



Order No.: 7898-U

Supercedes: 7581-U

IN THE MATTER OF THE

Canada Labour Code

- and -

United Food and Commercial Workers
International Union, Local 175,

applicant /
certified bargaining agent,

- and -

1312662 Ontario Inc. c.o.b. as Warring's Transport,
Ancaster, Ontario,

successor employer,

- and -

D.A. Warring & Sons Foods Ltd.,
Ancaster, Ontario,

former employer.

WHEREAS the Canada Industrial Relations Board, by Order dated May 20, 1999, certified the United Food and Commercial Workers International Union, Local 175, as the bargaining agent for a unit of employees of D.A. Warring & Sons Foods Ltd.;

AND WHEREAS, the Board has received an application, pursuant to section 44 of the Canada Labour Code (Part I -Industrial Relations), seeking a declaration that the sale of D.A. Warring & Sons Foods Ltd. to 1312662 Ontario Inc. c.o.b. as Warring's Transport constitutes a sale of business within the meaning of the Code;

AND WHEREAS, after investigation of the application and consideration of the submissions of the parties concerned, the Board has determined that a sale of business has occurred within the meaning of section 44 of the Code and that 1312662 Ontario Inc. c.o.b. as Warring's Transport is the successor employer;

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AND WHEREAS, the Board has determined that the provisions of section 44(2) of the Code apply and that the United Food and Commercial Workers International Union, Local 175 continues to be the bargaining agent of the unit of employees of 1312662 Ontario Inc. c.o.b. as Warring's Transport.

NOW, THEREFORE, it is declared by the Canada Industrial Relations Board that a sale of business has occurred within the meaning of the Code and that 1312662 Ontario Inc. c.o.b. as Warring's Transport is the successor employer, and it is ordered by the Canada Industrial Relations Board that the said Order of Certification be amended, and it is hereby amended, by:

- a) deleting the name of the employer, "D.A. Warring & Sons Foods Ltd.", wherever it appears therein, and by substituting therefor "1312662 Ontario Inc. c.o.b. as Warring's Transport"; and
- b) by deleting the description of the certified bargaining unit contained therein and by substituting therefor the following:

"all employees of 1312662 Ontario Inc. c.o.b. as Warring's Transport, from Aldershot Cold Storage, in Burlington, Ontario, excluding supervisors, those above the rank of supervisors, office, clerical and sales staff. "

ISSUED at Ottawa, this 18th day of September 2000, by the Canada Industrial Relations Board.

Edmund Tobin
Vice-Chairperson

Reference: File No. 20343-C