

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

BETWEEN

BELLA SENIOR CARE RESIDENCES INC.
(Operating as Bella Senior Care Residence)
(the “Employer”)

AND

HEALTHCARE OFFICE & PROFESSIONAL EMPLOYEES UNION, L2220
(the “Union”)

UNION/POLICY GRIEVANCE

BEFORE Diane Brownlee

APPEARANCES

FOR THE UNION Mark Lewis, Counsel

FOR THE EMPLOYER Ian West

Submissions received on October 15, 2020

INTERIM AWARD

This grievance concerns the remittance of employee and employer contributions for group benefits to the Registered Group Plan. The parties have agreed to a process to attempt to reconcile the amounts deducted so that the contributions can be remitted to the Registered Group Plan.

Part of the agreed process involves the disclosure of employee payroll information to the Union. The purpose of the disclosure is to enable the Union to verify the accuracy of the information provided by the Employer.

In accordance with my powers under the Labour Relations Act, I hereby order the Employer to provide the following information to the Union, for the years 2017, 2018 and 2019 (to-date):

1. The amounts deducted from the pay of employees for Registered Group Plan contributions which were not forwarded/remitted to the Registered Group Plan
2. The amounts of Employer matching contributions which were not forwarded/remitted to the Registered Group Plan on behalf of the employees; and
3. The total amounts, of both the employee deductions and employer matching funds, which should have been forwarded/remitted to the Registered Group Plan but which were not.

In light of the confidential nature of the disclosures ordered, I also order the Union to keep the information confidential to each specific employee, and not to use the information for any purpose other than verifying the information for purposes of this grievance and this arbitration.

Dated this 16th day of October, 2019



Diane Brownlee, Sole Arbitrator