

February 1, 2010

( BY FAX )

Canwest Global Television  
7850 Enterprise Street  
Burnaby BC V5A 1V7

**Attention: Ms. Carol Beisel**  
**Vice President, Labour Relations – Canwest Broadcasting**

Dear Carol:

**Re: Canwest – Notice to Bargain for the Eastern Bargaining Unit**

I was surprised to receive your letter of January 11, 2010. I was surprised for at least two reasons:

1. Firstly, CMI is deeply involved in a protracted CCAA process, the outcome of which is completely uncertain. To have you reference “wage increases, benefit improvements and stability” in this context, where numerous claims have been filed by Union members, is both surprising and somewhat incongruous. We suggest that if the Employer wished to provide “improved benefits” for its employees, it could immediately reinstate the cancelled severance payments, and resolve all outstanding claims which have caused so much concern in the bargaining unit.
2. Secondly, Canwest has continually avoided proceeding to conclusion before the CIRB on all of the outstanding matters, including the resolution of the scope of the current Alberta Bargaining Unit. As you know, we had dates set in June 2009, again in September 2009, and in January 2010, and in each case Canwest determined that it did not wish to proceed. We cancelled in each case solely because Canwest argued vocally that it could not proceed to deal with these labour relations issues when it was faced with an Insolvency.

I wonder, therefore, what spurred the current interest in collective bargaining – and then only for the Eastern Bargaining Unit.

If the CCAA proceedings have shown anything, it is that the Employer operates nationally and as a unified whole, and thus, if there was collective bargaining in the context of the CCAA proceedings, clearly it should be for all employees affected by those proceedings. As always, we would be prepared to meet to discuss collective bargaining for all of the CEP certified bargaining units, but there seems little upside for anybody to proceed piecemeal when everyone is equally affected by the Court proceedings.

Just to keep the record clear, in the mediations of 2008, the CEP made it abundantly clear that it was not interested in negotiating a sub-standard agreement for the Eastern Bargaining Unit, and the “take it or leave it” position taken by the Employer did nothing to advance the bargaining agenda.

I must also point out that it is incorrect to state (as you do on the second page of your letter) “although we are awaiting a couple of decisions from the CIRB regarding the Eastern Bargaining Unit, there is nothing prohibiting collective bargaining for the Eastern Bargaining Unit”. I remind you of the following:

- A. We continue to await a decision from the CIRB related to the Foreign Bureaus;
- B. We continue to await a decision from the CIRB related to its determination on the maintenance and operations employees in Toronto;
- C. CEP continues to await a reply from the Employer on its proposal for a bargaining unit description for the Eastern Bargaining Unit. A proposal was made by way of correspondence to your counsel on February 11, 2009. No reply has ever been received.

In all of these circumstances, the CEP is of the view that awaiting the further unfolding of the CCAA process would be an appropriate course of action before commencing collective bargaining anywhere. What we do believe, however, is that there is no reason not to continue the process of determining the appropriate structure of the bargaining units, including Alberta and BC. If the Employer was truly interested in enhancing the ability to commence collective bargaining, it could easily agree to the common-sense restructuring of the bargaining units, consent to the Alberta/BC proposed bargaining unit, instruct its counsel to conclude the relatively straightforward scope issues, and finally bring these matters to an end. I would be pleased to discuss that process with you.

Yours truly,

Rob Lumgair  
National Representative  
CEP Western Region

cc. Peter Murdock  
David Lewington, Kim Power, Lea Baturin  
Executive Local M1  
Chairpersons Local M1