

February 4, 2025

Catherine Gilbert, Registrar
Ontario Labour Relations Board
505 University Ave., 2nd floor,
Toronto, ON M5G 2P1

VIA E-FILING

Re: Tim Thompson et al, Applicants v Unifor Local 222, Responding Party v Durham Region Transit Commission (Regional Municipality of Durham), Intervenor

OLRB File No.: 1749-23-U

I am the representative for the Applicants.

On January 14, 2025 the Board scheduled a consultation regarding our complaint for May 12, 2025.

The Respondent's counsel is requesting that the May 12 consultation be cancelled and scheduled for a new date.

The Applicants oppose this request for the following reasons:

1. The consultation date was set by the Board on January 14 and the Respondent's counsel did not contact me to request that it be rescheduled until January 31, which is 17 days later. The request to the Board was submitted on February 3, which is 20 days after the consultation was scheduled.
2. The Applicants have already experienced significant delay since their complaint was submitted on November 1, 2023. The Applicants have all suffered adverse effects of the actions and events that are the subject of their complaint. Some of them lost their employment at the end of December 2023 and have not yet been hired by Durham Transit, which took over the transit routes that they were performing, over 13 months later. Others, who were hired by DRT, are continuing to be subject to inferior shifts and other inferior conditions of work as a result of the Memorandum of Agreement agreed to by Unifor Local 222, Durham Region Transit, and PWTransit. Further delays exacerbate the negative consequences being suffered by the Applicants.
3. The counsel for the Respondent stated in their request that, "Given the rather complex factual history that is outlined in the filed response, it is not practical to re-

assign the consultation to another lawyer.” However, since the assigned date for the consultation of May 12, 2025 is still more than 3 months and a week away, we submit that it is not unreasonable to expect that the Respondent can be prepared for a consultation on the scheduled date. The harm done to the Applicants by further delay should outweigh the inconvenience to the Respondent in continuing with the scheduled date.

4. In my response to counsel for the Respondent on January 31, 2025, I offered some flexibility. I indicated that, “If you can get confirmation from the Board that there is a date available other than May 12, and between May 1 and May 14, 2025, I would be agreeable to that.” The Applicants are still willing to shift the date of the consultation to accommodate the schedule of the counsel for the Respondent as long as the new date is between May 1 and May 14, 2025.

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