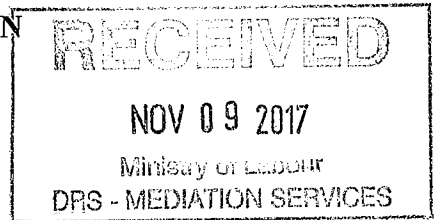


IN THE MATTER OF AN ARBITRATION



BETWEEN

Orilla Soldiers' Memorial Hospital – Paramedical Unit

(The Hospital)

And

Ontario Public Service Employees Union on behalf of its Local 383

(OPSEU)

**Grievance of Toby-Ann Rainville
OPSEU #2015-0383-0005**

Date of Arbitration: October 26, 2017

Arbitrator: Barry B. Fisher

Counsel for the Hospital: Elizabeth Winter

Counsel for OPSEU: Tim Mulhall

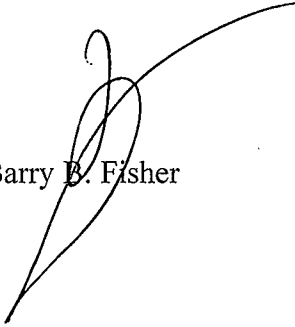
AWARD

This case involves the denial of a shift change by the Hospital on a specific occasion, pursuant to Article L16.07 which says in part that "the manager or designate will not unreasonably deny an exchange of shift between two equally qualified employees,..."

At the commencement of the hearing, the Employer conceded that on that occasion they should have allowed the shift exchange.

The grievance is therefore allowed. As the Grievor suffered no monetary loss as a result of this denial, the only remedy is the declaration that the Hospital violated the Collective Agreement by denying the Grievor the shift change in question.

Dated at Toronto this 27th day of October, 2017



Barry B. Fisher