

IN THE MATTER OF AN ARBITRATION
Pursuant to the *Labour Relations Act*, R.S. 1995

BETWEEN:

KINGSTON HEALTH SCIENCES CENTRE

(“Employer”)

- and -

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1974

(“Union”)

(Grievance 2016-12-46)

SOLE ARBITRATOR:

Jasbir Parmar

On Behalf of the Employer:

Clarence Willms

On Behalf of the Union:

Wassim Garzouzi

This matter was heard on January 7, 2020

INTERIM ORDER

[1] I have been appointed to determine a grievance, dated September 27, 2016, alleging the Employer violated the collective agreement by allowing managers to do work of the scheduling department.

[2] When the hearing was convened, the parties agreed the matter would proceed by way of section 50 of the *Ontario Labour Relations Act*, providing me with the jurisdiction to assist the parties in resolving the matter efficiently.

[3] Having discussed the matter with the parties, I have determined it is appropriate to issue an interim order, as follows:

For a ninety-day period, commencing February 3, 2020, the Employer must withdraw from managers the ability to edit within the ESP module of Kronos. At the end of the ninety-day period, the parties must meet to discuss any concerns that arose during this period with respect to scheduling. At either party's request, the parties will also meet forty-five days after the commencement of this period to discuss any concerns that arise with respect to scheduling.

[4] Nothing that occurs during this period will impact either party's position with respect to the merits of the grievance. This interim order does not limit the Employer's ability to reinstate such managerial ability after this ninety-day period.

[5] The grievance is adjourned *sine-die*.

Dated this 7th day of January, 2020.

"Jasbir Parmar"

JASBIR PARMAR