

IN THE MATTER OF AN ARBITRATION
BETWEEN

HYDRO ONE INC.

(“Hydro One”)

and

POWER WORKERS’ UNION

(the “PWU”)

GRIEVANCE NUMBER: HO-P-129

CHIEF ARBITRATOR: John Stout

APPEARANCES:

For Hydro One:

Daniel McDonald, Norton Rose LLP

For the PWU:

Nick Coleman, Paliare Roland LLP

HEARING HELD BY VIDEOCONFERENCE ON MARCH 15, 2021

AWARD

[1] This matter concerns a grievance filed by the PWU on August 21, 2020 alleging that Hydro One contravened the collective agreement by imposing unreasonable rules in the workplace through the revised *Fit For Duty Procedure* (SP 0886 R3). The dispute before me today involves a determination of which positions are safety sensitive.

[2] After carefully considering the parties' submissions, and for reasons elaborated upon by me at the hearing, I make the following determinations:

- The Mechanic B position is safety sensitive.
- The Outage Planning Technician is not safety sensitive.
- The Planning Scheduling Technician position currently has no incumbents. This position may be brought back before me if and when the position becomes populated.

[3] I remain seized to address any issue fairly raised by the grievance and not address in this award, including implementation of my award.

Dated at Toronto, Ontario this 15th day of March 2021.

A handwritten signature in dark ink, consisting of several loops and a long horizontal stroke extending to the right.

John Stout- Chief Arbitrator