

News

Non-Construction Employers and the Construction Industry Provisions of the *Labour Relations Act*

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Employers that are bound to a construction collective agreement and that do not operate within the construction industry find themselves, from time to time, involved in some kind of construction activity. It is important that these employers are aware that in certain cases, their construction activities may keep them within the construction industry provisions of the Ontario *Labour Relations Act*.

This happened in a recent case involving a school board which had an employee overseeing construction activities at a community centre, jointly owned and operated by it with three other parties. The school board charged and received an administration fee for the employee's services. The Court of Appeal upheld a decision of the Ontario Labour Relations Board that such activity was sufficient to bring the school board within the construction provisions of the Act, as the activities of the employee were similar to those performed by a general contractor. A more detailed discussion of this case is found in our Case in Point blog post, "[Activities of a School Board Found to be Construction Activities for the Purposes of the Labour Relations.](#)"