



MEDIA RELEASE



Thursday, December 22, 2011

Superior Court orders end to unlawful union picketing

York Region injunction against ATU Local 113 and 1587 will address safety and delay concerns

NEWMARKET – The Regional Municipality of York today successfully obtained an injunction from the Superior Court of Justice to prevent ongoing unsafe and unlawful picketing by Amalgamated Transit Union (ATU) Local 113 and ATU Local 1587.

The injunction will ease delays for residents on YRT/Viva buses and at Regional facilities while also continuing to preserve the legal right of peaceful and lawful picketing.

Specifics of the injunction granted this morning include:

- No delays of entry/exit of pedestrians at YRT/Viva terminals and garages
- Picketing at any site shall be peaceful and lawful at all times
- Picketing activity will be permitted only within agreed upon protocols
- No delays or interference with passengers getting on or off buses
- Picketers will not wear masks and/or face coverings while engaged in strike-related activities
- Mobility Plus and community buses shall not be delayed on entry or exit, or subject to en masse “occupation”
- No stopping or interfering of any buses on any roads between the garage and start of routes and along YRT routes, TTC, Brampton Transit Zum, GO Transit or any service running YRT routes
- Maximum three-minute delay of buses exiting garages, until five buses in cue, then all released, no entry delays
- Maximum three-minute delay of buses exiting terminals, until 10 buses in cue, then all released, no entry delays

York Region respects the right to strike and will continue to work with ATU Local 113 and Local 1587 to accommodate lawful picketing during the strike period. If the terms of today’s ruling are not upheld, or if other issues relating to safety or service delays arise, the matter of an injunction can be returned to court.

Contracted operators Miller Transit, First Canada and York BRT Services have met briefly with ATU Local 1587 and ATU Local 113 over the past two weeks to move their dispute forward. York Region is pleased to see the unions and contractors making progress together at the bargaining table, working towards a resolution that presents no expense to taxpayers and riders.

On December 2, York Regional Council stated emphatically it will not intervene in the current dispute between the contractors and unions, will not request back-to-work provincial legislation or binding arbitration. Committing to any of these could lead to substantial tax rate increases for all regional residents, higher transit fares for commuters, or both. The parties have an obligation to bargain in good faith. Details of current offers can be viewed on the [YRT/Viva website](#)

ATTACHMENT: Court Order against ATU Local 113 and 1587

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Media Contact: Kim MacGillivray, Corporate Communications, York Region

1-877-464-9675, ext. 1209 • Cell: 905-251-6412 • kim.macgillivray@york.ca

Founded in 1971, The Regional Municipality of York is made up of nine municipalities and provides services to more than one million residents, 29,000 businesses and 495,000 employees.

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE) THURSDAY, the 22nd day of
)
JUSTICE LAUWERS) DECEMBER, 2011

B E T W E E N:

THE REGIONAL MUNICIPALITY OF YORK

Plaintiff/Moving Party

- and -

**AMALGAMATED TRANSIT UNION, LOCAL 113, AMALGAMATED TRANSIT
UNION, LOCAL 1587, RAY DOYLE, ALASTAIR SUTTAR, BOB KINNEAR,
ANGELA HYLTON, NASEEM AHMED, DESMOND COURTNEY, ROCCO
SIGNORILE, KHALID QAYUM and OTHER PRESENTLY UNIDENTIFIED
PICKETERS**

Defendants/Responding Parties

O R D E R

THIS MOTION, made by the Plaintiff for injunctive relief was heard this day at the Court House, 50 Eagle Street West, in the City of Newmarket, Province of Ontario.

ON READING the Motion Records and Factums filed and on hearing the submissions of counsel for the Plaintiff and counsel for the Defendants,

1. **THIS COURT ORDERS** that the Defendants, their respective agents, servants and persons acting under their instructions, or instructions of any of them, or anyone aiding or assisting them or any one of them, and all those to whom notice

of this order shall come, be restrained, until trial or other final disposition of this action, as set out in this Order.

2. **THIS COURT ORDERS** there shall be no delays of entry/exit of pedestrians at any site referred to below.

