

IN THE MATTER OF AN ARBITRATION PURSUANT TO
THE LABOUR RELATIONS ACT, 1995

BETWEEN:

JOHNSON MATTHEY PRECISION CASTINGS
("the Employer")

AND

THE UNITED STEELWORKERS, LOCAL 6428
("the Union")

RE: TEMPORARY TRANSFER PAY GRIEVANCE

ARBITRATOR: Peter F. Chauvin

APPEARANCES FOR THE EMPLOYER:

David M. Chondon, Counsel
Carol Boucher, Human Resources Manager
Sheila Achum, Human Resources Generalist
John Pagnotta, Plant Manager

APPEARANCES FOR THE UNION:

Frank Arcuri, USW Staff Representative
Bruce Horton, Local 6428 President
John O'Sullivan

Hearing held on February 27, 2015

AWARD

[1] I have been appointed as the Arbitrator to resolve the Union's policy grievance dated August 27, 2014 regarding Article 15.03 of the Collective Agreement ("the Grievance").

[2] The parties have requested that I render this Award regarding the interpretation of Article 15.03.

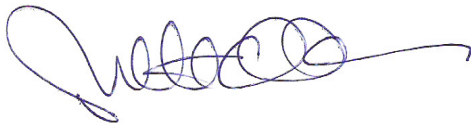
[3] The Employer has stated that it has past practice evidence that is relevant to Article 15.03. However, I find that the Employer's past practice evidence was not sufficiently known to the Union, and therefore does not assist in the interpretation of Article 15.03.

[4] I find that Article 15.03 requires that when an employee, who has not reached the top rate pursuant to Article 34.03(a), is temporarily transferred to a higher rated job, that the employee must receive the top rate of the higher rated job for the duration of the temporary transfer, so long as he performs all of the functions of the higher rated job which are required while he is on that higher rated job. This ruling fully resolves the Grievance.

[5] This ruling regarding Article 15.03 remains in effect until the end of the current Collective Agreement, and thereafter, unless the parties agree to the contrary, in negotiations or otherwise.

[6] I remain seized with regard to the interpretation and implementation of this Award, and with regard to any other grievances that may be filed regarding Article 15.03 during the operation of the current Collective Agreement.

Signed at Toronto on March 6, 2015.

A handwritten signature in blue ink, appearing to read "Peter F. Chauvin", with a long horizontal flourish extending to the right.

Peter F. Chauvin, Arbitrator