



unifor
theUnion | lesyndicat

Kitchener Office
5 Executive Place
Kitchener, Ontario N2P 2N4

Bureau de Kitchener
5 Executive Place
Kitchener, Ontario N2P 2N4

Jerry Dias
National President
Président National

Renaud Gagné
Quebec Director
Directeur Québécois

Lana Payne
National Secretary-Treasurer
Secrétaire-trésorière nationale

September 16, 2019

Greetings,

Re: Bell Canada Craft and Services - Alternate Vacation Scheduling Procedure

On April 8, 2019 the Union received a problematic decision from Arbitrator M. Brian Keller on the matter of Vacation Scheduling Grievances. It declared that the employer violated the collective agreement in its application and ruled that company must collect vacation bids of its employees under the Tier D Manager, prior to their contemplation of impacts on the business.

In June, the Company sent us their draft application of the decision for the administration of the 2020 vacation calendar. Essentially, they would request employee vacation bids, by seniority, under Tier D Manager with adhering to maximum allowed during the summer period. The manager would be required to assess the feasibility of the tentative schedule, as to cause, in the judgement of the Company, the least possible interference with the efficient performance of the work. If any issue arose, the manager would instruct the employee to reselect their week, introducing a bumping process, which never existed.

Our Joint Labour Relation Committee found this to be very disruptive and reviewed with our legal counsel. In terms of the Company's new process, it followed the decision and did not violate the Collective Agreement. In July, we called a special meeting of the JLRC to discuss an alternative process that would contemplate the Company's business requirements upfront and be less disruptive to the membership. In the 2016 round of negotiations, the Union had a proposal adopted by the Bargaining Caucus to implement the previous Bell Aliant selection process. Since it was already a mandate of the Bargaining Committee, the JLRC formulated our position on the grounds to resolve the problematic arbitration decision. This week, we agreed in principle on the new trial process. Due to timing of the selection process in the agreement, it will affect the 2020 and 2021 vacation calendars. Since this could affect the bargaining agenda for the next round of negotiations, Unifor held a Bell Canada meeting of all the Locals on September 11th to review.

This Memorandum of Agreement follows the established selection process that was at Bell Aliant, providing the prior agreement of the Local President(s) and the Tier D Manager with the final ratification of the crew. After many questions and much debate, the Locals in attendance voted in favour MOA.

Please see the attached copy signed September 12, 2019.

In the rare case that a Local President and Tier D Manager cannot agree to these terms, it will be referred to the lead National Representative in the respective province to seek a solution. In the event that a crew cannot ratify a vacation calendar, the Company will apply the current Collective Agreement, respecting the decision of Arbitrator M. Brian Keller. This process will begin in October 2019.

In Solidarity,

Alain Portelance
Tyson Siddall

Drew Wickens
Claude Brazeau
Ray Mortimer

Jeffrey Brohman
Alain Sévigny
Alain Paradis

TS/kw:cope.343