



LABOUR RELATIONS

Certification—Application for judicial review of Canada Labour Relations Board decision granting application for certification—Employer objecting, alleging receipt of numerous verbal and written complaints from employees concerning harassment, threats and intimidation—No formal complaints—Senior labour relations officer, appointed by Board to assist parties to settle complaints, informing Board some employees expressed wish not to be represented by union and reported being approached in work place or harassed—Only one of employees in question signing membership card—Officer finding requirements of Board's Regulations, s. 24 met—Ultimately, on February 20, 1998, Board granting application for certification—On March 18, 1998, in related file, Board informed union hearing with respect to unfair labour practice complaints to be held on June 29 and 30, 1998—In application for judicial review, employer arguing Board breached *audi alteram partem* rule by not holding more comprehensive investigation to verify employees' wishes, by not allowing employer to lead evidence regarding employer's allegations and complaints of unfair labour practices, by ignoring evidence on record and by not making decision on unfair labour practice complaints before ruling on application for certification—Employer also arguing Board exceeded jurisdiction by issuing certification order without reasons—Application dismissed—Certification file and complaint file followed normal procedure in every respect—Board master of own procedure and of setting own priorities—Employer actually invites Court to interfere with both—Court can only intervene with respect to procedures and priorities if clear, in given circumstances, Board could not reasonably have been satisfied of wishes of majority of affected employees, without previously having disposed of complaints or without previously having ordered hearing or representation vote be held—With respect to lack of reasons, Board not only not required to provide reasons, but nothing to suggest Board did not do what Board said Board did, nor to suggest result of Board's procedure so absurd Board should have provided more detailed reasons in explanation.

CANADIAN IMPERIAL BANK OF COMMERCE—VISA CENTRE V. SYNDICAT DES EMPLOYÉES ET EMPLOYÉS PROFESSIONNELS-LES ET DE BUREAU, SECTION LOCALE 57 (SIEPB) CTC-FTQ (A-192-98, Decary J.A., judgment dated 30/3/99, 9 pp.)