



March 13, 2023

**Delivered via Email**

CUPE, Local 1505  
4E-Bay 28, 380 MacKenzie Blvd  
Fort McMurray, AB T9H 4C4

Canadian Union of Public Employees  
207, 112 Riverstone Ridge  
Fort McMurray, AB T9K 1S6

**Attn: Craig Milley, President**

**Attn: Stephanie Lustig, National  
Representative**

Dear Mr. Milley and Ms. Lustig:

**Re: Collective Bargaining**

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We have recently become aware that Mr. Milley, on behalf of CUPE Local 1505, wrote directly to the Municipality's bargaining committee's principals, Mayor and Council of the Regional Municipality of Wood Buffalo, on March 1, 2023 (the "**Communication**") in respect of collective bargaining.

The Communication purports to provide Mayor and Council with an update on bargaining (from CUPE's perspective), makes a thinly veiled plea to Council to change their bargaining mandate for the Municipality's bargaining committee, and threatens future labour action. The Communication, in our view, is clearly an attempt to exert pressure on the Municipality's principals for the purpose of achieving gains at the table, that have not otherwise been achieved by CUPE at the table.

The Communication, and the fact that CUPE bypassed the bargaining table to communicate directly with the Municipality's principles, is wholly and entirely inappropriate.

As you know, CUPE has an obligation to meet with the Municipality's bargaining committee to bargain collectively in good faith, and make every reasonable effort to enter into a collective agreement, pursuant to Section 60 of the *Labour Relations Code*. It is the Municipality's position that the issuance of the Communication represents a failure by CUPE to meet its obligations in this regard. In particular:

1. The bargaining process has clearly been agreed to by CUPE and the Municipality, in that proposals would be exchanged, discussed, and agreed to as between the parties respective bargaining committees. The bargaining committees each have the authority to enter into a tentative renewal agreement, at which time it will be taken to the Municipality's principles and CUPE's membership for ratification. By bypassing this agreed to process, CUPE has departed from its prior agreement without adequate or appropriate notice to the Municipality.





2. CUPE purports to provide an update on IAFF bargaining, which is a matter that CUPE is not a party to, and could not possibly have accurate and comprehensive information regarding what is going on at the IAFF bargaining table. It is actually unclear to us whether IAFF has consented to CUPE contacting Mayor and Council purportedly on their behalf.
3. CUPE's comments regarding the quality and accuracy of the updates provided by the Municipality's bargaining committee to Mayor and Council are baseless, incorrect, and were made to impact and/or hurt the credibility and character of the members of the Municipality's bargaining committee, specifically, and the Municipality's bargaining committee as a whole, generally.
4. The parties are currently bargaining financial terms with the assistance of the mediator. Although CUPE may not like or agree with the Municipality's monetary proposals, engaging Mayor and Council directly on these issues and requesting a meeting with Mayor and Council directly to discuss bargaining, is tantamount to refusing to meet with the Municipality's bargaining committee to negotiate a collective agreement.

Overall, we consider CUPE's actions as undermining the bargaining process and the Municipality's bargaining committee. Although the Municipality has considered filing an unfair labour practice particularizing CUPE's wrongful and inappropriate conduct, and it would be well within its right to do so, the Municipality has chosen to forgo Labour Board Proceedings at this time in an attempt to salvage a difficult relationship and to get bargaining back on track.

However, if CUPE attempts to bargain away from the table again, be advised that the Municipality will file an unfair labour practice complaint. We trust that CUPE will govern itself accordingly on a go forward basis, and will not contact Mayor and Council directly in the future.

In the interim, the Municipality is prepared to meet and bargain with CUPE in good faith.

Yours truly,

## REGIONAL MUNICIPALITY OF WOOD BUFFALO

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Paul Thorkelsson, Chief Administrative Officer

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Kari Donnelly, Director, Human Resources

Copy to: McLennan Ross LLP  
Attn: Tim Mitchell (via Email)

