

IN THE MATTER of the *Labour Relations Act, 1995* S.O.1995, c. 1 Sch. 'A'
AND IN THE MATTER of a Reference to Arbitration pursuant to s. 48(4) thereof

BETWEEN: UNIFOR and its Local 2458

UNION

AND: Royal Marquis Retirement Residence Inc.

EMPLOYER

[Zdravka Boras Grievance]

A W A R D

Appearances

For the Employer : Nicole Desjardins

For the Union : Rick Laporte, Richard Laverty, Bruce Dickie, Melissa Nael, & Darlene Prouse

Heard before Arbitrator Thomas Kuttner, QC at Windsor ON on 08 April 2014

CONSENT AWARD

WHEREAS Royal Marquis Retirement Residence Inc (the “Employer”) and UNIFOR and its Local 2458 (the “Union”) are parties to a collective agreement, effective 25 November 2011 to 24 November 2014;

AND WHEREAS pursuant to Article 1 of the said collective agreement the parties are committed to provide for the prompt and equitable resolution of grievances arising thereunder, and in particular that arising herein, filed by Zdravka Boras (the “grievor”), and referred to arbitration by the Union on her behalf;

AND WHEREAS the parties have consented to the issuance of the within Award on terms stipulated, in full and final settlement of the within grievance/arbitration matter;

NOW THEREFORE, I do hereby issue the following Consent Award:

1. Both parties are committed to making every reasonable effort to provide three (3) additional weeks of vacation to the grievor;
2. The Employer undertakes to pay \$200.00 to the grievor at the first payroll cycle following issuance of the within Consent Award, the same to be in settlement of her grievance;
3. The Union undertakes to, and does hereby withdraw the within grievance from arbitration;
4. Both parties stipulate that the Letter of Understanding reached between them on 08 April 2014 during the within proceedings, appended to the within Award and marked as “A”, shall be and the same is hereby incorporated by reference into the within Consent Award and constitutes an integral part thereof;
5. I remain seized of the within matter for purposes of implementation only.

Issued at Windsor, Ontario this 8th day of April 2014.



Thomas Kuttner, QC
Arbitrator

LETTER OF UNDERSTANDING BETWEEN:

ROYAL MARQUIS

- and -

UNIFOR 2458

VACATION and MASTER SCHEDULE: presented without Precedence or Prejudice

The parties understand that due to the need to cover the vacation scheduling.

The Employer will post a proposed vacation schedule on or before April 11, 2014. The Employees will have until April 30, 2014 to submit their desire of vacation during prime time. All previously approved vacation will be granted.

Prime time vacation is May 1 – September 15.

For all other vacation requests the request will be in writing to the employer one week prior to the posting of the schedule. Requests will be granted by seniority.

Vacation will regularly commence on a Monday, one week is Monday –Sunday. The days off will coincide with the employee's regular schedule.

The Employer will post the completed schedule on or before May 10, 2014. The Employees will be able to exercise their seniority for such vacation.

The Employer will meet and discuss the needs to cover the prime time vacation schedule, on or before May 15, 2014. The Home and Union will discuss the need for temporary lines at this time.

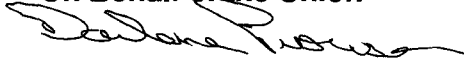
No vacation request will be unreasonably denied, the scheduling needs of the Home will be discussed as a concern at the above meeting.

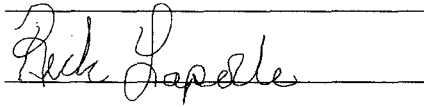
On or before May 1 the Employer will propose a Master schedule to be discussed at the May meeting and posted for review by June 1, 2014. The employees will select their permanent line on or before July 31, 2014.

The new Master schedule will commence for first full pay period following Labour Day.

ON THIS AGREEMENT ON THIS 08 DAY OF APRIL, 2014.

On Behalf of the Union





On behalf of the Employer

