

JURISDICTIONAL ASSIGNMENT PLAN
of the
ALBERTA CONSTRUCTION INDUSTRY
(J.A. Plan)

Appeal Board Decision- File #0103

OF

Reconsideration – File #0101

OF

Decision of the Umpire – File #0015

Review of Contractor's Intended Work Assignment
Installation of Unassembled (Broke Down) Compressors

Project

Shell Athabasca Oil Sands Down Stream Project
Scotford, Alberta

Contractor

Fluor Constructors Canada Ltd. (Fluor)

Protesting Party

International Association of Bridge, Structural, Ornamental and Reinforcing Iron
Workers #720, Edmonton
(IW)

Respondents

United Association of Journeymen and Apprentices of the Plumbing and Pipefitting
Industry, Local Union 488, Edmonton
(UA)

Millwrights, Machinery Erectors & Maintenance Workers Local #1460, Edmonton
(MW)

Decision Published
February 12, 2001

February 12, 2001

DECISION OF THE APPEAL PANEL
OF THE J.A. PLAN (ALBERTA)
IN THE MATTER OF THE INSTALLATION OF UNASSEMBLED (BROKE DOWN)
COMPRESSORS
PROJECT, SHELL ATHABASCA OIL SANDS DOWN STREAM PORJECT, SCOTFORD,
ALBERTA
J. A. FILE #0103 (0101) (0015)

The appealing party: Darrell Laboucan, Ironworkers Local 720, Edmonton, Alberta

The Appeal Panel met on February 2, 2001 to consider the merit of the appeal and review all relevant documentation. The Appeal Panel concluded the appeal was valid and had merit. The Panel ordered a hearing set for February 9, 2001 at 11:00 A.M. at the Alberta Construction offices, 2725-12 Street N.E., in Calgary, Alberta.

The Appeal Panel convened the hearing at the above stated time and place. In attendance:

Darrell Laboucan, IW	Larry Matychuk, UA
Harry Tostowaryk, IA	Bob Hugh, MW
Hugh Tackaberry, Fluor	

The panel heard oral argument as to the umpire's decision on reconsideration and the reasons for his decision.

The Panel reviewed and gave due consideration to all evidence and arguments in each of the three hearing "appeal re-consideration and the original decision of the umpire." The Panel came to the conclusion that there was no compelling evidence to change the umpire's original decision. Therefore, the appeal succeeds and the umpire's original decision stands.

DECISION

Fluor's Assignment is upheld.
This Decision applies to this Project only.
The costs shall be paid 60% by the UA and 40% by the MW.

In keeping with the principle of loser pays, the cost of the appeal and the reconsideration shall be paid 60% by the UA and 40% by the MW.

The Appeal Panel
H. Taylor, Chairman; B. Milner; J. Derrick.

H. Taylor
Chairman