



Order No.: 11676-U

## IN THE MATTER OF THE

*Canada Labour Code*

- and -

Teamsters Local Union No. 395,

applicant,

- and -

Executive Aviation Fuels Ltd.,  
Simcoe, Ontario,

employer.

**WHEREAS** the Canada Industrial Relations Board (the Board) has received an application for certification pursuant to section 24(1) of the *Canada Labour Code* (the *Code*) from the applicant seeking certification as bargaining agent for a unit of employees of Executive Aviation Fuels Ltd. (the employer) comprising:

All customer service agents and customer service agent leads working for Executive Aviation Fuels Ltd. at the Saskatoon International Airport in the Province of Saskatchewan, excluding administrative positions, human resource generalists, customer service coordinators, supervisors, managers and those above the rank of manager.

**AND WHEREAS** the employer is opposed to this application, alleging that the application was tainted by management influence;

**AND WHEREAS** the employer is also opposed to this application on the basis of the “build-up” principle, submitting that given an anticipated substantial increase to the proposed bargaining unit by the end of January 2022, the application should either be dismissed or postponed;

**AND WHEREAS**, following investigation of the application and consideration of the submissions of the parties concerned, and for the reasons set out in *Executive Aviation Fuels Ltd.*, 2022 CIRB LD 4636, the Board was not persuaded by the employer's arguments and determined that the application was neither tainted by management influence nor premature;

**AND WHEREAS** the Board has found the applicant to be a trade union within the meaning of the *Code*, has determined the unit described hereunder to be appropriate for collective bargaining and is satisfied that a majority of the employees of the employer in the unit wish to have the applicant trade union represent them as their bargaining agent.

**NOW, THEREFORE**, it is ordered by the Canada Industrial Relations Board that the Teamsters Local Union No. 395 be, and it is hereby certified to be, the bargaining agent for a unit comprising:

all customer service agents and customer service agent leads working for Executive Aviation Fuels Ltd. at the Saskatoon International Airport in the province of Saskatchewan, **excluding** administrative positions, human resource generalists, customer service coordinators, supervisors, managers and those above the rank of manager.

**ISSUED** at Ottawa, this 24th day of January, 2022, by the Canada Industrial Relations Board.

Barbara Mittleman  
Member

**Reference: File No. 035190-C**