

Amalgamated Transit Union Canada

March 1, 2017

Dear Unifor Sisters and Brothers:

I write to you with both urgent concern and great reluctance. Unfortunately, the recent events in Toronto involving Amalgamated Transit Union Local 113 and your national president, Jerry Dias, have left me no choice but to address you directly.

As you have likely learned in the news media, ATU International was forced to put ATU Local 113 into trusteeship on February 3 after learning that President Bob Kinnear had sought to access Article 4.9 of the Constitution of the Canadian Labour Congress without the consent of his Executive Board or knowledge of his nearly 11,000 members. Kinnear's maneuvers were a direct violation of the ATU Constitution and General Laws, Local 113's by-laws, as well as an egregious violation of all trade union norms of democracy and respect for the members' rights.

Trusteeships in ATU are not taken lightly, and are rarely invoked. In the case of Local 113, **within 48 hours of trusteeing the Local we discovered physical evidence that Kinnear had been directly coordinating his strategy with Anthony Dale, Legal Director of Unifor, and Scott Doherty, assistant to President Dias.**

In the days that followed, President Dias came out swinging. I won't repeat here the baseless, inaccurate or ultra-nationalist attacks he made against ATU or the international trade union movement. I will only say that they have deeply troubled ATU's 30,000 members in Canada, whom I represent as president of ATU Canada, and many national and international affiliates in the Canadian Labour Congress.

It is now crystal clear that President Dias is seeking to raid ATU Local 113, and found a willing partner in a rogue ATU Local President, Bob Kinnear.

Their plans backfired as more than 95% of elected stewards and a supermajority of Local 113's elected board publicly opposed the effort. With their secrets revealed, Kinnear and Dias sought the intervention of the courts.

While they succeeded in enjoining the trusteeship, they have been met with fierce resistance from Local 113's elected board and stewards, thousands of 113 members, and an increasing number of Canadian and International unions. The Local 113 Executive board unanimously passed a motion of non-confidence in Kinnear's leadership last week, and members have begun rallying at the union hall to call for his resignation.

Efforts by Kinnear and Dias to make the raid of a fellow CLC affiliate about “democracy” ring hollow. Before any trusteeship or CLC process was initiated, they had predetermined Unifor as the future home of Local 113 members.

Why President Dias put the name and reputation of Unifor out on such a precarious limb to defend a discredited Local officer remains a mystery to many. That he bought into Kinnear’s fabricated grievances against ATU International with no investigation, questions, or review of the facts is startling. That he has publicly offered to spend Unifor members’ money to fund Kinnear’s solo crusade is shocking.

This dispute is particularly troublesome because Unifor and ATU have never been at odds since your founding in 2013. We share a commitment to aggressively fighting on behalf of our members and for progressive change across North America.

All unions face unprecedented challenges from growing ultra-nationalist, anti-worker forces that have gained ground across the globe in recent months and years. **President Dias’s decision to devote huge sums of member money to unilaterally launch a labour civil war only strengthens the hands of our employers, anti-union Tories and Trump Republicans.**

While the ATU International and President Kinnear have entered into mediation in hopes of resolving this dispute, it will ultimately be in your hands and those of Unifor members to judge President Dias’s behavior.

We stand in solidarity with you as you continue to your fight for justice on the job and in your communities. We hope that you will encourage President Dias to cease his interference so that we can all return our focus to the daily struggles facing Canadian workers.

In solidarity,



Paul Thorp
President
ATU Canada

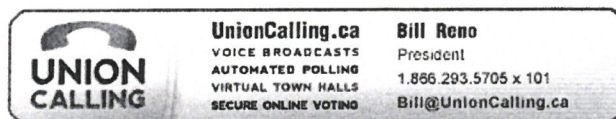
Encl.

CC:

Larry Hanley, International President, ATU
All ATU Canada Local Unions
All Unifor Locals and Community Chapters
All CLC Affiliate Unions

Subject: Fwd: Notice of Motion
From: Bill Reno (billreno@unioncalling.ca)
To: [REDACTED]@rogers.com;
Date: Thursday, February 2, 2017 3:47 PM

Please print out the email message and the attachment to give to Bob asap. Plus, I have news from Chris MacDonald of the CLC. Bob can call me about that.



Click here to stop our email communications.
 (*note a new email window will appear)

----- Forwarded message -----

From: Sean Dewart <sdewart@dglp.ca>
Date: Thu, Feb 2, 2017 at 3:11 PM
Subject: Notice of Motion
To: "billreno@unioncalling.ca" <billreno@unioncalling.ca>
Cc: Anthony Dale <Anthony.Dale@unifor.org>, "Scott.Doherty@unifor.org" <Scott.Doherty@unifor.org>, David Watson <dwatson@wjm-law.ca>, Lindsay Corolis <LCorolis@wjm-law.ca>, Caitlin Miller <CMiller@wjm-law.ca>, Tim Gleason <tgleason@dglp.ca>, Tina West <twest@dglp.ca>

Hi Bill,

Please see attached notice of motion.

If a trustee shows up at the Local, he/she may have police present to keep the peace. The police do not have the power to do anything other than to keep the peace the Local does not have to admit the trustee.

The attached notice of motion should be printed in advance so it can be shown to police.

The officers should be told that "This is a civil matter. It is before the courts and the trustee cannot enter without a court order".

Can you convey all of this to BK, and get the message to the Local's staff?

Sean Dewart
 Dewart Gleason LLP

