



Order No.: 11562-U

Supercedes: 11341-U

IN THE MATTER OF THE

Canada Labour Code

- and -

Public and Private Workers of Canada, Local No. 5,

applicant,

- and -

Vancouver Canada Aviation Partners Inc.,
Richmond, British Columbia,

employer,

- and -

Executive Air Craft Ltd.,
Richmond, British Columbia,

employer.

WHEREAS the Canada Industrial Relations Board (the Board), by order no.11341-U dated November 29, 2018, certified the Public and Private Workers of Canada, Local No. 5 as the bargaining agent for a unit of employees of Executive Air Craft Ltd. comprising:

all employees of Executive Air Craft Ltd. at the Vancouver International Airport, Vancouver, British Columbia, employed as Line Crew, Customer Service Representatives, and Building Maintenance staff, **excluding** administrative staff, pilots, members of the principal owner's immediate family and those performing management functions or employed in a confidential capacity in matters relating to industrial relations.

AND WHEREAS the Board has received an application, pursuant to sections 18 and 44 of the *Canada Labour Code* (the *Code*), seeking a declaration that the sale of Executive Air Craft Ltd. to Vancouver Canada Aviation Partners Inc. constitutes a sale of business within the meaning of the *Code*, and seeking to amend the said order to reflect the name of the new employer for the employees in the relevant bargaining unit;

AND WHEREAS, since February 24, 2020, or about that date, Vancouver Canada Aviation Partners Inc. acquired the assets of Executive Air Craft Ltd. and the employees in the bargaining unit described hereunder, who previously worked for Executive Air Craft Ltd. are now working for Vancouver Canada Aviation Partners Inc.;

AND WHEREAS the parties reached an agreement with respect to the bargaining unit description;

AND WHEREAS, after investigation of the application and consideration of the submissions of the parties concerned, the Board has determined that a sale of business has occurred within the meaning of section 44 of the *Code*.

NOW, THEREFORE, the Board declares that a sale of business has occurred within the meaning of the *Code*, that Vancouver Canada Aviation Partners Inc. is the successor employer, and that the Public and Private Workers of Canada, Local No. 5 continues to be the certified bargaining agent for a bargaining unit comprising:

all employees of Vancouver Canada Aviation Partners Inc. at the Vancouver International Airport, Vancouver, British Columbia, employed as line crew, customer service representatives, and building maintenance staff, **excluding** administrative staff, pilots and those performing management functions or employed in a confidential capacity in matters relating to industrial relations.

ISSUED at Ottawa, this 27th day of November, 2020, by the Canada Industrial Relations Board.

Ginette Brazeau
Chairperson

Reference: File No. 33814-C