

CUPE 503 BULLETIN

A year ago, in June, 2009 an arbitration decision was reached which has considerable significance for members of the CUPE Local 503 Part Time Recreation and Culture Bargaining Unit.

The Union had filed grievances on behalf of five employees alleging a violation of the collective agreement as the Employer was requiring employees to apply for summer jobs within their department even if the work to be performed was the same work, or substantially the same work, they had been performing outside the summer period.

The arbitrator said,

“... the position of the Employer cannot be sustained, at least insofar as employees have been required to apply for positions where the essential character of the work performed during the summer period and the remainder of the year is the same.”

“The grievance succeeds. The Board finds the employer has violated the collective agreement. The Recreation and Culture agreement continues to apply to the above employees, and they are to be paid the rates of pay contained in that collective agreement.”

KEY FACTS Summer employment be restricted to work that is only available during the summer months AND is not performed by bargaining unit members.

Employees not be characterized as students when they are not students.

Employees be allowed to continue their pre-summer hours of work up to 24 hours per week during the summer months.

Collective agreement conditions continue to apply including rate of pay.

Unfortunately, it is unlikely that anyone other than the named grievors will be affected by this arbitration award. If you wish to discuss how you may benefit from this award, please contact either Ray Smith Local 503 Labour Representative at 613-230-2456 or Mert McDonald, CUPE National Representative at 613-230-4017.