



## Amalgamated Transit Union Canada

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March 3, 2017

Dear Sisters and Brothers:

I write to address falsehoods contained in President Dias's March 2<sup>nd</sup> letter to you. I am, quite frankly, sickened that we have to continue this back and forth. Is this why unions exist? Is this nationalist purge that Dias promotes in line with our values as an inclusive movement that fights alongside workers across every border? Should our dues be used to fund unilateral war against other unions?

**I received a phone call yesterday from President Dias's assistant, threatening me with "war with Unifor." ATU has no interest in labour civil war. We simply want our members to determine their future without the interference of President Dias or his continued use of Unifor member money to fund Kinnear's crusade.**

In his letter, President Dias shared what he believed happened at the 2016 ATU International Convention. Let me, as an actual attendee, correct the record:

### ATU Convention

The open position for ATU International Vice President was held at the time by Larry Kinnear, Bob Kinnear's father. Some believed that Bob should inherit that seat without opposition. Instead, fellow Canadian and ATU International Representative Manny Sforza – who served for six years as vice president of Local 113 – sought to make it a contested election. Sforza won more votes than Kinnear and became International Vice President as a result.

While there are Canadian and American positions, all ATU convention delegates are legitimate voters. Had Dias done his homework, he would know that at our 2013 convention, an open American IVP seat was primarily determined by the Canadian delegation, including Bob Kinnear. ATU has a long history of this democratic election of officers across borders, one that Mr. Kinnear has enthusiastically engaged in for years until he lost this October.

### Trusteeship of Local 113

While there are several errors, we will not dispute Dias's version of the trusteeship. **In his letter, he freely admits that he had prior knowledge of Kinnear's decision to seek CLC justification, something ATU Local 113's 11,000 members, dozens of stewards, and a majority of its elected board were denied.**

The trusteeship followed reports from other Local 113 elected officers that Kinnear was violating the Local's by-laws and the ATU Constitution. **Dias's admission of prior coordination only validates those reports.** By the end of the first day of trusteeship, 10 of the 17 Board members were reinstated and all elected shop stewards remained in their positions. Within two weeks, 13 of 17 Board members were back.

### **Respect for the CLC Process**

**Kinnear sought CLC justification alone, with no vote or signature of his fellow officers or members. ATU believes in Local Union autonomy, not Local president autocracy.** Kinnear violated those principles in asking the CLC to hold 11,000 people in limbo for the application of one man who clearly did not have the support of fellow elected officers.

**Shortly after suspending Article 4 protections, the CLC gathered more facts and quickly reinstated them.** Regardless, President Dias seems to have violated the CLC constitution before any trusteeship began. Under Article 4.8, Dias was obligated to inform the ranking officer of ATU that he had been approached by Kinnear and to "encourage those members to work within the constitutional provisions and policy procedures of their own union." He did nothing of the sort. He also violated Section 4.7 when he held a press conference on February 7<sup>th</sup> with Kinnear and attempted to discredit ATU.

### **International Unionism and Autonomy**

As a former Local Union president, I understand how it can feel if you are unsupported by your national or International union. In ATU, we have been able to prevent painful schism by strongly embracing the principle of Local Union autonomy. That is also why we established ATU Canada, and why I am proud to serve as its president.

Unfortunately, in his zeal for career advancement, Bob Kinnear has used his Local Union's autonomy to reject International assistance and spread misinformation among his members. This was acknowledged by Kinnear co-conspirator Tony Barbosa on January 31<sup>st</sup>, when he attempted to recruit a fellow Board Member to the Kinner-Dias coup. In recorded audio now circulating among Local 113 members, Barbosa admits that Kinnear had been "selling poison" to ATU Local 113 members regarding the International in order to lay the groundwork for disaffiliation.

### **Resources for You to Make Your Own Decision**

**We ask only one thing of President Dias: end your interference and allow ATU members to decide their future according to the constitution and by-laws they created.** The Canadian labour movement does not need an arbiter of purity like Kelly Leitch or Donald Trump. We do not need to be told who is one of us and who isn't, who needs saving and who doesn't. This nationalist crusade will only end with our entire movement smaller in number and isolated.

These letters are uncomfortable for all involved. We will leave it up to Unifor members to decide the facts for themselves.

Here are some non-ATU resources that I recommend reviewing:

1. ATU Trusteeship, Unifor Raid, CLC Crisis:  
<http://rankandfile.ca/2017/02/10/atu-trusteeship-unifor-raid-clc-crisis/>
2. Bob's Back: ATU Local 113 Crisis Continues:  
<http://rankandfile.ca/2017/02/23/bobs-back-atu-local-113-crisis-continues/>
3. Unifor Footing Kinnear's Legal Fees:  
<http://rankandfile.ca/2017/03/01/unifor-footing-kinnears-legal-fees/>
4. Protesters Target TTC Union Boss Kinnear:  
<http://www.torontosun.com/2017/02/27/protesters-target-ttc-union-boss-bob-kinnear>
5. Transit union presidents band together:  
<http://www.torontosun.com/2017/02/09/transit-union-locals-show-unity>
6. TTC Union votes no confidence in Kinnear's leadership:  
<http://www.citynews.ca/2017/02/21/ttc-union-votes-no-confidence-in-kinnears-leadership/>

In solidarity,



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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

