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File No. 30730

January 11, 2013

FAXED

Ms. Ginette Brazeau
Executive Director and Senior Registrar
CANADA INDUSTRIAL RELATIONS BOARD
C.D. Howe Building
240 Sparks Street, 4th Floor West
Ottawa, ON K1A 0X8

Dear Ms. Brazeau:

RE: IN THE MATTER OF THE CANADA LABOUR CODE (PART I – INDUSTRIAL RELATIONS) AND A COMPLAINT OF UNFAIR LABOUR PRACTICE FILED PURSUANT TO SECTION 97(1) THEREOF BY THE TEAMSTERS CANADA RAIL CONFERENCE, COMPLAINANT, ALLEGING VIOLATION OF SECTIONS 50(A), 50(B), 94(1)(A), 94(3)(B) AND 96 OF THE CODE BY CANADIAN PACIFIC RAILWAY COMPANY, RESPONDENT. (29637-C)

As you are aware, we are counsel to the Complainant in the above Board file. We are writing to the Board on an urgent basis.

By decision dated December 19, 2012, the Board found that the Respondent Employer, Canadian Pacific Railway Company, had violated Section 94(1)(a) "when it engaged in the wholesale cancellation of the local agreements".

The Board had previously issued an interim decision directing the Respondent to cease and desist from implementing wholesale cancellations of the local agreements pending the Board's decision on the merits of the Applicant complaint or a new collective agreement comes into force, whichever is earlier.

Within days of the Board issuing its reasons for decision on December 19, 2012, the Respondent commenced issuing notices cancelling numerous local rules right across the country. These cancellations include cancellation of local rules providing for leave of absence for union business.

The Respondent's conduct is in violation of the *Code* and the Board's reasons for decision dated December 19, 2012 in Board File 29637-C. We respectfully request the Board intervene in this matter at its earliest opportunity to prevent all of the local rules being cancelled and the resulting chaos.

A copy of this correspondence has been provided to counsel for the Respondent.

Yours truly,
CaleyWray



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MAC/sh

- c. D. Finson
- B. Brunet
- S. Brownlee
- B. Hiller
- D. Able
- D. Olson
- R. Hampel
- J. Daniel Tardif