

IN THE MATTER OF AN ARBITRATION

BETWEEN:

LAURENTIAN UNIVERSITY

("the University")

AND:

LAURENTIAN UNIVERSITY FACULTY ASSOCIATION

("the Association")

IN THE MATTER OF:

GRIEVANCES: # 2017-32 and # 2019-10

SOLE ARBITRATOR:

Kevin M. Burkett

APPEARING FOR THE UNIVERSITY:

Michael Kennedy - Counsel

APPEARING FOR THE ASSOCIATION:

David Wright - Counsel

AWARD

LUFA filed grievances on December 15, 2017 and April 2, 2019 respecting the failure of the University to provide LUFA with copies of the University's public liability insurance policy ("the Policy").

The Union has made numerous requests for a copy of the Policy. In addition, it has a standing request that a copy of the Policy be provided to the Union each October 1st.

The University notes that it has been constrained by the commercial limitations associated with the Policy. As a result, the Policy has not been provided.

The University concedes that regardless of commercial limitations, it is obligated to abide by the collective agreement and that pursuant to article 8.65.1 of the collective agreement it is required to provide a copy of the Policy to the Union upon request.

Article 8.65.1 of the Collective Agreement between the parties provides in part, that the Union is entitled to receive a copy of the Policy upon request and that any changes in the current Policy are to be made with the agreement of the parties.

I hereby make the following orders and declarations:

1. The University is ordered within 20 days to provide the Union with a copy of the policy as of January 1, 2017 and any iterations to the date of this order.
2. The University is ordered to honour the Union's standing request for production of a copy of the Policy each October 1, as long as the current collective agreement language remains in place.
3. I remain seized to deal with any issues which may arise once the Union has had the opportunity to review the Policy and its iterations.

I remain seized.

Dated this 12th day of September 2019 in the City of Toronto.

Kevin Burkett

KEVIN M. BURKETT