



BULLETIN

TRANSPORTATION DISTRICT 140
DISTRICT DES TRANSPORTS 140

International Association of Machinists and Aerospace Workers
Association internationale des machinistes et des travailleurs et travailleuses de l'aérospatiale

TO ALL MEMBERS OF THE IAM & AW

URGENT

AIR CANADA TECHNICAL SERVICES & CLERICAL TRANSITION SELECTION CLOSURE DATE

Dear Brothers and Sisters:

On April 8, 2011, Transportation District 140 along with its Legal Counsel, Mr. Jim Hayes, filed a Legal Application before Arbitrator Martin Teplitsky requesting an extension to the Transition Selection Closure Date and the Transition Date.

On April 13, 2011, a hearing regarding this matter was held before Arbitrator Teplitsky. At this hearing, Legal Counsel for Air Canada & Aveos argued that an arbitrator did not have jurisdiction to grant an extension to the selection closure and transition dates as requested by the Union. Their reasoning was due to the fact that Canadian Industrial Relations Board (CIRB) had issued a ruling to implement the terms and conditions of a Transition MOA. Legal Counsel also argued that the arbitrator did not have jurisdiction to overrule another tribunal's (CIRB) decision.

The Union's Legal Counsel eloquently presented jurisdictional arguments that he believed would give an arbitrator jurisdiction to grant the Union's request to extend the time lines set out in the Transition MOA.

After hearing arguments from all three (3) parties, Arbitrator Teplitsky was uncertain if he would have jurisdiction to grant the Union's request for an extension to the Selection Closure and Transition Dates. Subsequently the Union's request for this extension was denied.

Arbitrator Teplitsky did advise the parties that he did have jurisdiction to ensure a smooth implementation of the Transition MOA and as such he advised the parties that he would deal with any matters arising from the implementation of the Transition MOA.

Based on the aforementioned, your Union must advise you, its TMOS Maintenance and Clerical Members, that you **must make a Transition Selection per the Transition MOA by Friday, April 15 2011 11:59 PM PDT.**

In solidarity,

Fred Hospes, Regional Assistant Directing General Chairperson – Western Region
Transportation District 140, IAM & AW

FH:jmm



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