

# RIGHTS AND INTEREST ARBITRATION

September 16, 2016

By

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# AGENDA

- **Key Differences**
- **Why does it Matter?**
- **Recent Awards**
- **Remaining union-free**
- **Questions**

# KEY DIFFERENCES

## **Rights Arbitration (AKA Grievance Arbitration):**

A mechanism to resolve disputes about the interpretation and application of a collective agreement during the term of that agreement.

**Interest Arbitration:** A mechanism to renew or establish a new collective agreement for parties without the right to strike/lock-out (i.e. essential services\*).

\*Definition: Ontario Ministry of Labour- FAQs

# WHY SHOULD YOU CARE?

- **Organizing tools**
- **Similar themes at the bargaining table**
- **Awards are public**

# RECENT AWARDS



## **Cobourg v Cobourg Professional Fire Fighters Association, International Association of Fire Fighters, Local 1732, 2016 CanLII 47974 (ON LA)**

### **HIGHLIGHTS**

- CA renewal
- 2 year term

#### First class Firefighters/Inspectors:

January 1, 2014: \$87,986

July 1, 2014: \$89,306

January 1, 2015: \$91,539

January 1, 2016: \$93,827

- 15 days notice for shift transfer (except emergency)
- Life and AD&D increased to 2x salary
- Major restorative dental coverage added (50%; \$2000 max)
- Retiree benefits- 100% dental coverage till 65
- LTD increase to 70% (\$7000 monthly max)

## **Cornwall (Corporation of the City) v Canadian Union of Public Employees, 2016 CanLII 48253 (ON LA)**

### **HIGHLIGHTS**

- CA renewal at a retirement home
- 2 year term
- 1.75% increase/year
- Increase in bereavement leave days  
(4 days for close relatives, 1 day for extended family).
- Increase in shift premium
- Increase in RPN wage
- Drug card added
- Sunset period for discipline changed to 18 months
- Vision increased to \$350/24 months

**Constitution Place Retirement  
Residence v Service Employees'  
International Union, Local 1,  
2016 CanLII 48301 (ON LA)**

**HIGHLIGHTS**

- CA renewal at a retirement home
- 2 year term
- 2% increase on January 1, 2016 and 2017
- 1% increase on September 1, 2016 (except Cook I)
- Reduce pension eligibility to 450 hours
- Employer/ee contributions increase to 2% Sept 2017



# **Canadian Nuclear Laboratories v United Steelworkers, Local 1568, 2016 CanLII 40507 (ON LA)**

## **HIGHLIGHTS**

- Employee was suspected of dealing cocaine on company property due to a suspicious text exchange on company phone
- Terminated for lying during the investigation
- Reinstated
- Termination replaced with 30-day suspension
- No compensation for lost wages.

# REMAINING UNION FREE

- Be fair
- Stay aware of organizing attempts
- Stay tuned in to your employees
- Pay attention to labour arbitration awards
- Ask for help

# QUESTIONS?

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