHEREAS the Canada Labour Relations Board, the predecessor of the Canada Industrial Relations Board (the Board), by order no. 6250-U dated June 29, 1993, certified the Innotech Aviation Limited Employees' Association as the bargaining agent for a unit of employees of Innotech Aviation Limited comprising:

all employees of Innotech Aviation Limited in Dorval working in engineering, production and sales, **excluding** foremen, supervisors and those above, office personnel, handymen, stress and avionics engineers.

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AND WHEREAS, on February 14, 2018, the Board received a single employer application from the applicant-complainant, pursuant to section 35 of the *Canada Labour Code (Part I-Industrial Relations)* (the *Code*), in respect of I.M.P. Group Limited (IMP) and its divisions Innotech Aviation Limited, Exeaire and Innotech-Exeaire Aviation Group;

AND WHEREAS the Board received, as part of the same proceedings, an application from the applicant-complainant, pursuant to section 18 of the *Code*, seeking to amend certification order no. 6250-U by changing the name of the certified bargaining agent; changing the bargaining unit description to include, subject to certain exclusions, all production employees in Dorval and Saint-Laurent who perform technical, manual, craft, quality control and tooling functions; and naming IMP and its divisions Innotech Aviation Limited, Exeaire and Innotech-Exeaire Aviation Group as a single employer;

AND WHEREAS, as part of the same proceedings, the applicant-complainant also filed a complaint of unfair labour practice, alleging a violation of sections 94(1)(a), 94(3)(a)(i), 94(3)(b), 94(3)(e) and section 96 of the *Code*, naming I.M.P. Group Limited and its divisions Innotech Aviation Limited, Exeaire and Innotech-Exeaire Aviation Group as the responding parties;

AND WHEREAS, following a settlement agreement reached between the parties concerned on December 18, 2018, and January 7, 2019, the Board received a joint request from the applicant-complainant, the respondent and the employers on March 5, 2019, seeking to update order no. 6250-U by modifying the names of the applicant-complainant and the respondent and by modifying the bargaining unit description;

AND WHEREAS the applicant-complainant, the respondent and the employers confirmed, and the Board accepts, that since the issuance of order no. 6250-U, the applicant-complainant has not represented the employees working in the sales and engineering groups at Innotech Aviation Limited;

AND WHEREAS, following consideration of the application, the submissions of the applicant-complainant, the respondent and the employers and the terms of the agreement reached, the Board, in order 1082-NB, determined that it is appropriate to grant the joint request and update order no. 6250-U, pursuant to section 18 of the *Code*.

NOW, THEREFORE, it is ordered by the Canada Industrial Relations Board that the Association des Employés de Innotech Aviation be, and it is hereby certified to be, the bargaining agent for a unit comprising:

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all employees of Innotech Aviation, a division of I.M.P. Group Limited, working in production at Dorval, **excluding** foremen, supervisors and those above, office staff, handymen, engineers and the sales department.

ISSUED at Ottawa, this 17th day of July, 2019, by the Canada Industrial Relations Board.

Annie G. Berthiaume
Vice-Chairperson

Reference: File No. 32472-C