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Our File: 035986-C

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August 26, 2022

BY WEB PORTAL

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In the matter of the *Canada Labour Code (Part I—Industrial Relations)* and an application for a declaration of unlawful strike filed pursuant to section 91 of the *Code* by Seaspun ULC, applicant; Canadian Office and Professional Employees Union, Local 378 (dba MoveUP, Movement of United Professionals), respondent. (035986-C)

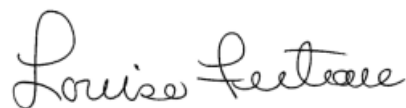
We acknowledge receipt of the above-cited application filed with the Canada Industrial Relations Board (the Board) on August 26, 2022. The application will be dealt with in accordance with the provisions of the *Canada Labour Code* (the *Code*) and the *Canada Industrial Relations Board Regulations, 2012* (the *Regulations*). We note that a complete copy of the application has been served directly on the respondent.

Further, the parties have agreed to resolve their outstanding issues through mediation and have come to a resolution of the above-cited matter.

Further to the agreement of the parties dated August 26, 2022, please find enclosed an Order issued by a panel of the Canada Industrial Relations Board (the Board) composed of Ms. Louise Fecteau, Vice-Chairperson, sitting alone pursuant to section 14(3) of the *Canada Labour Code (Part I-Industrial Relations)*. The Board has now closed its file in the above-referenced matter.

If you have any questions concerning this matter, please contact the Jesse Peters in our Ottawa office at (613) 371-8673.

Sincerely,

A handwritten signature in cursive script that reads "Louise Fecteau".

Louise Fecteau
Vice-Chairperson

Encl.

APPLICATION REGARDING UNLAWFUL STRIKE
BEFORE THE CANADA INDUSTRIAL RELATIONS BOARD

Between:

Seaspan ULC

(the "Applicant")

And:

MoveUP

(the "Respondent Union")

Consent Order

BEFORE

)
)

Friday, the 26th day of August, 2022

THE APPLICANT and the Respondent Union having consented to an Order on the Application filed by the Applicant on the 26th day of August, 2022;

THIS BOARD

1. declares that certain employees of the Applicant represented by the Respondent Union have engaged in an unlawful strike contrary to the *Canada Labour Code* (the "*Code*");
2. orders all employees of the Applicant who are represented by the Respondent Union to cease and desist from violating the *Code* and to refrain from further violating the *Code*;

004237.158/5736881.1

3. orders any employee who has participated or is participating in the strike to perform the duties of their employment;
4. orders the Respondent Union forthwith to give notice of this consent order to all employees of the Applicant represented by the Respondent Union by:
 - a. Prior to August 29, 2022, sending an email containing the contents attached as Appendix "A" as well as a copy of this consent order to its members who are employees of the Applicant.

By the Board

APPROVED AS TO FORM:



Ilan B. Burkes
Counsel for the Applicant



Stephanie T. Mayor
Representative of the Respondent Union

Bulletin

Email to the members

To: All Members at Seaspac ULC
Re: CMSG pickets at the Workplace

We write to notify all members of the Canada Industrial Relations Board's advisement that respecting the CMSG picket lines constitutes an illegal strike under the *Canada Labour Code*. See the attached Consent Order.

Accordingly, while we understand the membership wishes to demonstrate solidarity with our sisters and brothers at the CMSG, we are formally requesting that you immediately return to your usual duties at work if you have not done so already.

If you have any questions, please direct them to your local union representative.

Please stay tuned for further communications if the CMSG job action continues.

Signed