



Notice Of Intent to Spank Employer (NOISE)

**RE: Violation of Collective Agreement;
Performance of Bargaining Unit
Work by LCBO Management**

August 24, 2007

Mr. Murray Kane,
Sr. Vice-President,
LCBO Human Resources Division,
2nd. Floor, 55 Lakeshore Blvd. East,
Toronto, Ontario M5E 1A4

Mr. Wayne Zachar,
Director, Employee Relations,
LCBO Human Resources Division,
2nd. Floor, 55 Lakeshore Blvd. East,
Toronto, Ontario M5E 1A4

HAND DELIVERED

Dear Mr. Kane / Mr. Zachar:

This letter is further to our conversation in the LCBO Maple Store (#536) today, as a result of observing you being engaged in performing work that clearly belongs to employees in the OPSEU bargaining unit.

You are respectfully advised that performing this work is in violation of the collective agreement between the parties and may indeed also be in violation of the *Ontario Labour Relations Act (OLRA)*.

I am currently reviewing/investigating this matter and will be making a determination as to whether further action will be taken against you by the Union as a result of the above.

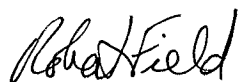
Accordingly, within three (3) calendar days from receipt of this letter, you are asked to submit a written statement to my attention explaining the matter mentioned above.

I am addressing this matter with you in writing rather than in person since that appears to be the demonstrated policy and preferred means by which the Employer counsels its own employees. Further, be advised that you have no rights or recourse to Article 26.3 of the collective agreement in this matter, nor are you entitled to Union representation at any time.

Therefore, you are advised that you are **not** to contact me, another staff or a member of the Union to discuss this issue. Should you elect to do so, you will be deemed to have waived any rights and to have admitted to the foregoing allegations.

If you choose not to respond as requested, the Union will act on information available to it. A decision concerning this matter will be made known to you and to all affected bargaining unit members in due course.

Sincerely,

A handwritten signature in black ink that reads "Robert Field". The signature is written in a cursive style with a large initial "R".

Robert Field,
Negotiator

c: A. Johnson, Pres. Local 376
T. Moore, Sector Supervisor
V. Klumper, LBED Chair