

IN THE MATTER OF A BOARD OF ARBITRATION ESTABLISHED PURSUANT  
TO *THE HOSPITAL LABOUR DISPUTES ARBITRATION ACT*

**BETWEEN:**

SOUTH BRUCE GREY HEALTH CENTRE

(“the Hospital”)

**AND:**

ONTARIO PUBLIC SERVICE EMPLOYEES UNION, LOCAL 275

(“the Union”)

**RE:** INTEREST ARBITRATION

**BOARD OF ARBITRATION:**

Kevin M. Burkett – Chair

Brian O’Byrne - Employer Nominee

Terry Moore - Union Nominee

**FOR THE EMPLOYER:**

Amanda P. Cohen - Counsel

Audrey King

Mary Poulin

**FOR THE UNION:**

Michele Dawson Haber – Senior Research Officer

Xiaoyan Wang - Research Officer

David Cox - Staff Representative

**MEMBERS OF THE BARGAINING TEAM**

Erin Netzke

Krista Harrison

Connie Krauter

Karen Mangotich

Jennifer Schmalz

Ashley C Wilson

We have been appointed under the Hospital Labour Disputes Arbitration Act to adjudicate upon the local issues in dispute between various Hospitals and their OPSEU paramedic local Unions, each with a separate predecessor collective agreement that expired March 31, 2019. There is no dispute that we have been properly constituted pursuant to the Memorandum of Conditions for Joint Bargaining, the terms of which regulate the scope and arbitration of local issues. The central provisions of these collective agreements have already been determined, including a term extending from April 1, 2019 to March 31, 2022.

Hearings were convened on December 9, 10, 12, 13 and 19, 2019. Local issues were put before the Board from the following Hospitals:

- Headwaters Health Care Centre
- Orillia Soldiers' Memorial Hospital
- Baycrest Centre for Geriatric Care
- Royal Ottawa Hospital
- Alexandra Hospital
- Royal Victoria Regional Health Care Centre
- South Bruce Grey Health Centre
- Sault Area Hospital – Unit A and B

The written submissions, as supported by oral presentation, have been fully considered by the Board. Given that many local issues are reflective of local conditions, we have paid particular attention to whether or not in such cases there exists a "demonstrated need." Where a local issue lends itself to a comparative analysis, we have looked for comparator support. The award of the Board in this case follows.

**South Bruce Grey Health Centre**

**and**

**OPSEU Local 275**

The parties are hereby directed to enter into a renewal Local Provisions Appendix (for the term April 1, 2019 to March 31, 2022) that contains all the terms and conditions of the predecessor Local Provisions Appendix that expired March 31, 2019 save and except that it is amended to incorporate:

1. All local issues agreed between the parties prior to the date hereof;
2. Amend article H-09 (E) Distribution of Shifts After Schedule has been posted by adding;  
“The Employer shall not change the posted schedule without first discussing the change with the employees affected”

3. Amend the first sentence article N-0Z call-in/standby to read;  
“Call-in/standby is at a site or sites mutually agreed upon by the employee and the employer ... “
  
4. Incorporate a new article N.03 to read;  
“A member on standby who requests a sleep option shall be treated in accord with Appendix A of the Hospital’s Severe Weather Policy, except that a vacant inpatient room/bed as available shall be the first option”.

Delete paragraph 3 from Letter of Understanding re: Distribution of shifts after the Schedule has been Posted in Diagnostic imaging.

Issues not awarded upon are denied without prejudice to future bargaining.

We remain seized until the parties enter into a formal Local Provisions Appendix.

DATED in Toronto, Ontario on this 20<sup>th</sup> day of February, 2020

*Kevin Burkett*

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Kevin M. Burkett – Chair

Partial Dissent

“Brian O’Byrne”

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Brian O’Byrne – Employer Nominee

I Concur

“Terry Moore”

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Terry Moore – Union Nominee

