



February 3, 2017

Paul Thorp
President
Amalgamated Transit Union
210-61 International Blvd
Rexdale, ON M9W 6K4

Brother Thorp,

Yesterday, you received a letter from me which informed you of an application received by the Canadian Labour Congress (CLC) from the Amalgamated Transit Union (ATU), Local 113 under the Article 4, Section 9 provisions of the CLC Constitution. The letter came after a call that you had with my Assistant, Chris MacDonald. Brother MacDonald had also spoke previously to the lawyer for the International Union of Amalgamated Transit Union, Robert Malofsky.

In the letter, we had agreed to a meeting between yourself and the President of ATU Local 113, Bob Kinnear, to attempt to come to a resolve to this application in a manner consistent with the provisions of the CLC Constitution.

Much to my dismay, I have been informed this morning that Brother Kinnear and all members of the Local 113 Executive have been removed from office and Local 113 has been placed in trusteeship.

Brother Thorp, I cannot express the seriousness of the concerns I have with this action having been taken against the Local for exercising its rights under the CLC Constitution. I feel the need to remind you that on April 18, 2016 you took an oath of office at our Canadian Council which included a pledge of solidarity to uphold the Article 4 provisions of the Constitution. The foundation of Article 4, Section 9 is that workers have the right to access the justification procedure without reprisal. There is a clear way for the CLC to determine the will of the membership and this reactive measure by the International Union is in complete violation of the spirit in which Article 4 was intended. The Article has paved the way for the Canadian labour movement to have all but eradicated raiding and the poison that it spreads in our movement.

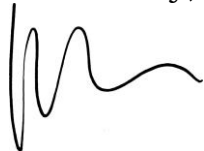
I also want to reiterate that in conversations with both yourself and the International Union lawyer, Robert Malofsky, my Assistant Chris MacDonald provided ample information about our process and the agreement among Canadian unions to co-operate fully, without reprisal to those who initiate the application. When asked specially about the possibility of the Local union being put in to trusteeship by Mr. Malofsky, Chris MacDonald reiterated that the trusteeship of the Local would be viewed as retaliatory and would jeopardize the justification process. Brother MacDonald also spoke specifically to you about this yesterday and felt you fully understood the seriousness of a retaliatory reaction by ATU.

For all reasons stated above I am left with little alternative but to suspend the justification process and the meeting scheduled for Thursday, February 7th will be canceled. Furthermore, I am left with little alternative but to suspend the protections afforded to the Amalgamated Transit Union under Article 4 of the Constitution. An affiliate cannot have the protections of Article 4 while at the same time not abiding to the principles of the Article. This suspension of Article 4 protection applies specifically to Local 113 of the ATU.

It is very unfortunate that the International Union has chosen to interfere with the CLC's process. I am certain we could have come to an acceptable resolve to this issue without this retaliation, as is the case with the vast majority of these applications the CLC receives.

If you have any questions, please do not hesitate to contact my Assistant, Chris MacDonald at 416-389-0543 or at cmacdonald@clc-ctc.ca

In solidarity,

A handwritten signature in black ink, appearing to read 'Hassan Yussuff', with a stylized, wavy flourish at the end.

Hassan Yussuff
President

cc: Chris MacDonald, CLC Political Assistant
Bob Kinnear