

LETTER DECISION  
BCLRB No. B392/94

October 2, 1994

To Interested Parties:

Re: Finlay Forest Industries Inc. -and- Fletcher Challenge Limited  
~~(McKenzie Wood Products Division) -and- Pulp and~~  
Paperworkers of Canada, Local 18 -and- IWA-  
Canada, Local 1-424  
(Section 65(2) - Case No. - 20547/94)

(i) Nature of the Application

The Employer applies seeking extrication from the finding in BCLRB No. B383/94 that it is an ally of FCL. It says since it has returned the monies paid to FCL for the purchase of sawlogs, the activity which found it to be an ally has ceased.

The Union takes the position that the Employer should not be extricated from the ally declaration. It asks that it be allowed to continue picketing as permitted by the decision in BCLRB No. B391/94. The Union says it should be allowed to picket for the same amount of time that FCL had in its possession monies paid by the Employer as a first instalment for sawlogs purchased.

IWA Local 1-424 certified with the Employer, appeared and filed a submission. It takes the position there is no further labour relations purpose served in allowing the continuation of the picketing by the Union.

This sets out the decision of the Board with respect to this application. If the parties wish reasons for the decision they should so advise the Board.

(ii) Decision and Conclusion

I find that the Employer is extricated from the finding it is an ally of FCL.

The Union is hereby prohibited from continuing to picket the operations of the Employer. However, the Employer is ordered to inform the Union in the future at least one week prior to purchasing any logs from FCL. Should the Union decide to make an application for declaration

of ally under Section 65, it will be dealt with in an expeditious manner in accordance with the Board's practice.

LABOUR RELATIONS BOARD

BARBARA J. JUNKER  
VICE-CHAIR

Interested Parties:

Finlay Forest Industries  
FFI Road  
McKenzie, B.C.

Blake, Cassels & Graydon  
Barristers and Solicitors  
1700 - 1030 West Georgia Street  
Vancouver, B.C. V6E 2Y3  
ATTENTION: Donald J. Jordan, Q.C.

(For FFI)

Pulp and Paperworkers of Canada,  
Local 18  
P.O. Box 398  
McKenzie, B.C. V0J 2C0  
ATTENTION: Wayne Kipke

John J. Steeves  
Barrister and Solicitor  
300 - 111 Water Street  
Vancouver, B.C. V6B 1A7  
ATTENTION: John J. Steeves

(For PPWC)

Fletcher Challenge Canada Limited  
(McKenzie Wood Products Division)  
P.O. Bag 6000  
McKenzie, B.C. V0J 2C0  
ATTENTION: John Lyotier

IWA-Canada, Local 1-424  
100 - 1777 Third Avenue

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Prince George, B.C. V2L 3G7  
ATTENTION; Shiv Garcha

Banister and Company  
1401 - 808 Nelson Street  
Vancouver, B.C. V6Z 2H2  
ATTENTION: Maureen Headley

(For IWA-Canada)