3. **THIS COURT ORDERS** that picketing at any of the sites shall be peaceful and lawful at all times.

4. **THIS COURT ORDERS** that picketing which will impact upon offices, buildings and services of the Regional Municipality of York ("York Region"), and upon York Region Transit ("YRT") terminals, facilities, vehicles and service (including YRT, Viva, TTC, Zum, and GO Transit or any bus service running YRT routes) shall only be at designated sites, with agreed upon protocols as defined herein to apply, as follows:

"Terminals", defined as:

- Richmond Hill Centre Terminal, 8675 Yonge Street;
- Bernard Terminal, 10909 Yonge Street, Richmond Hill;
- Promenade Terminal, 1 Promenade Circle, Thornhill;
- Vaughan Mills Mall Terminal, 1 Bass Pro Drive, Vaughan;
- Newmarket GO Bus Terminal, 320 Eagle Street West, Newmarket;
- Finch GO Bus Terminal, 5697 Yonge Street, Toronto;
- Don Mills Station, 1700 Sheppard Avenue East, Toronto;
- Downsview Station, 1035 Sheppard Avenue West, Toronto;
- York University, 4700 Keele Street, Toronto;
- Unionville Go Bus Terminal, 7970 Kennedy Road, Markham;
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"Garages", defined as:

- Southwest Division, 8300 Keele Street, Vaughan, all exits;
- Southeast Division, 8050 Woodbine Avenue, Markham, all exits;
- North Division, 534 Kent Street, Newmarket, all exits;
- York BRT Services North Facility, 18106 Yonge Street, Newmarket, all exits;
- York BRT Services South Facility, 91 Caldari Road, Concord, all exits.

"Admin Buildings", defined as:

- Regional Administration Centre, 17250 Yonge Street, Newmarket; and
- South Service Centre, 50 High Tech Road, Richmond Hill.

5. **THIS COURT ORDERS** that there shall be no delays of or interference with passengers getting on or off buses.

6. **THIS COURT ORDERS** that picketers will not wear masks, and/or face coverings while engaged in strike related activities.

7. **THIS COURT ORDERS** that Mobility Plus and Community buses shall not be delayed on entry or exit, and that there shall be no en masse "occupation" of Mobility Plus and Community buses by the Defendants.

8. **THIS COURT ORDERS** that there shall be no stopping or interfering with any buses on any roads between the garage and start of routes and along YRT routes, including TTC, Zum, GO or any bus service running YRT routes.

9. **THIS COURT ORDERS** that for all Garage (as that term is defined above) access points:

- (a) conventional buses or other vehicles can be delayed for 3 minutes on exit (with a "release valve" when the line-up of buses includes 5 buses – ie. at that point, all buses are allowed to exit).
- (b) no delay whatsoever for Mobility Plus and Community buses exiting.
- (c) no delay of conventional or any other buses or vehicles entering.

10. **THIS COURT ORDERS** for all Terminals (as that term is defined above) access points:

- (a) no delay on buses entering; and
- (b) 3 minute delay per bus on exit (for all access points), with a "release valve" at 10 buses.

11. **THIS COURT ORDERS** for all Admin Buildings at all access points:

- (a) delays of vehicles entering in 3 minute cycles – ie. every 3 minutes, all vehicles are allowed to enter (up to a maximum of 6 vehicles at a time); and
- (b) no delays for any vehicle exiting.

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THE REGIONAL MUNICIPALITY OF YORK

(Plaintiff)

-and-

AMALGAMATED TRANSIT UNION, LOCAL 113 et al.

(Defendant)

Court File No.: CV-11-107489-00

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at NEWMARKET

ORDER

**HICKS MORLEY HAMILTON
STEWART STORIE LLP**

Barristers & Solicitors
77 King Street West, 39th Floor
Box 371, TD Centre
Toronto, Ontario M5K 1K8

Stephen F. Gleave

Tel: 416-864-7208 Fax: 416-362-9680
LSUC No.: 306681

E-mail: stephen-gleave@hicksmorley.com

Lawyers for the PLAINTIFF