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JUL 12 2016

Ministry of Labour
DRS - ARBITRATION SERVICES

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

BETWEEN

**CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 4400
(Hereinafter referred to as "CUPE")**

AND

**TORONTO DISTRICT SCHOOL BOARD
(Hereinafter referred to as the "TDSB")**

Grievances: D-3647, 3658 – John Douglas

ARBITRATOR: Tanja Wacyk

APPEARANCES:

FOR THE UNION:

Tim Gleason, Counsel
Rebecca Liu, Counsel
Glen Amir, Steward Coordinator
Rick Kuberski, Grievance Officer CUPE Local 4400

FOR THE TDSB:

Edward O'Dwyer, Counsel
Laurel Reynolds, TDSB
Landon McPhee, TDSB
Melanie Stoughton, TDSB
Frank Carleton, TDSB

DATE OF DECISION: July 12, 2016

File ID: 859799
Folder ID: 10864-RR-16
Rel ID: 18113

Interim Decision

1. This matter deals with the grievances of John Douglas, alleging the TDSB violated the Collective Agreement by suspending and discharging him without just cause.
2. In the interests of expedition, the parties requested a "bottom-line" decision, with reasons to follow.

DETERMINATION:

3. Mr. Douglas is to be reinstated forthwith without loss of seniority.
4. Mr. Douglas' record is to be amended to substitute a 5 month suspension without pay for his termination.
5. Mr. Douglas is to be compensated, subject to mitigation, for his losses.
6. I remain seized in the event of any difficulty with implementation.

DATED AT TORONTO, THIS 12TH DAY OF JULY, 2016.

"Tania Wacyk"
Tanja Wacyk, Arbitrator