

IN THE MATTER OF ARBITRATION

B E T W E E N :

The Canadian Union of Public Employees, Local 942

(the "Union")

- and -

Royal Ottawa Health Care Group

(the "Employer")

AWARD

**2015-RP27 (Policy Grievance)
2015-RG43 (Group Grievance)**

Whereas the Union filed the above-mentioned grievances, alleging the Employer failed to respect the seniority provisions of the Collective Agreement when reassigning and laying off employees;

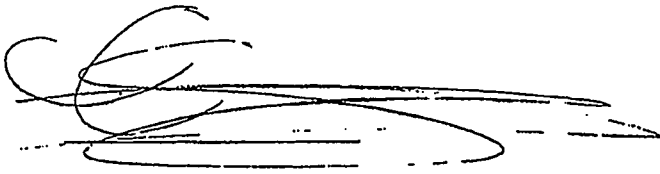
Whereas the Union referred these grievances to arbitration in early 2016;

And whereas the Board heard submissions of the Parties and reviewed the Collective Agreement, the Board hereby declares and orders as follows:

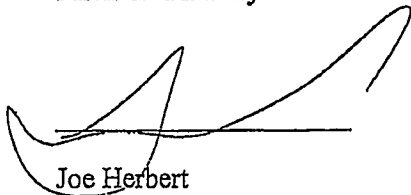
1. Where the Employer, as part of a redeployment process, wishes to avoid the layoff process by reassigning employees in accordance with article 9.08(A)(b) of the Collective Agreement, it must follow the following process:
 - (a) The Employer must meet all requirements of article 9.08(A)(b) in order to avoid laying off employees by reassigning them;
 - (b) For clarity, within the group of employees identified for redeployment, the Employer shall first reassign those with the least bargaining unit seniority of those employees in the same classification, as required by article 9.08(A)(b)(I); and

- (c) For further clarity, once employees have been identified for reassignment in accordance with paragraph 1(b) above, the employees shall be entitled to select from available vacancies in accordance with article 9.08(A)(b)(VI).
2. The Employer shall provide employees in receipt of layoff notices with all information necessary for the employees to choose to displace other bargaining unit members with lesser seniority in accordance with article 9.09(d), (e), and (f) of the Collective Agreement. This necessary information includes, but is not limited to, complete and accurate seniority lists and information about classification. Additional information such as qualifications, rate of pay, department, shift, rotation and whether bilingualism is required will be provided to the union and affected employee upon request.

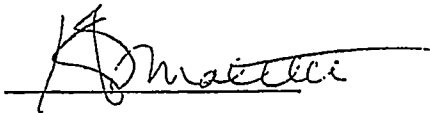
Dated at Ottawa, this 16th day of January, 2017.



Michelle Flaherty



Joe Herbert



Kathryn Butler-Malette