

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

BETWEEN:

YORK REGION DISTRICT SCHOOL BOARD

("Employer")

- and -

CANADIAN UNION OF PUBLIC EMPLOYEES, LOCAL 1196

("Union")

(Grievance of Desario - N_D_MAR_1_2020)

SOLE ARBITRATOR:

Jasbir Parmar

On Behalf of the Employer:

Andrew Zabrovsky, Counsel - Hicks Morley Hamilton Stewart Store LLP

On Behalf of the Union:

Wassim Garzouzi, Counsel - Raven, Cameron, Ballantyne & Yazbeck LLP

Zachary Rodgers, Counsel - Raven, Cameron, Ballantyne & Yazbeck LLP

Order

The parties agree that I have been appointed to hear this matter and have jurisdiction to make a determination in this case. The parties agreed to proceed with an expedited arbitration under section 50 of the *Labour Relations Act*. Having heard the submissions of the parties I make the following orders:

1. The grievor shall be reinstated retroactively for the period of February 28, 2020 to February 11, 2022.
2. The grievor will retroactively be placed on an unpaid leave of absence without pay, effective for the period between February 28, 2020 and February 11, 2022.
3. In light of this Order, the employer will inform OMERS that the grievor was on an employer approved leave of absence without pay for the period identified above.
4. The grievor will be solely responsible for purchasing his past pensionable service for the leave period above if he elects to do so. The employer will not be responsible for any pension contributions for the leave period.
5. I reserve jurisdiction to address any matters of interpretation, implementation, or enforcement of this award.

Dated this 11th day of February, 2022.

"Jasbir Parmar"

Jasbir Parmar, SOLE ARBITRATOR