

INFORMATION REPORT

TO: Mayor and Members, General Issues Committee	WARD(S) AFFECTED: CITY WIDE
COMMITTEE DATE: June 6, 2012	
SUBJECT/REPORT NO: Labour Relations Grievance Activity Reporting & Analysis (2007-2011) (HUR12010) - (City Wide)	
SUBMITTED BY: Chris Murray, City Manager	PREPARED BY: Lora Fontana, ext. 4091
SIGNATURE:	

Council Direction

In an effort to provide Council with an analytical account of the City's labour relations activities, the Labour Relations Information System (LRIS) was developed in 2009. The report continues to provide Council and other City stakeholders with a sense of the state of labour relations as well as a strategic approach to managing labour relations service delivery. This five (5) year historical review of the data for the period 2007-2011 provides a summary of such matters relative to labour relations in Hamilton.

Information

Appendix A to Report HUR12010 provides for the labour relations activities for the period 2007-2011 in the following areas:

1. Total Grievances – City Wide
2. Total Grievances – By Union
3. Total Grievances – By Department
4. Total Grievances – By Category
5. Legal and Mediation Costs – By Union
– By Issue
6. Mediation and Arbitration Activity – By Issue

Without exception, grievance activity increased in 2011 within all unions and within all City departments. Although alarmingly high within the HOWEA, CUPE Local 1041 and ATU Local 107 union groups (i.e. 1500%, 113%, and 121% respectively), they are relatively low activity levels demonstrating unusually high increases. In 2011, there was an overall grievance activity increase of 30% across all unions, as compared to 2010. Having said that, over the 5 year period, 2007-2011, the grievance activity decreased by approximately 14%.

Given the collective agreement cycles amongst the various union groups, 2011 was considered to be a year marked with an extraordinary amount of collective bargaining. In June, 2011, the City and CUPE, Local 5167, ratified a collective agreement that was precedent setting in recent history with respect to term and financial mandate. Consequently, labour relations strife is reflected in the exceptionally high level of grievance activity. Similarly, ATU, Local 107 (Transit Operations) was also heavily involved in collective bargaining, striving for an appropriate settlement while keeping eye on the collective bargaining developments within the CUPE, Local 5167 group. Given the circumstances of a year marked by heavy collective bargaining, it is not surprising that grievance activity increased to the extent it did in 2011.

In addition to collective bargaining, unions such as CUPE Local 1041, HOWEA and CLAC (Volunteer Fire Fighters) experienced unique labour relations challenges that resulted in relatively higher rates of grievance activity. Specifically, CUPE, Local 1041 responded to the challenges associated with the re-organization of the Recreation Division within the Community Services Department. HOWEA has been taking issue with matters within the Millwright division of the water and wastewater division, and the CLAC group continues to resolve harassment related activities within a particular volunteer fire station. In all cases, management is aware of the labour relation challenges and appropriate plans and interventions have been implemented.

The City's largest and most diverse union, CUPE Local 5167, representing approximately 50% of the City's unionized workforce, continued to generate the majority of grievances (i.e. 66% of all grievances filed in 2011). However, on a per capita basis, HOWEA (Water and Wastewater Operations) generated the highest rate of grievances filed per person at .34 in 2011. By comparison CUPE Local 5167's per capita grievances rate was .14 in 2011 (compared to .11 in 2010). The lowest per capita grievance rate was generated by HPFFA, Local 288 (Fire) at .004 in 2011.

Similarly, all departments within the City reported higher grievance activities in 2011. Most dramatically were Corporate Services and Public Health Departments, reporting 142% and 167% increases respectively. Although both departments experienced labour relations anomalies (i.e. IS re-organization in Corporate Services and disciplinary action associated with one individual in Public Health), they are notable increases nonetheless.

In 2011, 67% of all grievance activities were related to the top 5 grievance categories:

- i) overtime (20%)
- ii) discipline (17%)
- iii) promotion (11%)
- iv) wages (10%);
- v) job assignment (8%).

Similar to 2010, over-time, discipline and promotion related grievances remain the top three most generated grievances in 2011. In this regard, labour relations has continued with intervention strategies, which has resulted in some demonstrated improvements. Improper application of the collective agreement language continues to be the cause for the relatively high number of over-time related grievances. Arguably, some grievances could have been avoided through a more sophisticated time and attendance payroll system that would likely have reduced the number of grievances related to over-time, call-ins and stand-by.

Arbitration and mediation costs increased slightly while legal costs decreased slightly in 2011. CUPE Local 5167 and OPSEU Local 256 accounted for approximately 54% of legal and arbitration/mediation costs incurred (at 31% and 23% respectively). In addition legal fees associated with carpenter related matters was relatively high at approximately \$170,000 (or 20% of overall expenditures). However, given the extremely high return on investment within the construction industry this expenditure is considered to be quite justifiable. Grievances and arbitrations associated with termination of employment and work assignment generated the greatest legal and arbitration expenses. The high costs of legal and arbitration fees associated with termination of employment cases is reflective of the amount of work and risks associated with such matters.

Analysis of the legal fees are now reported and analyzed on each law firm and individual lawyers with a focus on the outcomes achieved. This analysis focuses on the City's success on relevant matters and the associated return on investment. High legal fees associated with successes that generate large returns on investment are viewed as necessary business expenses in order to achieve desired results. Conversely, low legal fees resulting in undesirable results will likely result in discontinuation of such legal services received from either a particular law firm or a particular lawyer.

This year's report introduces an account of outstanding active grievances maintained by labour relations. While there may be a desire to completely eliminate all active grievances within the City, their existence is a reality within the on-going labour relations challenges. In many cases, it is prudent to allow active grievances to remain dormant in the hope that other "extenuating" influences may resolve matters thereby avoiding unnecessary litigation. Labour relations is reluctant to stimulate activities amongst these outstanding files, preferring to allow the respective unions to raise matters, as appropriate. Having said that, the number of outstanding grievances has declined for

each preceding year, supporting the notion that grievances eventually resolve themselves.

Appendix B to Report HUR12010 provides a high level summary of the arbitration and mediation related decisions in 2011. These decisions involve the various union groups on a variety of matters and provide a summary of the outcomes demonstrating both operational and financial impacts on the City. Generally speaking, these awards and rulings have rendered positive results for the City – demonstrated through preserved and/or improved management rights as well as greater operating efficiencies. In most cases, these arbitrated or mediated decisions have significant corporate implications, rendering significant gains for the City.

