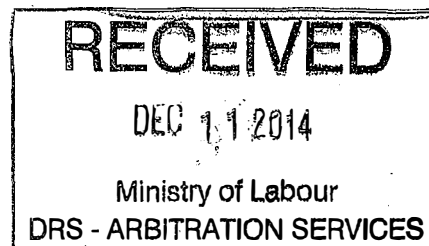


IN THE MATTER OF AN ARBITRATION**BETWEEN:****THE MUNICIPALITY OF CHATHAM KENT**
Hereinafter called the "Employer")**And****UNIFOR LOCAL 127**
(Hereinafter called the "Union")**GRIEVANCE OF KIM BACIK**
(Hereinafter called the "Griever")**ARBITRATOR: W. B. Rayner****APPEARANCES:****For the Union: Mike Byrne****For the Company: Daniel Byskal****Hearings held at Chatham the 17th day of September, and
the 17th and 18th days of November 2014****AWARD**

The griever, a Personal Support Worker at the Riverview Gardens Nursing Home, was terminated for alleged emotional abuse of residents. After receiving the report of the investigator and hearing his evidence I was not satisfied that the employer had sufficient evidence to substantiate the termination based on emotional abuse. I was satisfied that the

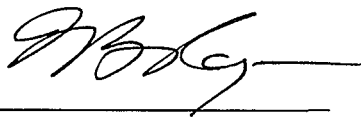


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griever the resident's Bill of Rights under the provisions of the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8. As a result I ordered the Employer to reinstate the griever to her previous position of employment held immediately prior to her termination.

The griever is to shall receive a two week disciplinary suspension for her violation of the Residents' Bill of Rights commencing on March 7, 2014. This suspension will remain on her record for 18 months following the conclusion of the suspension and will be removed on September 21, 2015. If the Employer wishes to rely on the said two week suspension record for further discipline, I shall remain seized in the matter.

Dated at Grand Bend the 2nd day of December, 2014

A handwritten signature in black ink, appearing to read 'W. B. Rayner', written over a horizontal line.

W. B. Rayner