



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
FRATERNITÉ INTERNATIONALE DES OUVRIERS EN ÉLECTRICITÉ



EDWIN D. HILL
International President
Président international



PHIL FLEMMING

International Vice President / Vice-président international
First District, CANADA / Premier District, CANADA



LINDELL K. LEE
International Secretary/Treasurer
Secrétaire-trésorier international

January 18, 2010

Dear Brother (Name Withheld):

Thank you for your email outlining your concerns with the merger of Local Unions 894 and 1739 into Local Union 353. I recognize how this may come as a surprise to you and sympathize with your views but I must tell you that this merger is in your best interest and the best interests of every member involved in this merger. Please let me explain why this is such a vital step for the IBEW.

It is important for you to understand that the IBEW is in a crisis situation in the areas of Locals 1739 and 894; this is not only my conclusion, but obviously apparent in the T.E. Armstrong Consulting report. The full report is available on the IBEW 1st District website at www.ibew1st.org. Click on **LOCAL UNIONS 353/894/1739 MERGER ISSUES** on the *Home Page*.

The IBEW also engaged Prism Economics and that company independently analyzed data and information regarding issues related to the IBEW, non-union and other "union's" market share and market share history and trends in the jurisdictions of the three Local Unions; and the ability for the Local Unions to deal with these issues.

Please find the results of the analysis in the T.E. Armstrong report in Section XIV of the report and Appendices B, C and D.

This situation has created a base for the non-union to prosper. The threat to the members in Locals 894 and 1739 is huge. It becomes very clear that the job opportunities for the 894 and 1739 membership will be significantly reduced and the ability for the IBEW to overcome this situation would be extremely difficult and to leave the 'status quo' would be harmful to the membership and therefore is not an option.

The fact is that this decision has been made with the best interests of the IBEW membership. The existing situation has to turn around and protect the jobs, wages, benefits, and pensions of IBEW members and their families.

This will create more work opportunities for the membership and give the IBEW an opportunity to gain and secure market share.



We recognize that the merger process is a complicated process and meetings have begun with the Business Managers and Presidents of each of the Local Unions involved. The IBEW Construction Council of Ontario is also represented on the Implementation Committee. The issues on the table for resolution are attached to this email and I suggest you review the update on the progress on the IBEW website.

I can reassure you that the pension and benefits of all these members is protected and will continue. I can also reassure you that a fair *Dispatch Procedure* will be created. Please recognize that Locals such as Local Union 424 in Alberta that have the jurisdiction for the entire province do have a dispatch process that works fairly for all of their 7,000 members.

In consideration of the 'Out of Work List' and according to Local Union 353 Business Manager Joe Fashion, the fact is that Local Union 353 has a huge amount of work on the horizon and expects to have full employment with the requirement of travelers.

It is recognized that some members prefer to work in a specific sector or in a specific geographical area, and they will have the opportunity to continue to do so.

There is no doubt that there will be some concerns that will arise during the transition and you along with every other member of the IBEW have my assurance that every issue will be addressed and resolved.

You mention in your letter that you think there should be a vote to decide the issue. Brother, the IBEW Constitution is clear in that mandate is given to the International President.

I suspect that there are all sorts of rumours, and in some cases untruths, that are circulating. Unfortunately I cannot control what the fear mongers will say and do, however, I sincerely hope that you consider all of the facts of this merger and give the Business Managers and Presidents the chance to work through the issues in the best interest of each and every IBEW member and their families.

Best wishes.

In solidarity,

Phil Flemming
International Vice President

PF/tf





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International Secretary/Treasurer
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January 20, 2010

Dear Sister (Name Withheld):

I truly appreciate your email and the opportunity to address the concerns you have raised.

Let me first address your concern with the decision process. This was not a hasty decision. In fact, we have been reviewing and following the progress of Locals 894 and 1739 for a number of years with more focus applied over the past 12 months. The decision has been made with careful consideration of the facts. I recognize that it may be difficult for you to see the view from my perspective, but I can assure you that this decision was made with the best interest of you, your membership and their families.