Finally, this year's report now summarizes the labour relations training provided within three (3) modules: Introduction to Labour Relations, Investigations and Grievance Management as well as Performance Management and Progressive Discipline. Out of a potential 190 eligible participants, 162 employees participated in nineteen (19) facilitated courses since the program was first introduced in 2009. The majority of participants (i.e. 85%) have completed the first module (Introduction to Labour Relations) while others are proceeding through the remaining modules, that being, Investigations & Grievance Management and Performance Management & Progressive Discipline. Overall, the training program has been very well received, with positive ratings of 95%, 84% and 85% in areas of content, organization and presentation respectively. Labour relations continues to provide this training and will introduce the 4th module: Collective Bargaining and Attendance Management, which is scheduled for the Fall 2012.

Labour relations continues with its due diligence in reporting and analyzing related activities throughout the City. While 2011 appears to have been a challenging year with respect to the generation of grievance activity, it was also a very successful year for collective bargaining. Both the City and its largest union, CUPE Local 5167, agreed to a financially challenging mandate through collective bargaining, essentially achieving labour peace until at least December, 2014. Both sides demonstrated remarkable resolve and respect for the financial circumstances and challenges, responding in a responsible fashion and arguably setting the collective bargaining tone for most surrounding municipalities. At the very least, the results achieved with CUPE Local 5167 set the tone and benchmark for the future successful City collective bargaining achieved in 2012 within Council's mandate for ATU, ONA and HECFI.

Attachments:

Appendix A to Report HUR12010 – Labour Relations Activity Analysis
Appendix B to Report HUR12010 – Summary of 2011 Arbitration Awards & Financial Implications

Labour Relations Activity Analysis

Union Demographics

	Number of Members	Percentage of Unionized Workforce	Number of Grievances	Grievances per Member
CUPE 5167 Inside/Outside	2795	49.7%	394	0.141
ATU 107	659	11.7%	42	0.064
CUPE 5167 Lodges	603	10.7%	21	0.035
HPFFA 288	532	9.5%	2	0.004
CUPE 1041	294	5.2%	34	0.116
GHVFFA 911	217	3.9%	22	0.101
OPSEU 256	248	4.4%	62	0.250
ONA 50 Public Health	166	3.0%	4	0.024
ONA 50 Lodges	44	0.8%	5	0.114
HOWEA	47	0.8%	16	0.340
IUOE	11	0.2%	2	0.182
Total	5616	100%	604	0.108

Total Grievances by Union

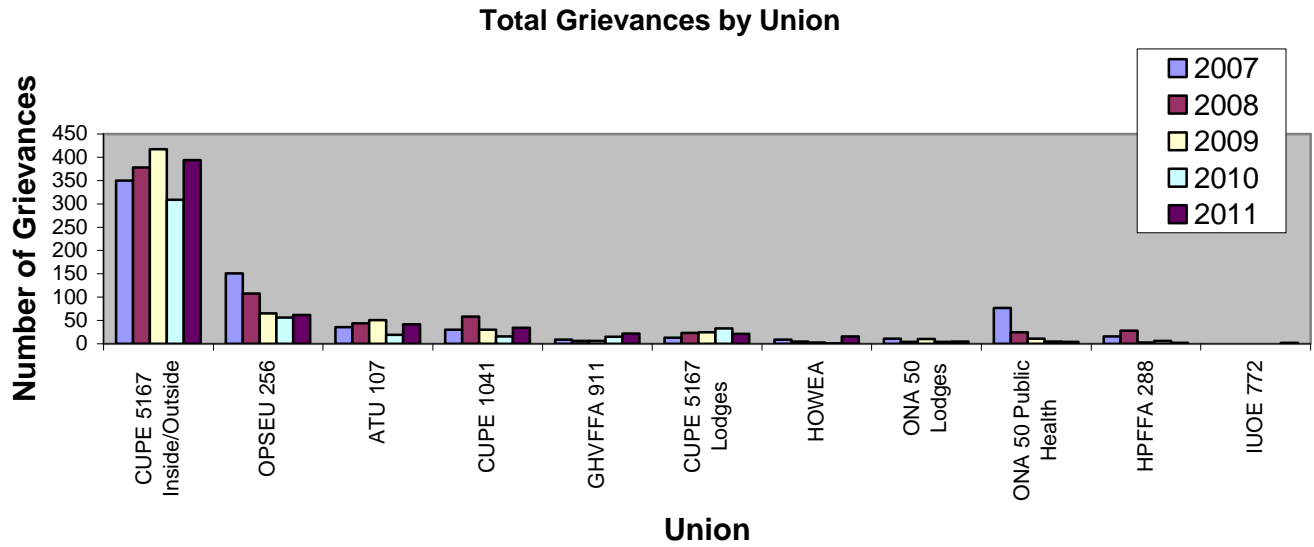
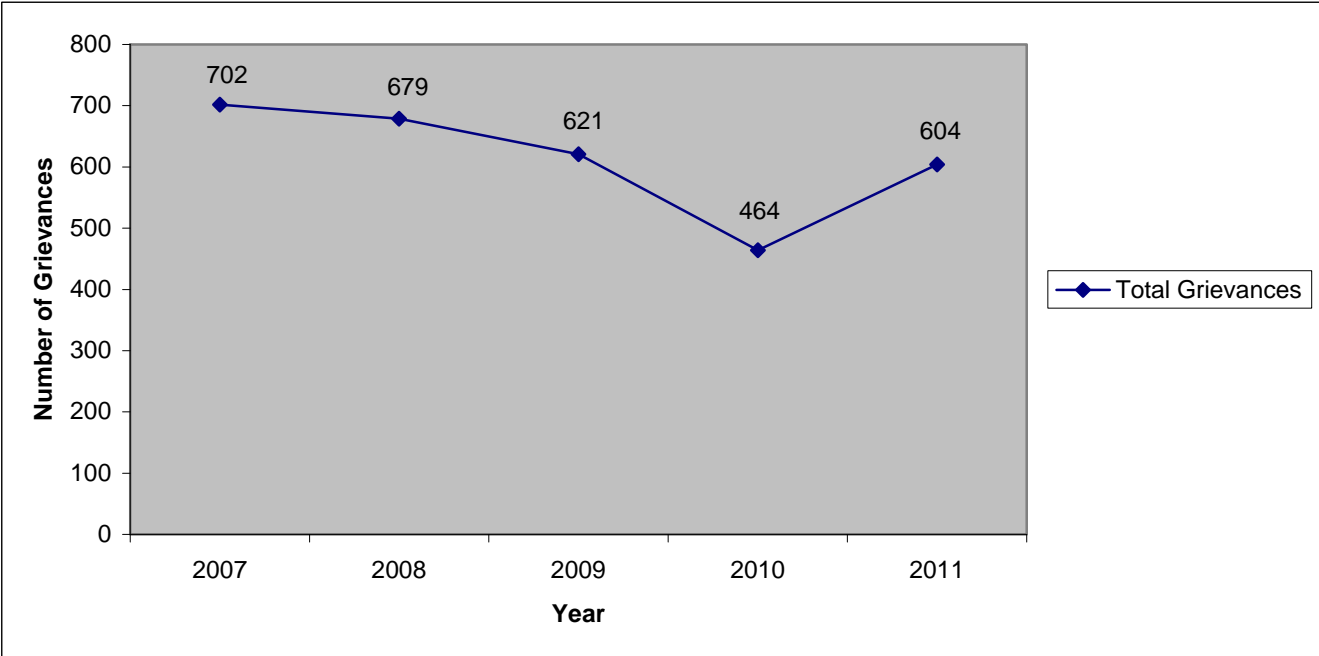


