

APPENDIX

Labour Relations Code

**CONSTRUCTION INDUSTRY JURISDICTIONAL
ASSIGNMENT PLAN REGULATION**

Definitions

1. In **this** Regulation,

(a) "general construction" means construction within the meaning of the Labour Relations Code, other than pipeline construction, road building, heavy construction and specialty construction;

(b) "memorandum of understanding" means the memorandum of understanding dated August 15, 1995 between the Coordinating Committee of Registered Employers' Organizations and the Alberta & N.W.T. (District of MacKenzie) Building and Construction Trades Council, as amended or replaced from time to time;

(c) "participating union" means a Building Trades' union that is a party to or bound by a collective agreement with

(i) a registered employers' organization,

(ii) an employers' organization represented by the Coordinating Committee of Registered Employers' Organizations, or

i. a participating contractor as defined in the procedural rules;

(d) "Plan" means the Jurisdictional Assignment Plan of the Alberta Construction Industry that was established by the memorandum of understanding, and that consists of

(i) the memorandum of understanding,

(ii) the procedural rules, and

(iii) the letters of understanding to the procedural rules,

all as are amended or replaced from time to time;

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(e) "procedural rules" means the procedural rules of the Plan as agreed to between the Coordinating Committee of Registered Employers' Organizations and Alberta and N.W.T. (District of MacKenzie) Building and Construction Trades Council as amended or replaced from time to time;

(f) "umpire" means a person appointed as an umpire or alternate umpire pursuant to the Plan.

Settlement of differences

2 (l) Every collective agreement in the general construction sector of the construction industry entered into by a participating union shall contain provisions requiring differences arising in the general construction sector with respect to the assignment of work to members of a trade union or to workers of a particular trade, craft or class to be settled in accordance with the Plan.

2. If a collective agreement referred to in subsection (1) does not contain the provisions required under subsection (1), the collective agreement shall be deemed to contain them.
3. Where a collective agreement referred to in subsection (1) contains provisions that conflict or are inconsistent with the Plan, those provisions are inoperative to the extent of the conflict or inconsistency.

No judicial review

3. No order shall be taken or process entered in any court, whether by way of injunction, declaration, prohibition, quo warranto or otherwise, except as may be provided for in the procedural rules.

Enforcement of decision

4. A decision under the Plan may be enforced by a trade union, employer, employers' organization or other affected party in accordance with the procedural rules.

MINISTERIAL ORDER 35/95

ISSUES AND REGIONAL MANAGEMENT DIVISION

MINISTERIAL ORDER

I, Stockwell Day, Minister of Labour, pursuant to section 200(1) of the Labour Relations Code; make the Construction Industry Jurisdictional Assignment Plan Regulation in the attached Appendix.

Dated at Edmonton, Alberta this 18th day of October, 1995.

Assignment Plan Regulation

"STOCKWELL DAY"

Minister of Labour