



September 10, 2019

United Food and Commercial Workers
Canada Union, Local No. 401
100, 46 Hopewell Way NE
Calgary, AB T3J 5H7
Attention: Joe Irving
Fax: (403) 250-3412

Chivers Carpenter Lawyers
101, 10426 81 Avenue
Edmonton, AB T6E 1X5
Attention: Gordon Nekolaichuk
Fax: (780) 439-8543

Widewaters Calgary Hotel Management
Suite A, 711 4 Street SE
Calgary, AB T2G 1N3
Attention: Robert D'Orazio
Fax: (587) 352-2024

Stikeman Elliot
4300 Bankers Hall West
888 3 Street SW
Calgary AB T2P 5C5
Attention: Kris Noonan
Fax: (403) 266-9034

OUR VISION...

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

OUR MISSION...

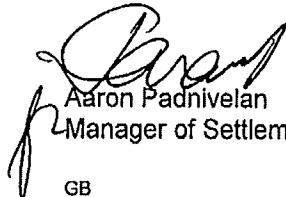
To administer, interpret and enforce Alberta's collective bargaining laws in an impartial, knowledgeable, efficient, timely and consistent way.

RE: An unfair labour practice complaint and an application for board assistance in settling the terms of a first collective agreement brought by the United Food and Commercial Workers Canada Union, Local No. 401 affecting Widewaters Calgary Hotel Management Company, ULC – Board File No. GE-07882

This will confirm that on August 30, 2019 the Board received a letter from Gordon Nekolaichuk requesting that the Board issue a consent order that the parties have agreed upon. Please find attached a signed copy of the consent order.

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

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


Aaron Padniveelan
Manager of Settlement

GB

W:/Calgary/Process/General/GE-07882/Consent order

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

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

E-mail:
alrb.info@gov.ab.ca

Website:
www.alrb.gov.ab.ca



CONSENT ORDER

RE: An unfair labour practice complaint and an application for Board assistance in settling the terms of a first collective agreement brought by the United Food and Commercial Workers Canada Union, Local No. 401 affecting Widewaters Calgary Hotel Management Company, ULC -- Board File No. GE-07882

Whereas the United Food and Commercial Workers Canada Union, Local No. 401 (the "Union") applied for Board assistance pursuant to section 92.2(6) of the *Labour Relations Code* (the "Code") seeking a supervised strike vote;

And Whereas Widewaters Calgary Hotel Management Company, ULC (the "Employer") applied to the Board pursuant to section 92.3(1) seeking a declaration that the dispute be resolved by arbitration in accordance with section 92.4 of the *Code*;

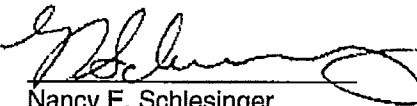
And Whereas the applications proceeded to hearing before a panel of the Board on April 15, 2019;

And Whereas on August 30, 2019, the parties wrote to the Board that an agreement had been reached to resolve the matter by way of this Consent Order;

Therefore, the Board orders that:

1. The Union's application pursuant to section 92.2(6) of the *Code* for a supervised strike vote is withdrawn.
2. Pursuant to section 92.3 of the *Code*, the Board declares the parties shall resolve their dispute by arbitration in accordance with section 92.4 of the *Code*.
3. The parties agree to appoint Deborah Howes as arbitrator to conduct the first contract arbitration in accordance with section 92.4 of the *Code*. If for any reason Deborah Howes is unable or unwilling to act as arbitrator in this matter, the Board after consulting with the parties, will forthwith appoint a single arbitrator to resolve the dispute.
4. Notwithstanding the terms of this Consent Order, the Board may, in its discretion, publish a decision with respect to Board File No. GE-07882. The Board's decision on File No. GE-07882 shall not affect the parties' election to resolve their dispute by first contract arbitration in accordance with section 92.4 of the *Code*.

ISSUED AND DATED at the City of Calgary, in the province of Alberta, this 10th day of September 2019 by the Labour Relations Board and signed by its Vice Chair.


Nancy E. Schlesinger
Vice-Chair