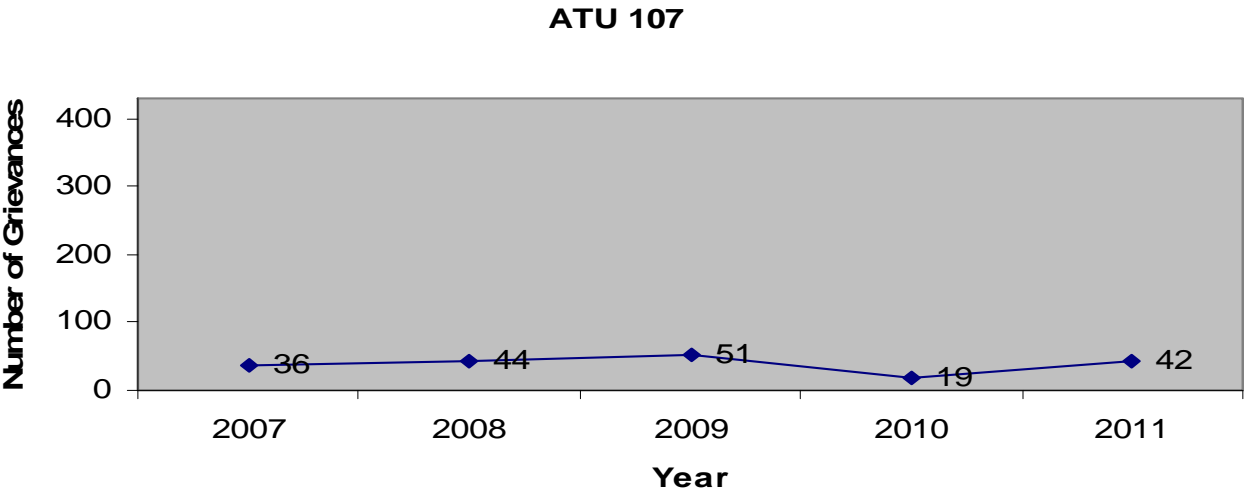
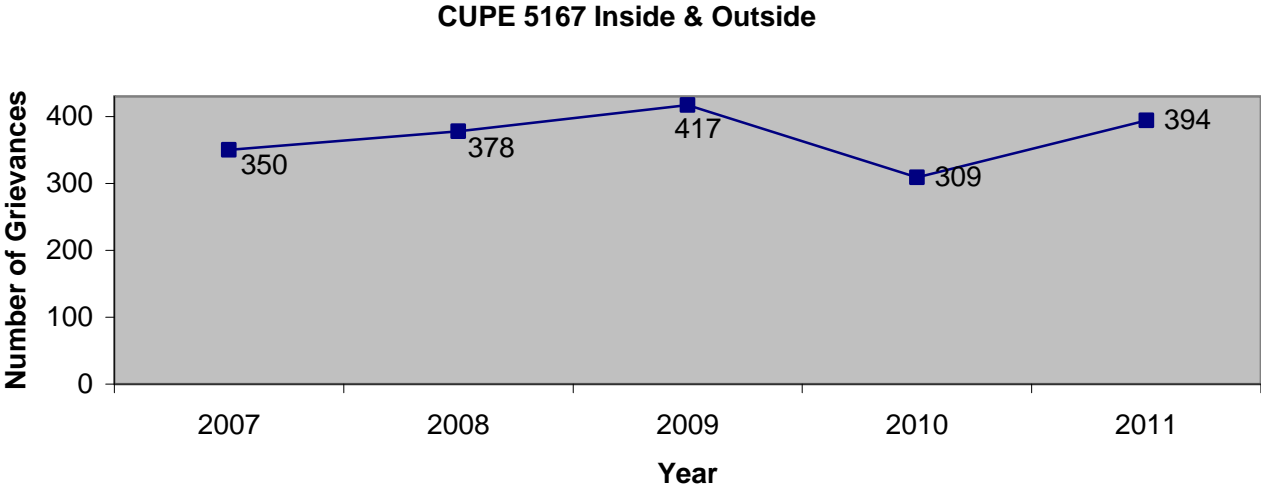
Chart Data:

	2007	2008	2009	2010	2011	2011 Percentage Increase/Decrease
CUPE 5167 Inside/Outside	350	378	417	309	394	27%
OPSEU 256	151	108	65	56	62	10%
ATU 107	36	44	51	19	42	121%
CUPE 1041	30	58	30	16	34	112%
GHVFFA 911	9	6	6	15	22	46%
CUPE 5167 Lodges	13	23	25	33	21	-36%
HOWEA	9	5	3	1	16	1500%
ONA 50 Lodges	11	4	10	4	5	25%
ONA 50 Public Health	77	25	11	5	4	-20%
HPFFA 288	16	28	3	6	2	-66%
IUOE 772	0	0	0	0	2	200%
Total	702	679	621	464	604	30%

