

IN THE MATTER OF A BOARD OF ARBITRATION ESTABLISHED PURSUANT
TO THE HOSPITAL LABOUR DISPUTES ARBITRATION ACT

BETWEEN:

THE PARTICIPATING HOSPITALS

- and -

ONTARIO PUBLIC SERVICE EMPLOYEES UNION

CENTRAL ISSUES

BOARD OF ARBITRATION:

WILLIAM KAPLAN
MICHAEL RIDDELL
J CAMERON NELSON

CHAIR
HOSPITALS' NOMINEE
UNION NOMINEE

For the Union:

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HPD Central Negotiating Team:

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Sara Labelle (Vice Chair)
Betty Palmieri
Hervé Cavanagh
John Francis
Robert Sellner
Yves Shank

OPSEU Staff:

Robert Field
Paul Taylor

For the Hospitals:

Robert Little

Central Bargaining Committee:

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Angela Burtch
Cameron McLennan
Dave Evans
Kim Townes
Malcolm Hopkins
Norma Layno
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OHA Staff:

Sam Mandelbaum
Chanta Baier
Sadia Bekri
Phillip Cifarelli

The Board of Arbitration was constituted pursuant to the *Hospital Labour Disputes Arbitration Act* to deal with a dispute between the Participating Hospitals and the Ontario Public Service Employees Union. In all, before this round of bargaining there have been 17 central agreements between the Hospitals and OPSEU. Forty-six Hospitals and Union locals participated in this round of central bargaining. These Hospitals employ approximately 9,000 full-time and part-time employees in such occupations or classifications as Audiologist, Psychometrist, MSW, Speech Pathologist, Charge Technologist, Charge Technologist Plus, Dietitian, BSW, Kinesiologist, Occupational Therapist, Physiotherapist, Perfusionist, Pharmacist, Psychologist, Senior Technologist, Senior Technologist Plus, Registered Technologist, registered Technologist Plus, Technician 2, Technician 3, Technician 4, Technician 5, and others.

The Union served the Hospitals with notice to bargain on December 3, 2010. The parties subsequently met in direct negotiations, conciliation and mediation and were able to agree on a number of issues in dispute. Among the items agreed upon is the term of the collective agreement, which shall extend from April 1, 2011 to March 31, 2014. This agreement shall consist of the unamended portions of the prior collective agreement, the items agreed to by the parties (including the renewed letters of understanding) and the Board's award on the items in dispute.

The Board met with the parties on June 11 & 12, 2011 and its award on the items in dispute is as follows:

Wages

Year 1 and Year 2 – Lump Sum Payment

- See Letter of Understanding (attached)

Year 3 – Wage Adjustment

April 22, 2013: 2.75% increase across the board to all classifications.

Benefits

Early Retiree Benefits

Amend article 20.08 as follows:

20.08 Benefits for Early Retirees

- (a) The Hospital will provide to all employees who **are 55-56 years of age who retire (including disability retirements) on or after April 1, 2011** ~~retire~~ and have not yet reached age sixty-five (65) and who are in receipt of the Hospital's pension plan benefits, semi-private, extended health care and dental benefits on the same basis as is provided to active employees, as long as the retiree pays the Employer the full amount of the monthly premiums in advance.
- (b) **The Hospital will provide to all full-time employees who reach age 57 and retire (including disability retirements) on or after April 1, 2011 and have not yet reached age 65 and who are in receipt of the Hospital's pension plan benefits, semi-private, extended health care and dental benefits on the same basis as is provided to active employees as long as the retiree pays the Employer their share of the monthly premiums in advance. The Hospital will contribute fifty percent (50%) of the billed premiums of these benefit plans.**

The Hospital will contact employees age 57 to 65 who retired between April 1, 2011 and the effective date of the award at their last known address on record with the hospital, with a copy to the union, within 30 days of the date of the award to advise them of their entitlement to (b) above.

Such Employees will have a period of 60 days from the date of the notice to claim such entitlement and, if they fail to make a claim within the 60 day period, their claim will be deemed abandoned.

Sick Leave

HOODIP

Effective April 1, 2011, replace article 15.03 with the following:

No sick pay benefit is payable under HOODIP for the first fifteen (15) hours of absence for the sixth (6th) and subsequent period(s) of absence in the same fiscal year (April 1st through March 31st).

Premiums

Effective the date of the award, amend article 17.08 as follows:

17.08 Responsibility Pay

Where an employee is assigned temporarily to perform the duties and assume the responsibilities of a higher paying classification in or out of the bargaining unit, for one full shift or more, he shall be paid a premium **of \$1.40 per hour equal to the greater of his next or last increment in his salary range** for the duration of the assignment.

(NOTE: Any other provision(s) related to Responsibility Pay that existed in the expiring Collective Agreement will be continued and numbered in sequence as provisions of this Article.)

NEW LETTER OF UNDERSTANDING
RE: LUMP SUM PAYMENT

A lump sum payment is payable to all employees based on the employment status (i.e. Full-time, Regular Part-time or Casual) as of April 1, 2011. Payment is to be made on or before July 29, 2011. The payment is not to be taken into account for the calculation of any other entitlement under the terms of the collective agreement (including, but not limited to, pension, percentage in lieu, vacation, SUB, etc.) The payment is subject to statutory deductions and is to be paid on a separate cheque/deposit.