You state that, “a business manager (in reference to Business Manager Joe Fashion) who has a history of doing naught but increasing his membership to a level that cannot be supported by his own jurisdiction.” Nothing could be further from the truth. Since Business Manager Fashion has been elected as Business Manager he has been successful in doubling the size of his membership through organizing the non-union and maintaining employment for that membership. Currently Local Union 353 has only 582 JW and 116 apprentices unemployed out of a membership of 7,827. When you consider about 200 members of Local Union 353 never respond to calls (most Local Unions have members that maintain their membership and who are on the unemployed list but have other jobs) I think you will have to agree that a very low real 6% rate of unemployment in this construction economy speaks for itself.

I recognize that Local 894, like 1739, have tried their best to secure their market share, but the fact is that this has not occurred and the evidence has shown quite the opposite. In a report from Prism Economics contained in the T.E. Armstrong Report, they have provided accurate and reliable information and statistics for IBEW Local Unions 353, 894 and 1739 for over a decade. The full report is available on the IBEW 1st District website at www.ibew1st.org. Please read the facts in the report and determine for yourself if the status quo is an option.

I suggest you determine how the results of the merger will impact you before you make any decisions with your membership. Of course, you have the freedom to come to your own conclusion, but I would sincerely hope you wait and see the realities of this merger. The purpose of the merger is to provide more job opportunities to you, the IBEW member.



Lastly, you should be aware that many other Local Unions within the IBEW have very large geographic jurisdictions and the members in those Local Unions' jurisdictions are well served in a very transparent manner. As you may know, the Business Managers and an additional representative from each Local Union are meeting with me to discuss issues and how to best implement this merger. One of most important issues to resolve is a fair and equitable dispatch system. We are aware that employment for our membership is priority number one and every member must be considered. I guarantee that will continue.

I urge you to follow the progress of the merger through the link via the 1st District website and I appreciate your objective judgment as we collectively work for the future of our IBEW membership.

Best wishes.

In solidarity,

A handwritten signature in black ink, appearing to read "Phil Flemming". The signature is written in a cursive style with a long, sweeping tail that loops back under the name.

Phil Flemming
International Vice President

PF/tf





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January 20, 2010

Dear Brother (Name Withheld):

In your email dated January 18, 2010 you asked how this merger would help you and if this was a voluntary merger between Locals 353, 894 and 1739.

To begin, this merger will provide you and Local Union 894 membership more work opportunities and job security. According to the research performed by Prism Economics and contained in the T.E. Armstrong Report (see the Report at www.ibew1st.org) the fact is that the Christian Labour Association of Canada (CLAC) has more market share in the commercial sector than Local 894 and the non-union has over twice the market share of Local Union 894 in this sector.

Although the IBEW and non-union almost split the institutional sector market, once the Lakeridge Hospital job is removed from the equation, the non-union performs 70% of this work.

The foothold that CLAC and the non-union sector have secured is a threat to the existence of the IBEW and only gives them the foundation to grow and secure more of our market.

It is unfortunate that Local 894 have not or could not commit the significant financial and human resources, effort and expertise needed to secure our future. Without a doubt, the IBEW is in a crisis situation and to do nothing today is only to accept our demise. Status quo is not an option.

Your comment about being a voluntary merger is somewhat confusing, but I assume that you are referring to President Hill's letter in which he gives me the authority "to utilize other advisors to assist you (the Implementation Committee) in attempting to reach a voluntary resolution of the terms and conditions of the mergers."

This does not mean that the merger is voluntary but that there is an opportunity for the Implementation Committee to reach an agreement on all issues. Certainly that is my wish and I can assure you that the interests of every IBEW member are important and will be considered.

Your statement about the International Office putting the needs of a contractor ahead of a member is simply incorrect. The objectives of the IBEW along with its' principals and values has always stood for benefiting working people and their families. These changes are in your interest and for our collective benefit.



I also suggest that your concern about joining Local 353 is premature. You have not yet experienced anything detrimental to your livelihood, yet you are willing to throw away your membership apparently for no reason. I suspect that you have unfounded fears and perhaps have been listening to the fear mongers. I would appreciate your patience to wait and see how this merger actually affects you and then you, like any others, can fully judge the benefits.

I urge you to visit www.ibew1st.org for merger updates and highlights and read for yourself the facts surrounding this merger.

We are committed to implementing a fair and transparent structure with this merger and trust you will see the future benefits.

Best wishes.

In solidarity,

A handwritten signature in black ink, appearing to read "Phil Flemming". The signature is fluid and cursive, with a long, sweeping tail that extends to the right.

