



Order No.: 8438-U (new unit)

Amends: 7489-U

IN THE MATTER OF THE

Canada Labour Code

- and -

Transport Drivers, Warehousemen and
General Workers' Union, Teamsters Quebec,
Local 106 (QFL),

certified bargaining agent,
(applicant)

- and -

Autobus Auger Métropolitain Inc.,
Châteauguay, Quebec,

former employer,

- and -

9089-2167 Québec Inc.
Châteauguay, Québec,

successor employer.

WHEREAS the Canada Labour Relations Board, by Order dated September 11, 1997 as amended by Order dated December 17, 1998, certified Transport Drivers, Warehousemen and General Workers' Union, Local 106 (Teamsters Quebec), as the bargaining agent for a unit of employees of Autobus Auger Métropolitain Inc.;

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AND WHEREAS, the Canada Industrial Relations 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 Autobus Auger Métropolitain Inc., to 9089-2167 Québec Inc., constitutes a partial 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 partial sale of business has occurred within the meaning of section 44 of the Code and that 9089-2167 Québec Inc. is the successor employer;

AND WHEREAS, the Board has determined that the provisions of section 44(2) of the Code apply and that Transport Drivers, Warehousemen and General Workers' Union, Teamsters Quebec, Local 106 (QFL), continues to be the bargaining agent of the unit of employees of 9089-2167 Québec Inc

NOW, THEREFORE, it is declared by the Canada Industrial Relations Board that a partial sale of business has occurred within the meaning of the Code and that 9089-2167 Québec Inc 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) replacing, where applicable, the name of the employer to "9089-2167 Québec Inc."; and
- b) by certifying the applicant union for a unit of employees comprised of:

"all bus drivers employed by 9089-2167 Inc., excluding dispatchers, inspectors, supervisors and those above".

ISSUED at Ottawa, this 14th day of February 2003, by the Canada Industrial Relations Board.

Michele A. Pineau
Vice-Chairperson

Reference: File No. 23123-C