

FAXED
J. DOLECKI
204-925-3231



Minister of Labour and Immigration

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

NOV 21 2011

Mr. J. F. Dolecki
President
Brandon University Faculty Association
333 Clerk Hall Original Building
Brandon University
Brandon MB R7A 6A9

Dear Mr. Dolecki:

I am writing in regard to your letters of November 17, 2011, and November 20, 2011, in which you make a number of comments respecting Mr. Dennis Harrison, the conciliator that I appointed to assist in negotiations between the Brandon University Faculty Association and Brandon University. I must first advise you that I categorically reject your allegations that Mr. Harrison is attempting to facilitate the University's methods in these negotiations.

Under section 67 of *The Labour Relations Act* (the Act), a conciliation officer appointed by the Minister has the duty to confer with the parties, and must endeavor to bring about an agreement between the parties. The conciliator continues to be appointed throughout negotiations with a mandate to facilitate discussions, and assist the parties in concluding an agreement. As such, while the parties have not yet been able to reach an agreement despite the assistance of the conciliator, and a mediator, neither Mr. Harrison's appointment as conciliator, nor the authority provided to him under the Act has terminated.

I should also remind you that subsection 67(3) of the Act, imposes obligations on the parties to cooperate with the conciliator in the discharge of his duties. The Act provides as follows:

67(3) Each party or its representatives shall, on the request of a conciliation officer appointed under subsection (1),

(a) meet and confer with the conciliation officer and the other party or its representatives at such times and places as may be designated by the conciliation officer;

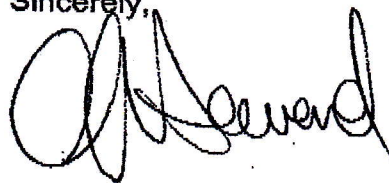
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(b) make known to the conciliation officer terms and conditions which are acceptable to the parties as provisions of a collective agreement.

Mr. Harrison is appropriately fulfilling his duties to assist the parties to resolve this dispute and achieve a new collective agreement.

As you know, this strike is harming the education of Brandon University students. I continue to urge your Association and Brandon University to make every effort to achieve a collective agreement soon. Conciliation, mediation or agreeing to binding arbitration continues to be available to you.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Howard", written in a cursive style.

Jennifer Howard
Minister of Labour and Immigration