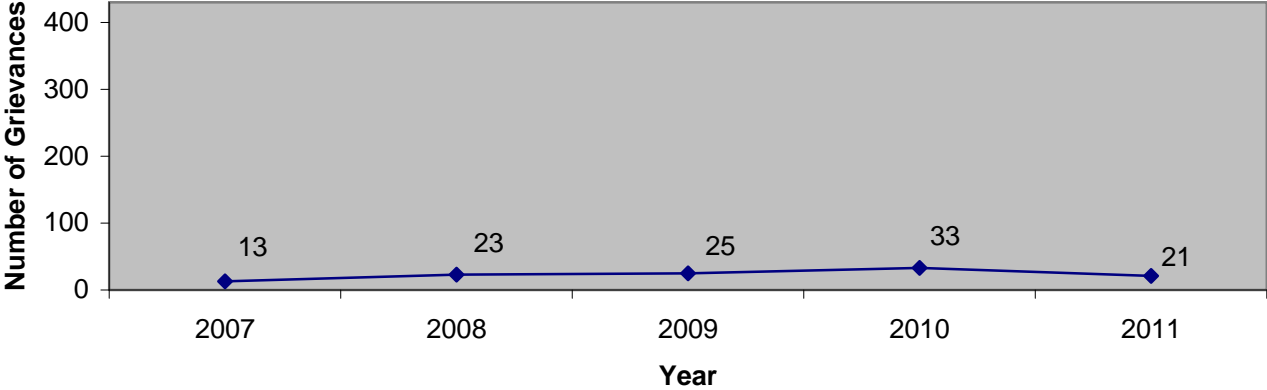
Total Grievances per Year (2007-2011):



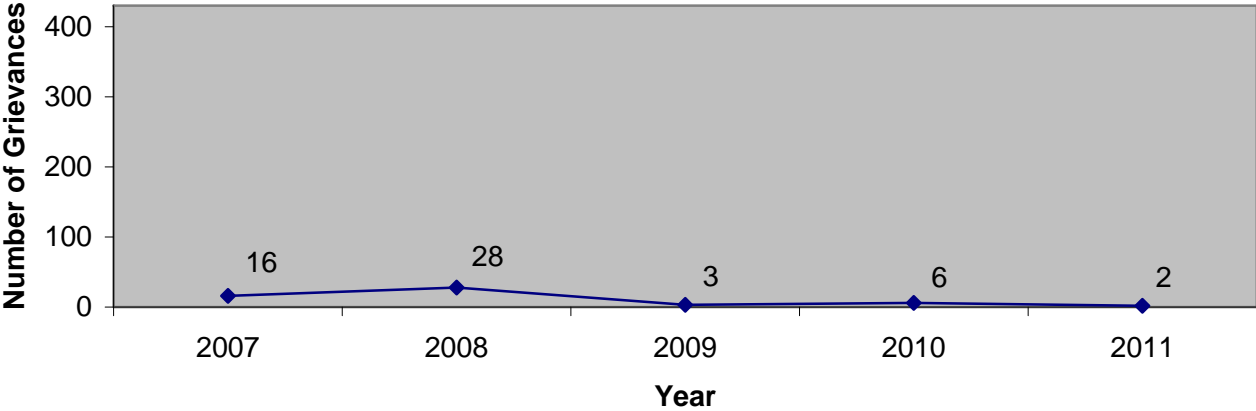
Total Grievances by Union, 2007-2011:



