

IN THE MATTER OF AN ARBITRATION

BETWEEN

HYDRO ONE INC.

(“Hydro One”)

and

POWER WORKERS’ UNION

(the “PWU”)

**GRIEVANCE NUMBERS: HO-T-4739,
HO-T-4740, HO-WS-2018, HO-T-4760, HO-T-4782,
HO-WS-2007, HO-T-4711, HO-T-4656, 4657, and 4660**

CHIEF ARBITRATOR: John Stout

APPEARANCES:

For Hydro One:

Daniel McDonald, Norton Rose Fulbright Canada LLP

For the PWU:

Donald K. Eady, Paliare Roland LLP
Kate Shao, Paliare Roland LLP

HEARINGS HELD IN TORONTO, ONTARIO ON NOVEMBER 4 AND 19, 2024

AWARD

[1] The parties appeared before me for the monthly grievance arbitration hearings on November 4 and 19, 2024. Several matters were heard and is addressed in a separate award. This award applies to the following matters, which were referred to me:

HO-T-4739

[2] This grievance concerns the termination of the Grievor on August 21, 2024, for his involvement in a serious workplace accident that occurred on July 23, 2024, causing significant damage to a Hydro One vehicle.

[3] The parties resolved this grievance by entering into Minutes of Settlement.

HO-T-4740

[4] This grievance is addressed in a separate award. A matter arose after the hearing in relation to the Grievor being tested prior to his reinstatement. The parties are directed to arrange for the Grievor's testing to be performed by a Hydro One provider.

HO-WS-2018

[5] This grievance concerns a denial of sick leave pay. The Grievor is being referred to an Independent Medical Examination (IME). At the November 4, hearing, Telus Health advised that a tentative date of November 5, 2024, has been scheduled for the IME to take place.

[6] At the November 19, 2024 hearing, it was confirmed that the Grievor attended the IME on November 5, 2024. Telus Health will be reviewing the IME Report.

[7] The Grievor is applying for LTD through Canada Life and the parties will work together to expedite the processing of the LTD application. The only part of the LTD application that needs to be completed is the physician's statement. The PWU is working with the Grievor to have that completed. Canada Life shall review

the LTD file on November 26, 2024, but will be unable to provide a recommendation until the physician statement has been submitted.

[8] In the meantime, on a without prejudice basis, the Grievor can access vacation credits while her LTD application is being adjudicated. If the Grievor is approved for LTD, then the LTD payments will be backdated.

HO-T-4760

[9] This grievance concerns the Grievor's termination for violating Hydro One's *Fit for Duty Procedure* and *Code of Business Conduct*. The parties were unable to resolve the grievance. The matter is to be scheduled for arbitration.

HO-T-4782

[10] This grievance concerns the Grievor's termination for poor work performance and unsafe work practices. This matter is to be scheduled for arbitration.

HO-WS-2007

[11] This grievance concerns the Grievor's termination for alleged benefits fraud. The parties were attempting to resolve the issue, but unable to agree to terms. If the matter is not resolved by December 4, 2024, then it may be scheduled for arbitration. The parties are reminded that I will require *viva voce* evidence from the suppliers who deny providing the Grievor with benefit services.

HO-T-4711

[12] I have issued a separate award to address this grievance.

HO-T-4656, 4657, 4660

[13] I am issuing a separate award to address these grievances.

[14] I remain seized.

Dated at Toronto, Ontario this 30th day of November 2024

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

John Stout- Chief Arbitrator