



INTERNATIONAL LONGSHORE & WAREHOUSE UNION CANADA

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February 18, 2010

Mr. M. Leonard
Vice President
Labour Relations
B.C. Maritime Employers Association
500 – 349 Railway Street
Vancouver, B.C., V6A 1A4

Dear Sir,

As you are aware, the Union's position in response to the application to the Canada Industrial Relations Board is and continues to be that there was no illegal slowdown of work or reduction in productivity as alleged. Your comments characterizing events as a "sudden and stark reduction in productivity – targeted at only one terminal operator" is merely an allegation, not fact. The BCMEA has applied to withdraw its application to the Board. Upon any granting of that withdrawal the result is that the Board has not made any decision with respect to your application. In particular, your characterization of events remains unproved.

The status of the BCMEA's application is that the BCMEA has applied to withdraw. The Board must still grant such a withdrawal.

As you are aware counsel for both sides have been making submissions to the Board on the question of withdrawal. It is my understanding that the BCMEA wishes to withdraw the application but remain able to refer back to matters complained of in the application of February 15. Through our counsel we have asked your counsel to provide the documents which we requested on February 16, 2011 since the issues of the application remain alive. We ask that the BCMEA and TSI preserve and have readily available all of the documents requested for the Mol Pace as well as the other vessels referred to in the application.

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The ILWU Canada Negotiating committee is prepared to meet all day Tuesday February 22, the afternoon of Wednesday February 23, and all day Thursday February 24, 2011.

Yours truly,

A handwritten signature in black ink, appearing to read "Tom Dufresne". The signature is fluid and cursive, with a prominent loop at the end.

Tom Dufresne
President

Cc: Mr. W. Lewis, HRSDC
M. Keserich, Local 500
C. O'Neill, Local 502
G. Edwards, Local 505
B. Hartley, Local 508