

 **Campbell, [2017] O.L.R.D. No. 392**

Ontario Labour Relations Board Decisions

Ontario Labour Relations Board  
BEFORE: Gita Anand, Vice-Chair  
Decision: February 6, 2017.  
OLRB Case No.: 2701-16-U

**[2017] O.L.R.D. No. 392**

Wayne N. Campbell, Applicant v. District 362 Unifor Local 2002, Responding Party

(5 paras.)

---

**DECISION OF THE BOARD**

**1** This is a duty of fair representation complaint purportedly filed under section 56 of the *Colleges Collective Bargaining Act, 2008*, S.O. 1990, c.5. Having reviewed the application, it appears that the applicant is alleging that District 362 Unifor Local 2002 (the "Union") has breached section 74 of the the *Labour Relations Act, 1995*, S.O. 1995, c.1, as amended (the "Act") its duty of fair representation to him, in his employment relationship with Porter **Airlines** Inc. The application was filed on January 23, 2017. The Union has not filed a response.

**2** The Board has received correspondence from the applicant's employer, Porter **Airlines** Inc. ("Porter"), informing the Board that Porter is federally regulated. The Board does not have the jurisdiction to deal with federally regulated matters.

**3** The applicant has ten (10) days forward from the date of this decision to file his written submission in reply to the submission of Porter, indicating why he maintains the Board has jurisdiction to deal with this application. The submission must be filed with the Board and a copy delivered to the other parties.

**4** Should the applicant fail to file submissions with the Board, and deliver them to the other parties by the date on which they are due, the Board will determine the issue based on the submission filed by Porter.

**5** I am seized only to the extent necessary to deal with any submissions filed by the applicant.

"Gita Anand"  
for the Board

---

End of Document