



## AIRLINE CENTRAL LODGE 2323 I.A.M.A.W.

Administrative Offices

November 05, 2019

**Attention Local Lodge 2323 Members YYZ Cargo**

### **Subcontract Arbitration Update**

After the first day of the Cargo Subcontract grievance arbitration hearing in early October, we reported that our Union lawyer Ian Roland had requested disclosure of certain documents in order to verify the company assertions and clarify the issue to the arbitrator. Our lawyer further sought and was granted an order from the arbitrator to compel the company to cooperate and provide these requested documents.

Since that time the company has not complied, nor have they began the expected re-utilization of the Cargo 1 Cool Storage facilities to the extent we had been led to believe at the hearing. Members have informed us that certain Cargo managers have told them that Cool Chain work will not be brought back in-house as promised by Air Canada at the hearing. We have identified the managers and requested clarification from their superiors. They are either acting rogue, or simply communicating the true intentions of Cargo Executives.

In response, our lawyer has written a letter to Air Canada's counsel and copied the arbitrator. In this letter he advises that he intends to escalate the matter to Federal Court, on our behalf, if the company does not comply by November 6. In doing so, he will convert the Arbitrator's order into an order of the court. This will allow him to utilize the courts to ensure compliance, or the company could be found in contempt. They may then face significant penalties and consequences should they continue to remain in violation.

At the first day of the arbitration hearing, the company indicated that they are looking to secure additional building capacity at or near Pearson Airport. We will fully support these acquisitions, as any additional facilities will be staffed by our members and not a subcontractor's employees.

It is unfortunate that the company's actions force us to take such measures in order to seek compliance with our Collective Agreement to protect our members' futures. Once we have the requested letters and documents, we will be in a better position to advance our case that the company is in breach of its contractual obligations, and seek both damages and an enforceable schedule to repatriate all of our work.

We thank you for your patience and support and will continue to keep you informed as the matter unfolds.

Dave Flowers  
President L.L. 2323

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Paul Lefebvre  
General Chairperson D.L. 140