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January 6, 2011

**WITHOUT PREJUDICE**

BY FAX: 463-0590  
Patrick J. Eagan  
Landry, McGillivray  
PO Box 1200  
Dartmouth, NS B2Y 4B8

Dear Mr. Eagan:

**RE: Blair Cromwell**

I acknowledge receipt of your letter dated January 5, 2011 addressed to Mike Labrecque.

Your client's employment was terminated as a result of engaging in insolent and insubordinate behavior which undermined the authority of the management of Fire Services and irreparably severed the employment relationship. The particulars of that behavior are referenced in the letter of termination dated August 24, 2010. As you are aware, the decision concerning your client's employment followed a lengthy investigation carried on outside of Fire Services during which your client had a full opportunity to speak to the matter and admitted most of the factual allegations. The resulting decision was made by a member of senior management of the Municipality who was independent of the management of Fire Services.

Your letter incorrectly states that the Municipality and Fire Services have failed to address complaints of racism and other human rights abuses. The Municipality has taken numerous measures to address such complaints, albeit that such action has not been to the satisfaction of your client.

As noted in your letter, there are several avenues available to employees to advance work place complaints concerning racism and other Human Rights issues. Unionized Fire Services' employees can grieve in accordance with Article 3.01 of the Collective Agreement. They can also file a complaint in accordance with the Fire Services' Workplace Rights Policy. They can also file a complaint with the Human Rights Commission. Your client has an existing complaint with the Human Rights Commission and the Municipality has undertaken to cooperate with the Commission in their investigation and their attempts to resolve this and any other complaint.

We understand that your client successfully appealed the Commission's decision to deny his employment insurance benefits following termination of his employment. As you are aware, the

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Municipality did not participate in that process nor oppose payment of employment insurance benefits to your client. Consequently, his statements went unchallenged in that process. Needless to say, the decision of the Appeal Board in those circumstances is in no way determinative of any of the issues between your client and the Municipality.

To the contrary, the Union has filed a grievance on behalf of your client in respect of the termination of his employment. The issues between your client and the Municipality concerning cause for the termination will be determined in that process. Your client will, of course, have legal representation in that process and a full opportunity to dispute the finding that his behavior was insolent and insubordinate and undermined the authority of management.

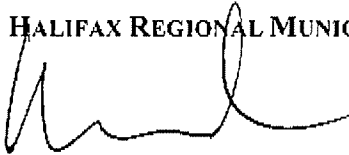
The workplace study commissioned by the Union was done so for their purposes and is a matter for discussion in a labour relations context between the Union and the Employer. Again, the Union's study is in no way determinative of any of the issues between your client and the Municipality.

The civil action by Bill Mosher and Steve Thurber in their personal capacity against your client and others for defamation is a private proceeding. While most of the allegations of defamation against your client and the other Defendants relate to matters involving the Plaintiffs' management of Fire Services, the proceeding is nevertheless a personal action within their control.

I trust that this adequately outlines the Municipality's position on this matter.

Yours truly,

**HALIFAX REGIONAL MUNICIPALITY**



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MCW/kam  
cc Mike Labrecque