

SUPREME COURT OF NOVA SCOTIA

Citation: Cape Breton Island Building & Construction Trades Council v.
Nova Scotia Power Inc., 2010 NSSC 333

Date: 20100826

Docket: Hfx. No. 309073

Registry: Halifax

Between:

Cape Breton Island Building & Construction Trades Council,
International Union of Operating Engineers, Local 721, United
Association of Journeymen & Apprentices of the Plumbing,
Steamfitting & Pipefitting Industry of the United States
and Canada, Local 682

Applicants

v.

Nova Scotia Power Inc., International Brotherhood of
Electrical Workers, Local 1928, Nova Scotia Construction
Labour Relations Association Limited (Construction
Management Bureau), and the Construction Industry Panel
of the Labour Relations Board (Nova Scotia)

Respondents

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Judge: The Honourable Justice Suzanne M. Hood

Heard: May 11, 2010, Halifax, Nova Scotia

Subject: Judicial Review

Summary: The applicants seek judicial review of a decision of the Construction Industry Panel of the Nova Scotia Labour Relations Board (the Panel). The decision interpreted sections of the Trade Union Act, R.S.N.S. 1989, c. 475. It also concluded there was an abandonment of the right to challenge or grieve with respect to s. 92(c) work performed by Nova Scotia Power (NSP). The Panel also determined a jurisdictional work dispute, in the alternative.

Issue: Should decision be quashed?

Result: Decision is not unreasonable, decision not quashed.

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