



Order No.: 11796-U

IN THE MATTER OF THE

Canada Labour Code

- and -

International Association of Machinists and Aerospace Workers,

applicant,

- and -

WestJet, an Alberta Partnership,
Calgary, Alberta,

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 WestJet, an Alberta Partnership, consisting of:

All Load Control Agents and Lead Control Agents in Calgary Alberta
excluding all other departments and people who work as a
supervisor or higher positions.

AND WHEREAS the employer opposed the application, arguing that the bargaining unit proposed by the applicant was inappropriate for collective bargaining as it is a fractional bargaining unit;

AND WHEREAS the applicant proposed a revised bargaining unit consisting of:

All employees of WestJet, an Alberta Partnership, carrying out load
control functions, **excluding** the Manager, Load Control and above.

AND WHEREAS the employer opposes the amended bargaining unit description, arguing that it based its response to the application on the bargaining unit as originally proposed and that the proposed changes would substantially change the scope and definition of the bargaining unit that the applicant seeks to represent;

AND WHEREAS, following investigation of the application and consideration of the submissions of the parties concerned, and for the reasons set out in *WestJet, an Alberta Partnership*, 2023 CIRB LD 4928, 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 International Association of Machinists and Aerospace Workers be, and it is hereby certified to be, the bargaining agent for a unit comprising:

all load control agents and lead load agents employed by WestJet,
an Alberta Partnership, carrying out load control functions,
excluding the manager, load control and those above.

ISSUED at Ottawa, this 31st day of January, 2023, by the Canada Industrial Relations Board.

Roland A. Hackl
Vice-Chairperson

Reference: File No. 036221-C