

**SUPREME COURT OF CANADA -- JUDGMENT IN APPEAL**

OTTAWA, 2013-06-14. THE SUPREME COURT OF CANADA HAS TODAY DEPOSITED WITH THE REGISTRAR JUDGMENT IN THE FOLLOWING APPEAL.  
FROM: SUPREME COURT OF CANADA (613) 995-4330

**COUR SUPRÊME DU CANADA -- JUGEMENT SUR APPEL**

OTTAWA, 2013-06-14 LA COUR SUPRÊME DU CANADA A DÉPOSÉ AUJOURD'HUI AUPRÈS DU REGISTRAIRE LE JUGEMENT DANS L'APPEL SUIVANT.

SOURCE: COUR SUPRÊME DU CANADA (613) 995-4330

COMMENTS/COMMENTAIRES: [comments-commentaires@scc-csc.ca](mailto:comments-commentaires@scc-csc.ca)

**APPEAL / APPEL**

Reasons for judgment will be available shortly at: / Motifs de jugement disponibles sous peu à:

<http://scc.lexum.org/decisia-scc-csc/scc-csc/en/nav.do>

<http://scc.lexum.org/decisia-scc-csc/scc-csc/fr/nav.do>

**34473**      **Communications, Energy and Paperworkers Union of Canada, Local 30 v. Irving Pulp & Paper, Limited – and – Construction Owners Association of Alberta, Construction Labour Relations - an Alberta Association, Enform, Canadian National Railway Company, Canadian Pacific Railway Company, Via Rail Canada Inc., Alberta Federation of Labour, Communications, Energy and Paperworkers Union of Canada, Local 707, Canadian Civil Liberties Association, Alliance of Manufacturers & Exporters of Canada, carrying on business as Canadian Manufacturers & Exporters, Canadian Mining Association, Mining Association of British Columbia, Mining Association of Manitoba Inc., Québec Mining Association, Ontario Mining Association, Saskatchewan Mining Association and Power Workers' Union (N.B.)**  
**2013 SCC 34 / 2013 CSC 34**

Coram:      McLachlin C.J. and LeBel, Fish, Abella, Rothstein, Cromwell, Moldaver, Karakatsanis and Wagner JJ.

The appeal from the judgment of the Court of Appeal of New Brunswick, Number 133-10-CA, 2011 NBCA 58, dated July 7, 2011, heard on December 7, 2012, is allowed with costs throughout. McLachlin C.J. and Rothstein and Moldaver JJ. are dissenting.

L'appel interjeté contre l'arrêt de la Cour d'appel du Nouveau-Brunswick, numéro 133-10-CA, 2011 NBCA 58, en date du 7 juillet 2011, entendu le 7 décembre 2012, est accueilli avec dépens devant toutes les cours. La juge en chef McLachlin et les juges Rothstein et Moldaver sont dissidents.