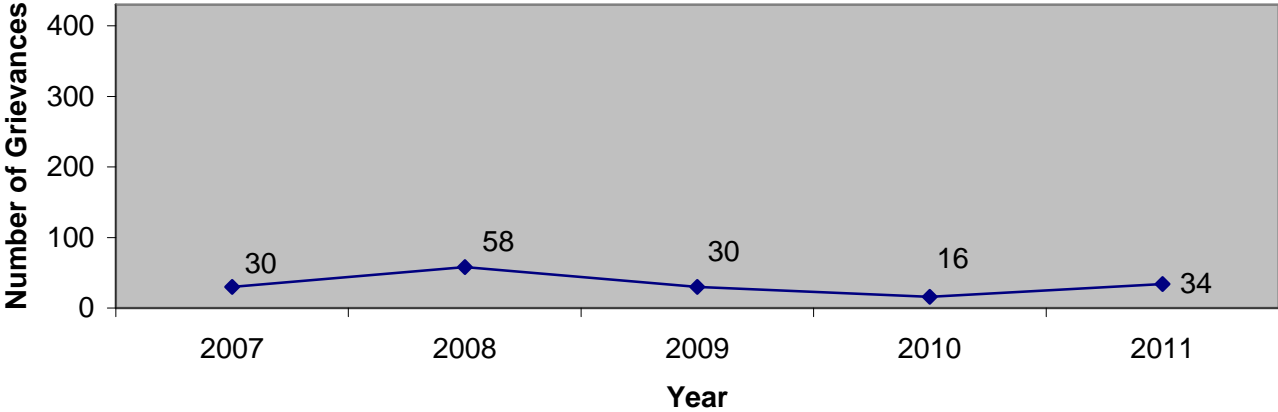
CUPE 5167 Lodges



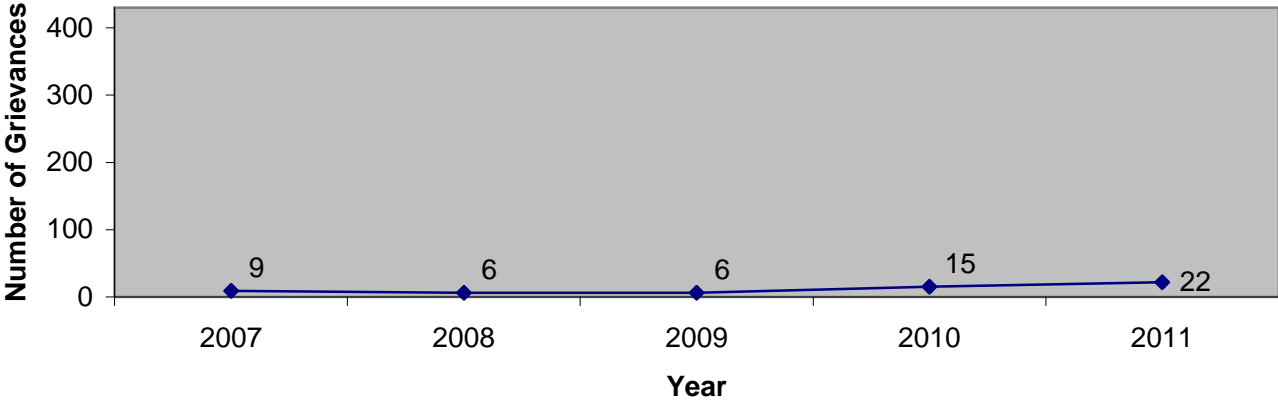
HPFFA 288



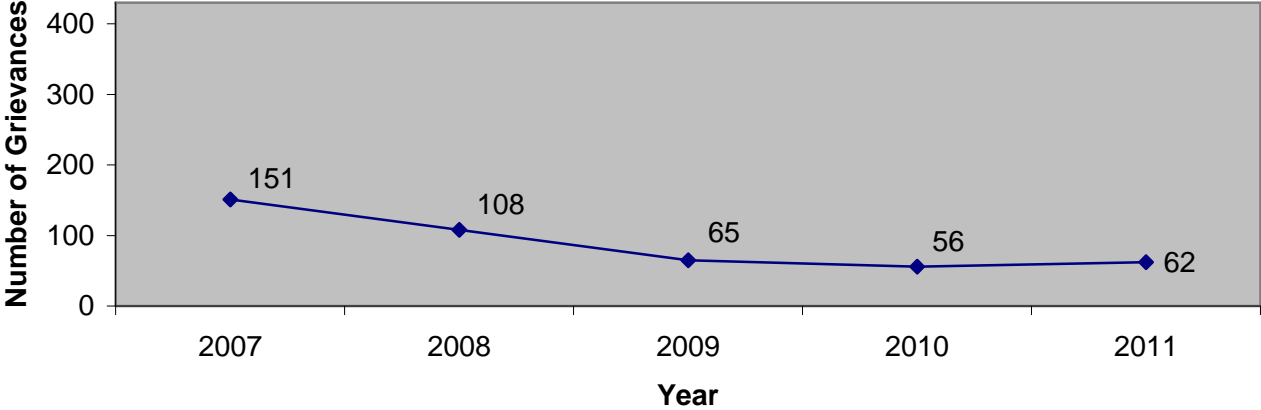
CUPE 1041



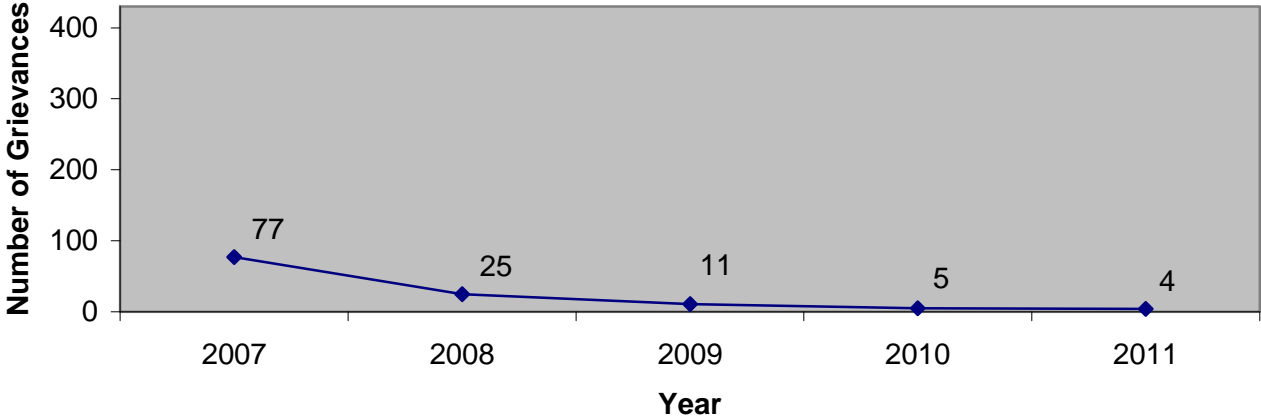
GHVFFA 911



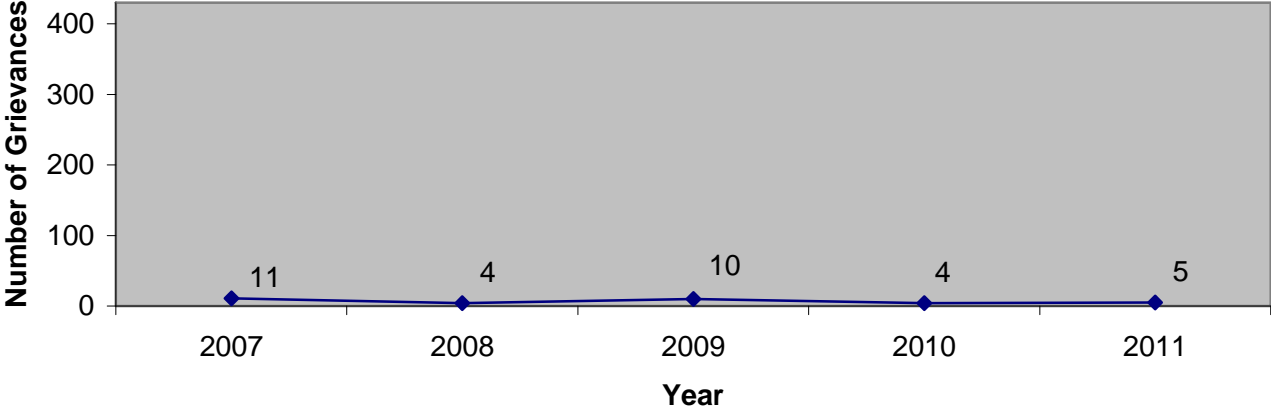
OPSEU 256



