

Effective 12 October 2005

<p>POLICY CIRCULAR REPRESENTATION VOTES</p>

At its meeting of 12 October 2005, the Board revised its Policy Circular dated 20 November 2002, as indicated in italics below:

REPRESENTATION VOTES

At its meeting of 20 November 2002, having considered: (1) the increasing number of disputes between the parties relating to the voting entitlement of employees who are absent from the workplace on the date of the vote, and (2) the statutory mandate to conduct votes within five (5) days of receipt of an application for certification or revocation of certification; the Board adopted the following policy:

Employees in the proposed bargaining unit who are absent from the workplace on the date of the vote will not be entitled to cast a ballot, except in the following circumstances:

1. **Agreement of the Parties**

Where the parties agree, *and the Board approves*, persons absent from the workplace on the date of the vote shall be entitled to cast a ballot, and the Board will send ballots by mail *or by whatever means the Board deems appropriate* to persons identified by the parties.

2. **Exceptional Circumstances**

Where the Board determines that exceptional circumstances exist, ballots will be sent by mail *or by whatever means the Board deems appropriate*. For example, in the construction industry, where the Board adheres to the date of the application as the operative date for the purpose of determining “employee” status, the Board will send ballots by mail *or by whatever means the Board deems appropriate* to employees who worked on the date of the application but were no longer working for the employer on the date of the vote.

This circular replaces the Policy Circular dated 20 November 2002.