

In the Matter of an Arbitration
Pursuant to the *Labour Relations Act, 1995*

Between:

OTTAWA-CARLETON DISTRICT SCHOOL BOARD
(the “School Board” or “the Employer”)

- and -

ONTARIO SECONDARY SCHOOL TEACHERS’ FEDERATION
(the Union)

Re Grievance # 2017-01; Home Assignment without Pay
Grievance # 2019- 30; Termination

A W A R D

Appearances:

For the School Board: Jennifer Birrell, Counsel
Barry Scott, Labour Relations Officer
Michael Duffy, Labour Relations Analyst

For the Union: Heather Alden, Counsel
Angela Zhu, Student-at-law
Troy Cluff, President, District 25
Richard Brown, Chief Negotiator, District 25
The Grievor
The Grievor’s Wife

The hearing of this matter was conducted in Ottawa on October 6, 2017, and November 18, 2019, as well as by several case management conference calls leading up to the hearing dates and written submissions received between December 6, 2019 and March 12, 2020.

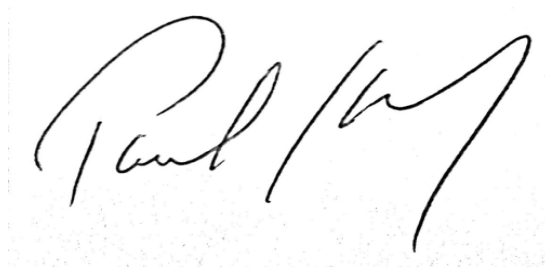
There are two grievances before me. One involves the Grievor being put on 'home assignment' or 'suspended', without pay. The other involves him being terminated. The Parties agreed to consolidate these two grievances.

The evidence involved many personal and confidential details that deserve to remain private. The rationale for the conclusions has been communicated to the Parties under separate cover.

Under these unique circumstances, it need only be said that the record before me has led to the conclusion that the suspension grievance is dismissed. The Grievor's employment is declared to be terminated. Alternatively, both grievances have been stayed.

Given the unique circumstances that gave rise to the termination and the Grievor's years of service, he is entitled to compensation equivalent to *ESA* severance. I order that this be paid within 30 days of this Award. I remain seized with the issue of quantum should the need arise. However, if this time frame cannot be met due to the impact of COVID-19 on the School Board's personnel, the payment should be made as soon as possible. I remain seized with the issues of quantum and implementation, should the need arise.

Dated at Toronto this 7th day of April 2020

A handwritten signature in black ink, appearing to read "Paula Knopf", written over a light blue grid background.

Paula Knopf