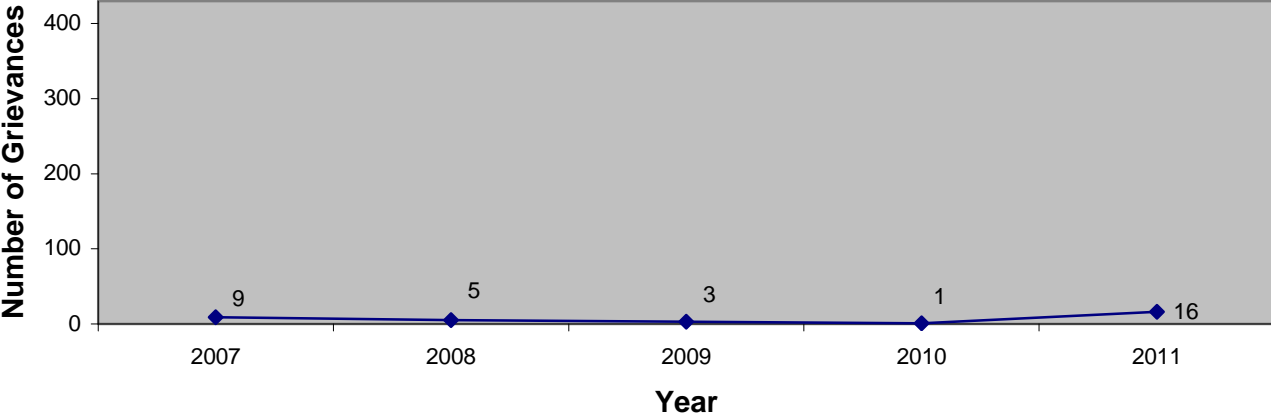
ONA 50 Public Health



ONA 50 Lodges

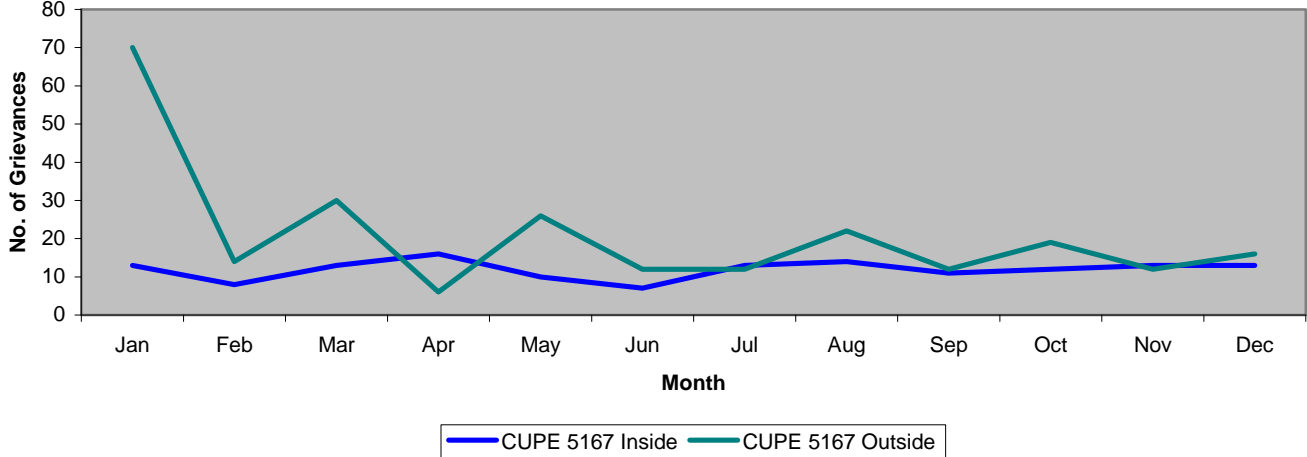


HOWEA

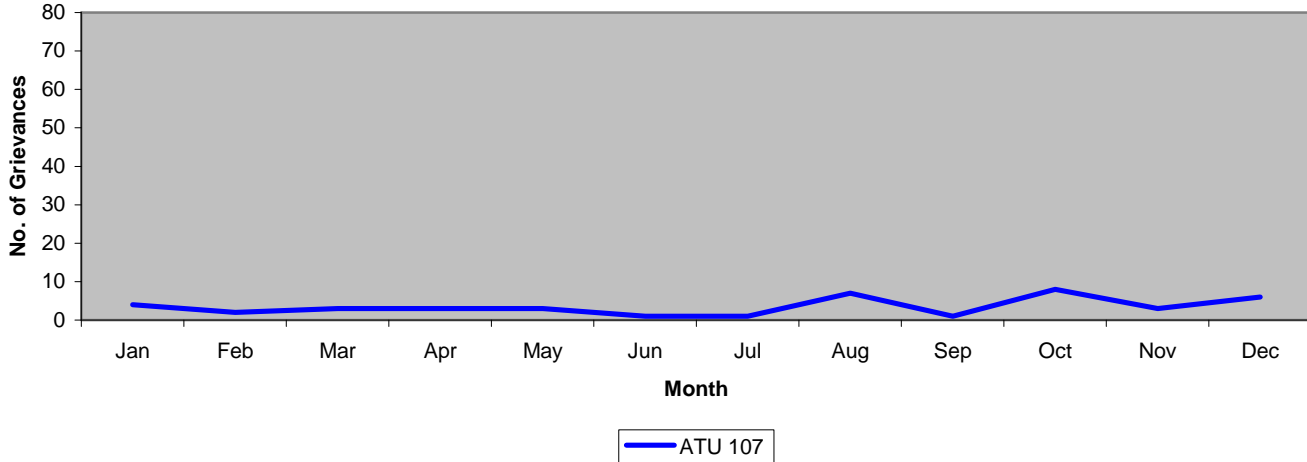


2011 Month-by-Month Grievance Analysis (Illustrating those Unions with >20 grievances/year)

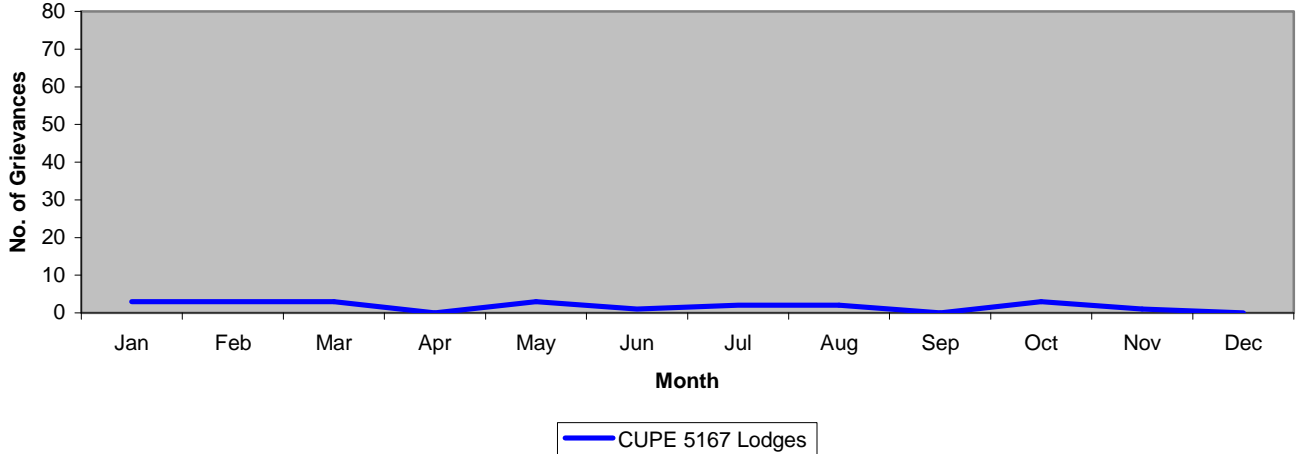