Phil Flemming
International Vice President

PF/tf





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LINDELL K. LEE
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January 25, 2010

Dear Brother (Name Withheld):

Thank you for your email and your four questions which I will address in order as they appear in your email.

1) The new jurisdictional areas of Local 353 will be as follow as follows:

Outside and Inside work when performed in the Regional Municipalities of York and Peel and that portion of Dufferin County east of Highway #10 and south of Highway #9 and is part of the Town of Orangeville. That portion of Regional Municipality of Halton east of the Eighth Concession Line and south of 401 to Lake Ontario and the Municipality of Metro Toronto and when performed in Durham Region, Northumberland, Victoria, Peterborough and Haliburton Counties and when performed in the towns of Barrie and Orillia, all of Simcoe County and the District Municipality of Muskoka and the Townships of Humphrey, Conger, Christie, Foley, Cowper, McKellar, McDougall, and Hagerman in the County of Parry Sound in the Province of Ontario – Please note that we will post a map on www.ibew1st.org to further clarify the boundaries.

- 2) Yes, this merger does mean that job opportunities for all members of Local Unions 353, 894 and 1739 will increase.
- 3) You are correct that Local Unions 894 and 1739 are presently struggling for job opportunities in their jurisdictions but it is expected that there will be full employment for all members by July 2010. In addition, contractors who had refused to bid on work in Locals 894 and 1739 jurisdictions have indicated that they will aggressively go after work in these areas. Also, Local Union 353 Business Manager Joe Fashion has advised that he will initiate an organizing plan that will focus on creating more growth and work opportunities for all the membership in the 894 and 1739 areas.
- 4) There will be no changes to your benefit plans or pension plans without full consultation with the applicable trustees and only when changes will benefit the members. Union dues will remain *status quo* until May 1st, 2010 as the Provincial Agreement expires on April 30th, 2010 and Local Union appendices remain in effect until that time.

Please keep updated on the merger by visiting www.ibew1st.org.

Best wishes.

In solidarity,

Phil Flemming
International Vice President

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January 25, 2010

Dear Brother (Name Withheld):

Thank you for your email dated January 19, 2010 that outlines your concern with the availability of work and how Local Unions 894 and 1739 members will be affected on the *out of work* list.

In terms of the *out of work* list, unemployed members of Locals 894 and 1739 will be dovetailed into the existing Local 353 list based on their *out of work* date.

Presently, Local Union 353 has 582 journeymen and 116 apprentices unemployed. Local Union 1739 has 115 journeymen on the *out of work* list, that includes 28 journeymen looking for work, and 4 apprentices unemployed and Local Union 894 has 133 journeymen and 38 apprentices unemployed.

It is important to note that Local Union 353 has specialized sectors in which the 353 membership identify their preference for work. Local Union 353 has 5 classifications on the *out of work* list, which includes the following sectors: ICI, Hi Rise, Low Rise, Communication, and Outside Lines. All of these members fall under the one 353 *out of work* list so the numbers do not truly reflect your actual position of opportunity for ICI work.

Nevertheless, there are 86 members of Local Unions 894 and 1739 that will be higher than 353 members on the list due to this dovetailing.

In discussions with Business Managers Fashion, Leduc, and Gillett, they believe that full employment will occur in their respective areas in the upcoming months, so the impact of this is not as negative as many people have speculated.

In terms of jurisdiction, the new boundaries of Local Union 353 will take in the entire jurisdiction of Local Unions 894 and 1739. Meetings have been held with the Implementation Committee and in-depth discussions took place on how this will impact the **entire** membership of Local Union 353 after February 1st, 2010. The dispatching process will need to be amended to ensure fairness for Local 894 and 1739 members. It is important to note that the amended process will not penalize members for not taking jobs that are too far away from home to make it easier to work closer to where you live.



Business Manager Fashion will be corresponding with the 353 membership in the near future. In addition, Business Manager Fashion will be negotiating appropriate travel pay and *living out allowances* in the upcoming round of negotiations which will begin very shortly.

Please be advised that the Implementation Committee's mandate was to assist International Vice President Flemming in making recommendations to President Ed Hill for final approval.

Please visit our website www.ibew1st.org for further details as it becomes available.

Best wishes.

In solidarity,

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Phil Flemming
International Vice President

PF/tf

