

MANITOBA LABOUR BOARD

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ES-1 DETERMINATION IF AN ESSENTIAL SERVICE EXISTS- APPLICATION

(Section 94.3(1.1) of the Labour Relations Act)

Employer:

Bargaining Agent:

Filed by:

Complete all sections of this form and include requested attachments.

❖ You must submit a FORM A with this application.

The party submitting this Application for the determination of whether essential services exist must serve a copy of the Application on the other party of the Collective Agreement prior to filing with the Board and shall indicate to the Board at the time of filing what provision has been or is being made to affect such service.

A failure to provide all the required information or to serve the other party shall result in a rejection of the Application by the Board.

Collective Agreement

Term of current Collective Agreement: _____ to _____

❖ Attach copy of agreement

This is a first collective agreement

Description of Employer

Brief Description of Employer’s business:

Provide a list of all locations and facilities of the Employer relevant to the employees covered by this collective agreement:

Manitoba Labour Board

Description of Bargaining Unit and Employees

Number of employees currently in the bargaining unit:

Certificate No.:

Voluntary recognition

Current Bargaining Unit Description:

1. Is an essential service agreement required?

No, the applicant is of the opinion that an essential services agreement is not required

Yes, the applicant is of the opinion that an essential services agreement is required because a strike or lockout would result in a failure to: (check all that apply)

Prevent a threat to the health, safety or welfare of residents of Manitoba

Maintain the administration of justice

Prevent a threat of serious environmental damage

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2. The Applicant intends to rely upon the following material facts in support of its position.

3. Please list the supply of services, operations of facilities or production of goods believed necessary to ensure essential services are maintained in the event of a strike or lockout.

4. Does Not Apply.

Affidavit Evidence

The Applicant confirms that the material facts in support of its position are set out in the affidavits filed with this application. The Affiants shall be made available for cross examination at any hearing.

❖ Attached Affidavit(s) sworn by:

Manitoba Labour Board

AFFIDAVIT OF SERVICE

A completed copy of this application has been provided to the respondent on

Provided to:

(name and title of recipient)

Delivery Method:

Address of delivery:

Served by:

(name and title)

Signature:

Document Checklist

	Form A
	Collective Agreement
	Affidavit evidence