CUPE 5167



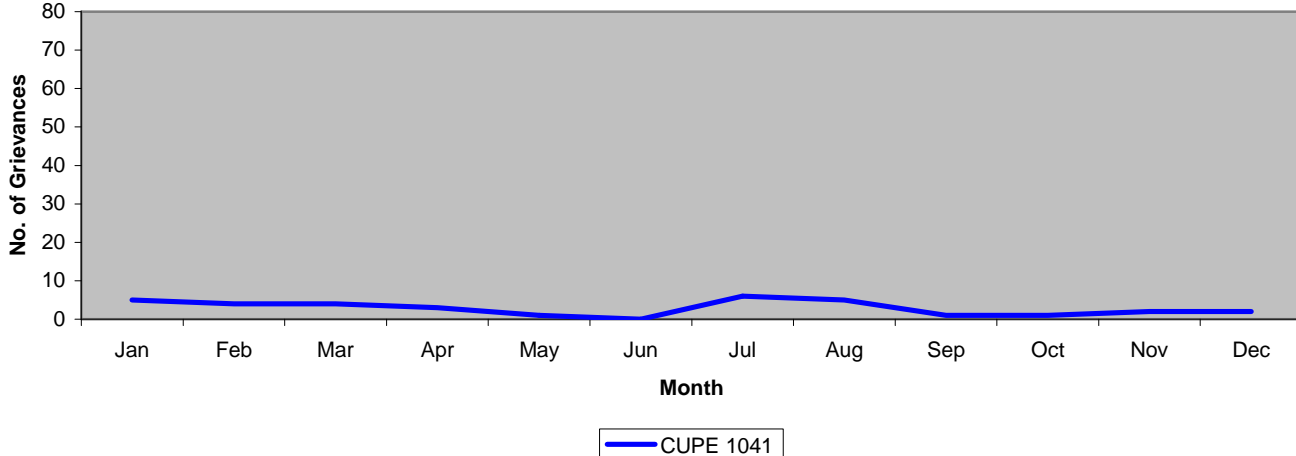
ATU 107



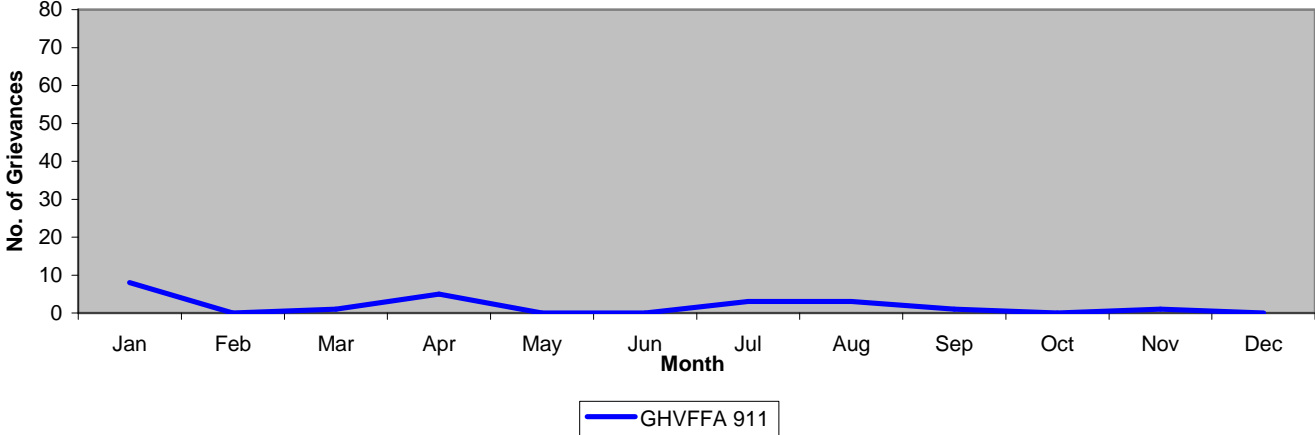
CUPE 5167 Lodges



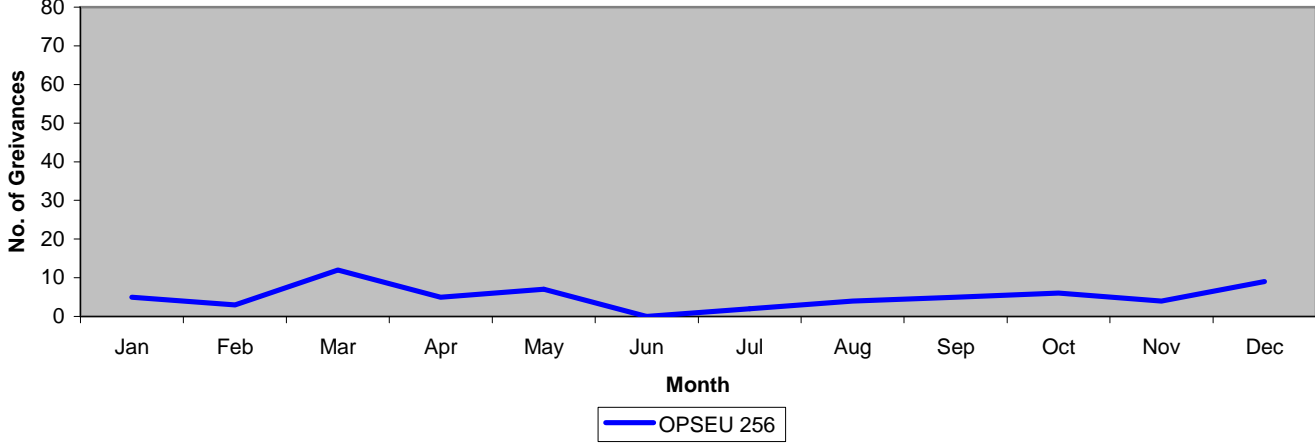
CUPE 1041



GHVFFA 911



OPSEU 256



Total Grievances by Department

Total Grievances by Department summary:

