

IN THE MATTER OF AN ARBITRATION

BETWEEN:

STRATHAVEN & MARNWOOD

and

CUPE, Locals 5110 & 225-06/12

Before: William Kaplan
Sole Arbitrator

Appearances

For the Employer: Melissa Keeshan
Bass Associates

For the Union: Fred Ho
National Representative
CUPE

A hearing in this matter took place in Ajax on January 7, 2019.

Award

This case concerns two grievances that were filed relating to vacation accrual of full- and part-time employees at Strathaven and Marnwood, both of which are long-term care homes. In particular issue is the interpretation of Minutes of Settlement resolving earlier grievances, Minutes dated February 21, 2018/February 28, 2018.

The matters in dispute proceeded to a hearing in Ajax on January 7, 2019. After hearing the submissions of the parties, I concluded that the Minutes of Settlement are governing and that the employer's interpretation of those Minutes is correct. However, in the circumstances, and without prejudice or precedent to any other matter, I direct the employer, within thirty days of the date of this award, to pay all current full- and part-time employees at the two homes \$50 less deductions required by law, and that these earnings be counted for accrual as provided for in the Minutes of Settlement.

At the request of the parties, I remain seized with respect to the implementation of this award.

DATED at Toronto this 8th day of January 2019.

"William Kaplan"

William Kaplan, Sole Arbitrator