



July 16, 2012

Alberta Teachers' Association
11010 – 142 Street NW
Edmonton, AB T5N 2R1
Attention: Peter Kalis
Fax: (780) 453-2411

Field LLP
Lawyers
1900, 350 7 Avenue SW
Calgary, AB T2P 3N9
Attention: Kelly Nicholson
Fax: (403) 264-7084

OUR VISION...

The fair and equitable application of Alberta's collective bargaining laws.

OUR MISSION...

To administer, interpret and enforce Alberta's collective bargaining laws in an impartial, knowledgeable, efficient, timely and consistent way.

Livingstone Range School Division
No. 68
5202 – 5 Street East
P.O. Box 69
Claresholm, AB T0L 0T0
Attention: Jeff Perry
Fax: (403) 625-2424

RE: A bad faith bargaining complaint and an unfair labour practice complaint brought by the Alberta Teachers' Association affecting Livingstone Range School Division No. 68 – Board File No. GE-06436

501, 10808 - 99 Avenue
Edmonton, Alberta
T5K 0G5

Tel: 780-422-5926
Fax: 780-422-0970

308, 1212 - 31 Avenue NE
Calgary, Alberta
T2E 7S8

Tel: 403-297-4334
Fax: 403-297-5884

E-mail:
alrbinfo@gov.ab.ca

Website:
www.alrb.gov.ab.ca

On July 13, 2012, the Board received a letter from Kelly Nicholson on behalf of the Alberta Teachers' Association. The applicant previously provided a copy to the respondent.

The Board has accepted this as a complaint under Section 16 of the *Labour Relations Code*. The complaint alleges the Livingstone Range School Division No. 68 violated Sections 60(3) and 148(1)(a)(ii) of the Code.

Specifically, the complaint alleges the Employer:

- is bargaining in bad faith and interfering with the representation of employees by a trade union by posting the Union's confidential bargaining proposals on the School Division's website.

Information Bulletin #2 generally describes how the Board processes complaints.

Particulars

If the respondent requires additional particulars from the applicant, file your written request for more particulars **on or before July 23, 2012**. Specify in detail the additional information needed. If no request is made by the deadline, the Board will proceed with this complaint based on the information provided by the applicant.

Particulars are the details, the "who, what, when, where, and how", of the complaint. They are the facts and events the applicant relies on to justify the Board giving the relief the applicant seeks. The applicant must allege facts and events that, if true, can prove the Code applies or has been violated.

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Responses

The Board directs the respondent to file a written response to this complaint **on or before July 30, 2012**. Please include the details required in Information Bulletin #2 and the Rules of Procedure.

Setting the Hearing Date

Almost immediately, the officer will work with you to set a hearing date. To do so, the officer requires from the respondent and the applicant, if it has not already given it, the number of witnesses each will require in a formal hearing, the anticipated number of hearing days, and dates they, their counsel (if any) and any witnesses are available for a Board hearing. Please provide that information to the officer **on or before July 30, 2012**.

If the parties cannot agree to a hearing date within a reasonable time, the Board may schedule a conference call with the parties within one week of July 30, 2012 to set a date for the formal hearing.

The officer will also schedule a Resolution Conference approximately two weeks prior to the date set for the formal hearing. For information on that process, please refer to Information Bulletin #2.

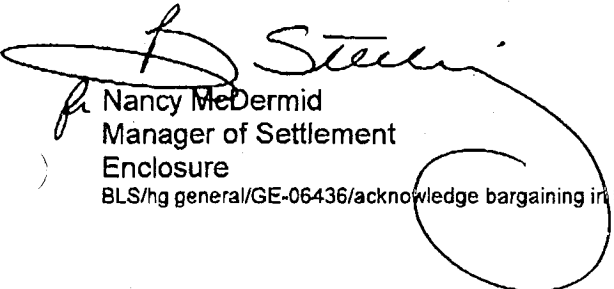
Notice and Copies

The parties are responsible to ensure they send copies of all correspondence, except information about their available hearing dates, to all other parties and the Board. You can confirm you have done this by statement in the letter or by noting a "cc to ____" on the letter. We encourage you to send copies to the other parties in the same way you send them to the Board.

Betty Lou Stelling, Labour Relations Officer, is assigned to this file and is available to assist the parties, including mediate a settlement to the complaint. She can be contacted at (403) 297-5886.

We also encourage the parties to use the Board's mediation/non-binding informal hearing process involving a Board Member under Section 11 of the *Labour Relations Code*. That process is also outlined in Information Bulletin # 2.

We enclose a **NOTICE TO EMPLOYER AND EMPLOYEES**. The Board directs the employer to immediately post it where all affected employees will see it. After the notice is posted, please advise the Board of the date, time and location of posting. If extra copies are required, make as many as necessary.


Nancy McDermid
Manager of Settlement

Enclosure

BLS/hg general/GE-06436/acknowledge bargaining in bad faith



NOTICE TO EMPLOYER AND EMPLOYEES

On July 13, 2012, the Board received a bad faith bargaining complaint and an unfair labour practice complaint from the Alberta Teachers' Association ("the Union"). The complaint alleges that Livingstone Range School Division No. 68 ("the Employer") violated Sections 60(3) and 148(1)(a)(ii) of the *Labour Relations Code*.

Specifically, the complaint alleges the Employer:

- is bargaining in bad faith and interfering with the representation of employees by a trade union by posting the Union's confidential bargaining proposals on the School Division's website.

Any employees or groups of employees affected by this application may make representations on the matter by filing a written statement with the Labour Relations Board **on or before July 30, 2012**.

The statement must give in detail the reasons for the representation. If an individual on behalf of a group of employees files the statement, it must contain the names, addresses, telephone numbers and signatures of all employees supporting the statement. In addition, it must contain the name, address, telephone number and signature of the individual representing employees who have signed the statement. If you desire, you have the right to retain an agent or lawyer to represent your interests.

If you have any questions, please contact Betty Lou Stelling, Labour Relations Officer at (403) 297-5886.

If any person has any questions relating to this matter, please contact:

Labour Relations Board
501, 10808 99 Avenue
Edmonton, Alberta T5K 0G5
Tel: (780) 422-5926

Labour Relations Board
308, 1212 31 Avenue NE
Calgary, Alberta T2E 7S8
Tel: (403) 297-4334