



Amalgamated Transit Union Canada

April 11, 2017

Via email: president@clc-ctc.ca

Re: Letter from Paul Thorp to Hassan Yussuff, CLC

Dear Brother Yussuf:

This is in response to your April 5 letter appointing Barry Thorsteinson to deal with a complaint made March 17 by Unifor President Jerry Dias against ATU Canada. It purports to do so under Art 4.8 of the CLC Constitution although the complaint was made under Art's 2.6 and 4.7.

The procedures under Art. 4.8 are meant for circumstances where an allegation of raiding is directed at a CLC affiliate and should not be applied to the Unifor complaint.

Further, we have received emails from Mr. Thorsteinson saying he is pursuing both this Unifor Art 4.7 complaint and the previous complaint by ATU under Art. 4.8. In his emails, he was asking for immediate responses to be generated over the weekend.

This is most inappropriate, not only because there is no basis to appoint such an investigator under Art. 4.7, but also because Mr. Thorsteinson previously acted as investigator/mediator under Art. 4.9 into the February 1 letter of Bob Kinnear. That request was withdrawn by Mr. Kinnear on March 17, before Mr. Thorsteinson completed his investigation. However, he proceeded to issue a report on March 27 that you circulated to all members of CLC Canadian Council the same day.

That report was replete with errors and shortcomings that cast ATU in a false and unfavourable light and included conclusions that Mr. Thorsteinson acknowledged were based on an incomplete investigation. In the midst of it, he rendered a decision on ATU's Art. 4.8 complaint against Unifor in six paragraphs, without elaboration, and then went on to take a further jab against ATU as a "footnote". Our concerns about his report are set out in President Hanley's March 31 letter, attempting to respond to the damage caused by its circulation.

ATU's 4.8 complaint should have been dealt with properly, by an Impartial Umpire pursuant to Art. 4.8e, and not by the investigator of Mr. Kinnear's Feb. 1 letter allegedly under Art 4.9.

Further, President Dias' March 17 complaint – made the same day Mr. Kinnear withdrew his request – covers the same ground as his defamation lawsuit against myself, President Hanley,

ATU Canada and ATU commenced on March 3, which has been followed by a further libel notice dated March 24. That litigation is in clear contravention of Art. 4.3b, and the CLC should not facilitate President Dias' efforts to interfere with our free speech during this contentious and controversial time. We cannot be expected to participate in a flawed investigation while facing civil litigation on related issues. You must institute sanctions against Unifor for breaching Art 4.3b, ordering them to discontinue their litigation and directing Mr. Thorsteinson not to proceed with their Art. 4.7 complaint.

For all these reasons, and those offered by National Director Ken Neumann of the United Steelworkers in his April 10 letter, we ask that you immediately direct Mr. Thorsteinson to cease all his activities.

We have no faith in the ill-founded and improper process you have put into place and will not respond to Mr. Thorsteinson's inquiries. We will so advise him directly.

Respectfully and in solidarity,

A handwritten signature in black ink, appearing to read "Paul Thorp", written in a cursive style.

Paul Thorp
President
ATU Canada

cc. Larry Hanley ATU International President
ATU Canadian Locals
CLC Affiliates
Unifor Locals
Manny Sforza ATU IVP