

April 4, 2017

TO ALL CLC AFFILIATES

Dear Brothers and Sisters,

In the past week there have been two extensive mailings to Canadian unions from ATU International President Larry Hanley complaining bitterly over the release of the Article IV report on the ATU Local 113 issues written by Investigator Barry Thorsteinson, a retired CUPE National Representative.

Larry Hanley has tried to discredit the Investigator's report on the events around Local 113 because the report found that the ATU International used a trusteeship as retaliation against the invoking of Article IV to seek "justification" for a change of affiliation under the CLC constitution. The report did not find that there was any "raid" against Local 113.

In his most recent correspondence to Canadian unions, Hanley attacks everyone associated with this issue and claims that the CLC investigation and report constitutes "undue interference in the affairs of an affiliate."

Larry Hanley's correspondence to Canadian unions reveals his complete lack of understanding of the relationship between the Canadian and American labour movements. Hanley is not an officer of the Canadian Labour Congress nor is he a member of any Canadian trade union body. He has no role in the internal discussions of the CLC, in the same way that Canadian union leaders have no standing in the AFL CIO.

I want to make it clear to all CLC affiliates that Unifor fully supports the CLC Constitution and Article IV which prohibits raiding and provides a justification process for workers who want to change affiliation. Unifor has not engaged in raiding and has no intention of doing so. Our record of solidarity and cooperation with other unions in Canada speaks for itself.

We have a shared responsibility to stand up for democracy in our movement. I fail to understand why some affiliates attempted to shut down the CLC investigation that was required by Bob Kinnear's legitimate request. The CLC Investigators Report and the decision on the Ontario Supreme Court in *Kinnear vs Hanley*, each independently found that the ATU International Union trampled on democracy to prevent Local 113 members from exercising their rights under the CLC Constitution.

The CLC Investigation was suspended when Bob Kinnear resigned from his position and withdrew his application to the CLC under Article IV. No one should conclude that this is because he lacked membership support. He had been elected five times as Local President. In fact, Bob Kinnear resigned because of intimidation and concerns for his personal safety.

The Thorsteinson report finds that Unifor was in violation of Article IV for not notifying the ATU and the CLC when approached by Bob Kinnear. As I explained to the Investigator we did not notify the International for the obvious reasons that the trusteeship demonstrated. I also acknowledged the financial support we provided Bob Kinnear to take legal actions. Without the support of Unifor, the judgement of Ontario Supreme Court Judge Penny overruling the trusteeship and reinstating Kinnear would not have been possible. It is useful to keep in mind the findings of Justice Penny in *Kinnear vs Hanley*:

“It is not contested that Mr. Hanley's sole reason for imposing a trusteeship was because of Mr. Kinnear's request filed with the CLC to investigate possible dis-affiliation and this litigation.”

"I find that the international has used the trusteeship to silence opposition and to spread misinformation to the members."

“It is clear that the purpose of the trusteeship is to quell dissent.”

Larry Hanley has slandered Unifor and me in dozens of leaflets, letters and social media statements. These articles and accusations attack Unifor's integrity and its collective bargaining accomplishments. Hanley has published sexist personal attacks against me which are far outside the rules of conduct that are normal in the Canadian trade union movement.

In fact on March 6, Hanley published a retraction. Here is part of his retraction:

“Specifically, I wish to retract and apologize to Mr. Dias for the following comments or statements:

1. My February 10, 2017 comment on Twitter that he was a disgrace to the labour movement;
2. My February 21, 2017 comment on Twitter suggesting that he was a poor union leader and a cancer on the union movement;
3. My February 23, 2017, and February 25, 2017, comments on Twitter suggesting that he was hiding behind another user's skirt;
4. My February 25, 2017 comment on Twitter that described him as a “corporate sell out.”

All of the above comments were inappropriate, and I should not have made them.

In addition, I want to clarify that my references to bigotry in my February 13, 2017 comment on Facebook and February 23 and February 25, 2017 comments on Twitter, refer only to the fact that Mr. Dias has made multiple public statements that appear to pit Canadians against Americans, an expression of intolerance which I believe is at odds with the goals of trade unionism.”

On March 9, he went further and made the following comment on social media:

DB: I'm not a fan of Unifor, but they have over 300,000 members.

Larry Hanley: Well I think the Nazi party had 30 million?

Hanley asks Canadian unions to conclude that the findings of the CLC Investigator, Ontario Supreme Court Judge Penny and the concerns and statements by Bob Kinnear and Unifor are all to be ignored and that only he and the ATU International are to be heard. I suggest that Larry Hanley's self-serving narrative together with the many insults and accusations he has made must be seen in this context of his own words and actions.

Unifor values its cooperative relationships with International unions in Canada and I have met many times with the elected Canadian leaders of those unions to work towards mutual goals. It is our intention to continue working in solidarity with all unions through the institutions and processes of the Canadian Labour Congress.

Article IV of the CLC Constitution is a critical part of the CLC constitution. When it was adopted in 2011, it was supported fully by Unifor's predecessor organizations. The intention of Article IV was to stop raiding and to restore unity after the National Union of Provincial Government Employees (NUPGE) withdrew from the CLC over its belief that there was no effective process to prevent raids against it by other affiliates. The framework established by Article IV is not perfect, but it established a necessary balance between preventing destructive raiding and allowing workers democratic rights to seek justification for changing affiliation without incurring retaliation.

The Investigator's report proposed that Article IV should be strengthened so that the kind of retaliation that we have seen in the Local 113 situation does not happen again. Unifor looks forward to such a discussion.

Thank you for your attention.

In Solidarity,

A handwritten signature in cursive script, appearing to read "Jerry Dias".

JERRY DIAS
NATIONAL PRESIDENT

JD/FW/wwwcope343

cc.