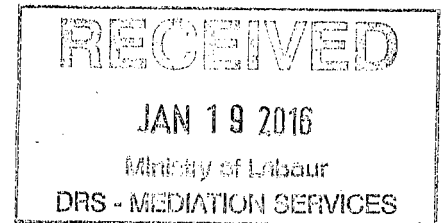


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IN THE MATTER OF AN ARBITRATION

BETWEEN

TEAMSTERS LOCAL 419

("Union")

and

WILLIAM OSLER HEALTH CENTRE

("Hospital")

Re: Various Grievances

SOLE ARBITRATOR: James Hayes

APPEARANCES

For the Union

Tim Oribine
Michael Downes
Sandra Vernon
and others

For the Hospital

Stephen Millar
Katherine Calder

A mediation was conducted in Etobicoke, Ontario on January 12, 2016.

AWARD

1. These matters continued from a hearing held on September 20, 2013.
2. This Award records matters discussed and directions made at a Mediation held on January 12, 2016.

Clare Smith

3. This grievance concerns a claim that the Grievor should be provided with sick pay of April 24 and 25, 2013.
4. I have made a mediator's recommendation that is under review.

Jacquie Macintyre

5. I am seized with Minutes of Settlement dated February 13, 2015 in which certain issues were referred to me for resolution.
6. Following discussions with the parties, I direct that the Grievor shall be offered reorientation to her previous position for two shifts, subject to extension should her manager deem that more time is required. The reorientation should take place no later than one year from the date of this Award subject to a medical reason for any extension.
7. It is understood that the Grievor is not able to attend such reorientation presently but she should advise the Hospital when she becomes able to do so.

8. The issue of “what, if any, availability or minimum work the Grievor must work to maintain her employment with the Hospital” is remitted to the parties for consideration after her orientation has been completed. If there is any continuing dispute, I will decide that question as the Minutes of Settlement require. The Grievor advises that she is generally available for work on Tuesdays.

9. The question of compensation, if any, owed to the Grievor remains under reserve. The Union provided the Hospital with a detailed claim at the Mediation. The Hospital is directed to respond in writing to that claim by February 2, 2016 and the Union shall have until February 23, 2016 to reply to the Hospital in writing.

Program Assistants

10. This matter has been outstanding for an unacceptable length of time. The Union is of the view that the Hospital has not complied with Minutes of Settlement. The parties have advised me that a number of related grievances have been filed subsequently.

11. The Union is directed to provide the following information in writing by no later than February 2, 2016:

- why it alleges that the Minutes have been breached;
- a list of the subsequent related grievances including a statement of the relief claimed in each; and,
- a statement as to the remedies now claimed, flowing from the original grievance(s)

12. The Hospital is directed to reply to the Union by no later than February 23, 2016.

13. The parties are advised that I am very much aware that my jurisdiction is limited to the original grievances. Assuming, without deciding, that the Minutes have been breached, I am most interested in sorting out what, if any, remedy is most appropriate at this late date-- bearing in mind that other grievances have been filed concerning later events in which additional relief has been sought. What, if anything, should be done from a practical point of view with the grievances before me at this point in time?

Emily Held (Alberga)/Rosalie Rivera

14. I am advised that Ms. Held but not Ms. Rivera applied for a posting in the fall of 2012. The parties should confirm that this is so.

15. The Hospital has undertaken to review this situation as soon as possible with the appropriate management personnel. It was my understanding, without any assurance, that a practical resolution of the matter may be available involving Ms. Held obtaining a full time preferred day shift. I suggest that constructive dialogue take place between the parties as soon as possible concerning this and related issues.

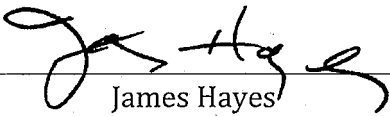
Where to go from here

16. I remain seized of all of these grievances and they should be put over to another date. Either party may request that my assistant Suzanne Takacs set a date for a late afternoon hearing, or, that a date or partial date currently set for another hearing be used for this purpose.

17. The parties are advised that the next hearing date will be in a Section 50 format as was agreed on September 20, 2013. They should be prepared to proceed to an expedited arbitration on any of these grievances on the next hearing date if

they have not been resolved in the meantime. I should be provided a copy of all of the submissions required by this Award before any continuation of these matters.

Dated at Toronto, this 14th day of January, 2016


James Hayes