Current step on the wage grid as of April 1, 2011	Full-Time Lump Sum	Regular Part-Time and Casual Part-Time Lump Sum (to a maximum of the full-time entitlement) The premium portion of overtime/premium pay hours does not count towards the calculation of paid hours. For example, one hour at premium pay is equal to one hour paid for the purposes of this calculation. Employees on pregnancy and/or parental leave and/or disability will be credited for hours worked in an amount equal to their accumulation of seniority during such leaves.
Start	\$638	\$0.33 per hour paid for the period April 1, 2010 to March 31, 2011
1 Year	\$662	\$0.34 per hour paid for the period April 1, 2010 to March 31, 2011
2 Years	\$690	\$0.35 per hour paid for the period April 1, 2010 to March 31, 2011
3 Years	\$717	\$0.37 per hour paid for the period April 1, 2010 to March 31, 2011
4 Years	\$745	\$0.38 per hour paid for the period April 1, 2010 to March 31, 2011
5 Years	\$772	\$0.40 per hour paid for the period April 1, 2010 to March 31, 2011
6 Years	\$800	\$0.41 per hour paid for the period April 1, 2010 to March 31, 2011
7 Years	\$827	\$0.42 per hour paid for the period April 1, 2010 to March 31, 2011
8 Years	\$855	\$0.44 per hour paid for the period April 1, 2010 to March 31, 2011

Note: For classification with fewer steps than the Registered Technologist Classification grid, comparable service will be recognized as though there were an identical number of steps in the salary grid, as set out in the following example:

	Full Time RT Classification Lump Sum	Pharmacist Grid (Example)	Full Time Pharmacist Classification Lump Sum
Start	\$638	Start	\$638
1 Year	\$662	1 Year	\$662
2 Years	\$690	2 Years	\$690
3 Years	\$717	3 Years	\$717
4 Years	\$745	4 Years	\$745
5 Years	\$772	5 Years	\$772
6 Years	\$800	*(6 Years)	\$800
7 Years	\$827	*(7 Years)	\$827
8 Years	\$855	*(8 Years)	\$855

*Comparable service

Note: For job classifications with additional steps beyond the 8 year rate, employees at such additional steps will receive the 8 year lump sum payment.

In addition, a lump sum payment is payable to all employees based on the employment status (i.e. Full-time, Regular Part-time or Casual) as of April 1, 2012. Payment is to be made on or before May 17, 2012. The payment is not to be taken into account for the calculation of any other entitlement under the terms of the collective agreement (including, but not limited to, pension, percentage in lieu, vacation, SUB, etc.) The payment is subject to statutory deductions and is to be paid on a separate cheque/deposit.

Current step on the wage grid as of April 1, 2012	Full-Time Lump Sum	Regular Part-Time and Casual Part-Time Lump Sum (to a maximum of the full-time entitlement) The premium portion of overtime/premium pay hours does not count towards the calculation of paid hours. For example, one hour at premium pay is equal to one hour paid for the purposes of this calculation. Employees on pregnancy and/or parental leave and/or disability will be credited for hours worked in an amount equal to their accumulation of seniority during such leaves.
Start	\$638	\$0.33 per hour paid for the period April 1, 2011 to March 31, 2012
1 Year	\$662	\$0.34 per hour paid for the period April 1, 2011 to March 31, 2012
2 Years	\$690	\$0.35 per hour paid for the period April 1, 2011 to March 31, 2012
3 Years	\$717	\$0.37 per hour paid for the period April 1, 2011 to March 31, 2012
4 Years	\$745	\$0.38 per hour paid for the period April 1, 2011 to March 31, 2012
5 Years	\$772	\$0.40 per hour paid for the period April 1, 2011 to March 31, 2012
6 Years	\$800	\$0.41 per hour paid for the period April 1, 2011 to March 31, 2012
7 Years	\$827	\$0.42 per hour paid for the period April 1, 2011 to March 31, 2012
8 Years	\$855	\$0.44 per hour paid for the period April 1, 2011 to March 31, 2012

Note: For classification with fewer steps than the Registered Technologist, comparable service will be recognized as though there were an identical number of steps in the salary grid, as set out in the following example:

	Full Time RT Classification Lump Sum	Pharmacist Grid (Example)	Full Time Pharmacist Classification Lump Sum
Start	\$638	Start	\$638
1 Year	\$662	1 Year	\$662
2 Years	\$690	2 Years	\$690
3 Years	\$717	3 Years	\$717
4 Years	\$745	4 Years	\$745
5 Years	\$772	5 Years	\$772
6 Years	\$800	*(6 Years)	\$800
7 Years	\$827	*(7 Years)	\$827
8 Years	\$855	*(8 Years)	\$855

*Comparable service

Note: For job classifications with additional steps beyond the 8 year rate, employees at such additional steps will receive the 8 year lump sum payment.

The Board shall remain seized for purposes of implementation of its award.

DATED AT TORONTO, this 17th day of June, 2011.

"William Kaplan"

Chair

"Michael Riddell"

Hospitals' Nominee

"J Cameron Nelson"

Union Nominee