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DATE:	February 27, 2008		
TO:	AKIVAH STARKMAN, Executive Director/Registrar	FIRM:	CIRB
CITY:	Ottawa ON	FAX NO:	(613) 995-9493
THE ORIGINAL WILL BE KEPT ON FILE X FOLLOWS IN THE MAIL			

Re: Board File Nos. 22170-C and 25183-C
Board File No. 26612-C
Board File No. 26667-C
Our Matter No. 0057857 EWO

Please see the attached correspondence.

/nb
Attachment
#591127

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February 27, 2008

VIA FAX

Canada Industrial Relations Board
4th Floor, 240 Sparks Street
Ottawa ON K1A 0X8

Attention: Akivah Starkman

Dear Sirs/Mesdames:

Re: Communications, Energy and Paperworkers
Union of Canada (the "CEP") and
CanWest MediaWorks Inc. et al (the "Employers")
CIRB File Nos. 22170-C & 25183-C
(decision regarding bargaining unit structure)
CIRB File No. 26612-C (application for reconsideration
of decision denying interim relief)
CIRB File No. 26667-C (s.54 application regarding
Global Maritimes)
Our Matter No. 0057857 KDL

We continue to act for the Employers in the above captioned matters and have received a copy of the CEP's letter of February 22, 2008.

We are very concerned and troubled with what is the latest in a series of letters to the Board which are, in our view, totally inappropriate, inflammatory and offensive.

In particular, we have serious concerns with the CEP's continued and repeated attempts to make submissions on the matters before the Board well after the time has expired under the Code for the receipt of such submissions and following the conclusion of the hearings.

Making matters worse is the manner in which these "submissions" continue to be made. As has been its practice, the CEP continues to take positions and use language which is inappropriate, inflammatory, incorrect and offensive. Given our view as to the appropriateness of making submissions at this time, we do not intend to

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respond in detail to the CEP's latest letter. Suffice it to say, the CEP's position has been fully articulated in its previous submissions, has been responded to by the Employers at the appropriate time and place and is currently being considered by the Board.

Furthermore, we continue to be offended by the type of language that is being ascribed to the Employers' business decisions that have been made. All of the decisions that have been made have been made in good faith, are lawful and are necessitated by the current economic realities of the broadcasting industry. The implementation of those business decisions have all been done in accordance with the collective agreement provisions the CEP itself has negotiated. As the Board is aware, the Employers have stated their willingness to bargain terms and conditions relating to the transfer of work and/or technological change which would allow CEP members to follow the work in appropriate cases and have, in fact, served a Notice to Bargain in the newly created Eastern Unit, all of which would provide ample opportunity for the CEP to deal with the issues it raises. However, the fact is the CEP has simply refused to even attempt to deal with these matters with the Employers.

As the Board is aware, it is the Employers' respectful view that it is time for the parties to move away from the adversarial process and to sit down and work together to implement the new bargaining structures. The Employers, the CEP and the employees have been without certainty for the better part of a decade. The Board did not accept either parties' position in its entirety. Although both parties may disagree (for different reasons) with the end result, it is the Employers' respectful view that it is in the parties' best interests and more importantly, in the best interests of our employees, to finally move on in an attempt to work together and to bring a conclusion to this long outstanding matter. It has been well over a year since the Employers offered to attempt to negotiate with the CEP collective agreement provisions which would allow the CEP members to follow the work that might still exist in the event of technological change or transfer of work function. Individual collective agreements throughout the country are open and may be negotiated. Formal notice to bargain has been served on the CEP to negotiate terms and conditions of employment in connection with the newly created Eastern Bargaining unit. Notwithstanding all of this, the CEP has simply refused to engage in discussions or negotiations with the Employers and has chosen instead to continue to avoid the matter and place blame on the Board and the Employers. In our view, for the reasons outlined above, this has been and continues to be completely inappropriate and offensive.

To be clear, we are obviously not disputing the right of either party to direct correspondence to the Board. However, given the CEP's practice of sending these types

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of inappropriate letters to the Board, we are requesting that before the CEP corresponds with the Board and makes submissions on matters that are currently before the Board, it ought to, at the very least, do so with the consent of the Employers and in the absence of that consent, it ought to be seeking leave to make these submissions before the Board.

Having said all of this, we are not interested in a continuing exchange of correspondence with the CEP before the Board on matters that are currently before it and in fact, as noted above, would regard that as totally inappropriate. However, the Employers did feel that it was important that its objections to the CEP's latest correspondence be on the record. In the event the CEP files yet another letter, despite our objections, it is our intention not to respond and we ask that the Board not take our silence as any form of agreement with the content of any such letter. We are simply not prepared to continue with an inappropriate dialogue and we are hopeful that the Board will take the same position.

Lastly, as we have repeatedly and consistently outlined our concerns with the CEP's practice of making these types of submissions at inappropriate times and in an inappropriate manner, we trust that no reliance will be placed on these "submissions" by the Board. However, in the event the Board does intend to rely in any way on these submissions, we would request that we be given formal notice of that fact so that we can properly and fully respond to them in the appropriate manner.

Yours truly,

THOMPSON DORFMAN SWEATMAN LLP

Per:

Keith D. LaBossiere

KDL/nb
#764236

cc: Rogers Law Office
Att: Dan Rogers