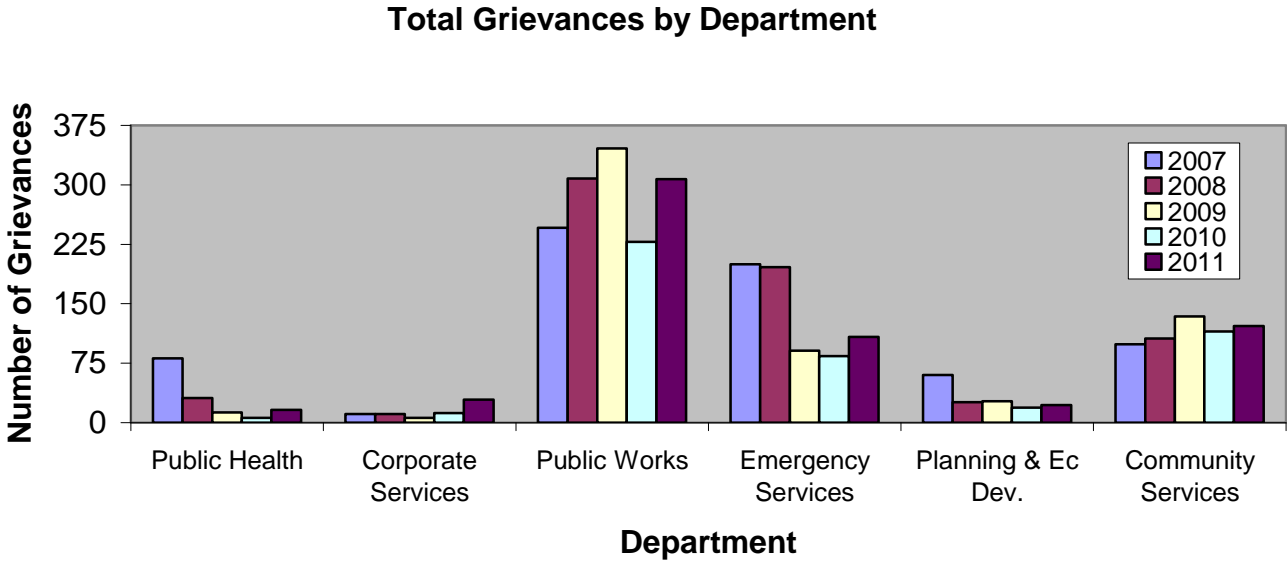
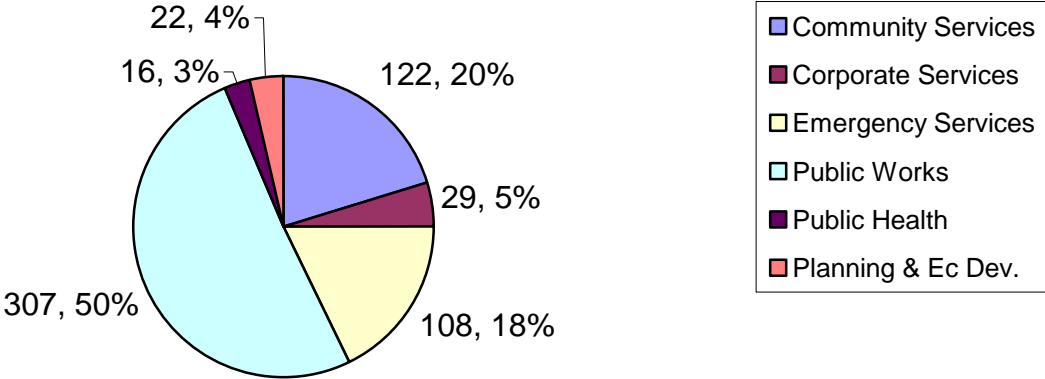


Chart Data:

	2007	2008	2009	2010	2011	2011 Percentage Increase/Decrease
Public Health*	81	31	13	6	16	167%
Corporate Services*	11	11	6	12	29	142%
Public Works	246	308	346	228	307	35%
Emergency Services	200	196	91	84	108	29%
Planning & Ec Dev.	60	26	27	19	22	16%
Community Services	99	106	134	115	122	6%
Total	697	678	617	464	604	30%

Grievances by Department, 2011:

Grievances by Department, 2011



Grievance Activity by Department, 2011

	Number of Employees	Number of Unionized Employees	Percentage of Unionized Workforce	Number of Grievances	Percentage of Overall Grievances	Per Capita Grievance Rate
Public Works	1996	1824	33%	307	50%	0.17
Community Services	2769	1786	32%	122	20%	0.07
Emergency Services	1071	1035	18%	108	18%	0.10
Planning and Ec.Dev.	760	403	7%	22	4%	0.05
Public Health	458	384	7%	16	3%	0.04
Corporate Services	304	184	3%	29	5%	0.16
Total	7358	5616	100%	604	100%	0.108

*Excludes City Manager, Council, Students and Boards.

Grievance Categories

Comparing grievances filed in 2011 with those filed in 2010:

Grievance Category*	No. of Grievances (2011)	% of Grievances filed (2011)	No. of Grievances (2010)	% of Grievances filed (2010)
Overtime	123	20%	121	26%
Discipline	104	17%	53	12%
Promotion	64	11%	49	11%
Wages	61	10%	43	9%
Job Assignment	51	8%	46	10%
Work	34	6%	15	3%
Attendance	34	6%	25	6%
Other Opers.	30	5%	23	5%
Termination	21	3%	16	3%
Income Protection	21	3%	19	4%
Lay-off	18	3%	16	3%
Other Admin.	18	3%	14	3%
Harassment/Discrimination	16	3%	16	3%
Benefits	9	2%	8	2%
TOTAL	604	100%	464	100%

*Grievance Categories

Promotion: Job postings, Promotion, Demotion, Complement, Vacancies, Testing;

Attendance: Vacation, Stat Holidays, AWOL, Leave of Absence, Bereavement, ASMP, Lieu Bank, Sick Bank, Flex Time;

Harassment/Discrimination: Harassment, Discrimination, Human Rights, Toxic/Poisonous Workplace;

Discipline: Verbal, Written, Suspension, Discipline;

Termination: Termination, Severance;

Benefits: Health Benefits, Life Insurance, OMERS, AD&D, Benefits;

Income Protection: STD, IPP, LTD, Work Accommodation, Return to Work, Doctors Note, Bridging;

Overtime: Overtime, Call-in, Call-out, Standby, Continuation of the work day;

Wages: Wages, Hours of Work, Premium Pay, Shift Premiums, Meal Allowance, Compensation, Acting Pay, Job Evaluation, Retro Pay, Union Dues;

Job Assignment: Seniority, Conditions of Employment, Restructuring, Transfer, Job Location, Job Share, Shift Change;

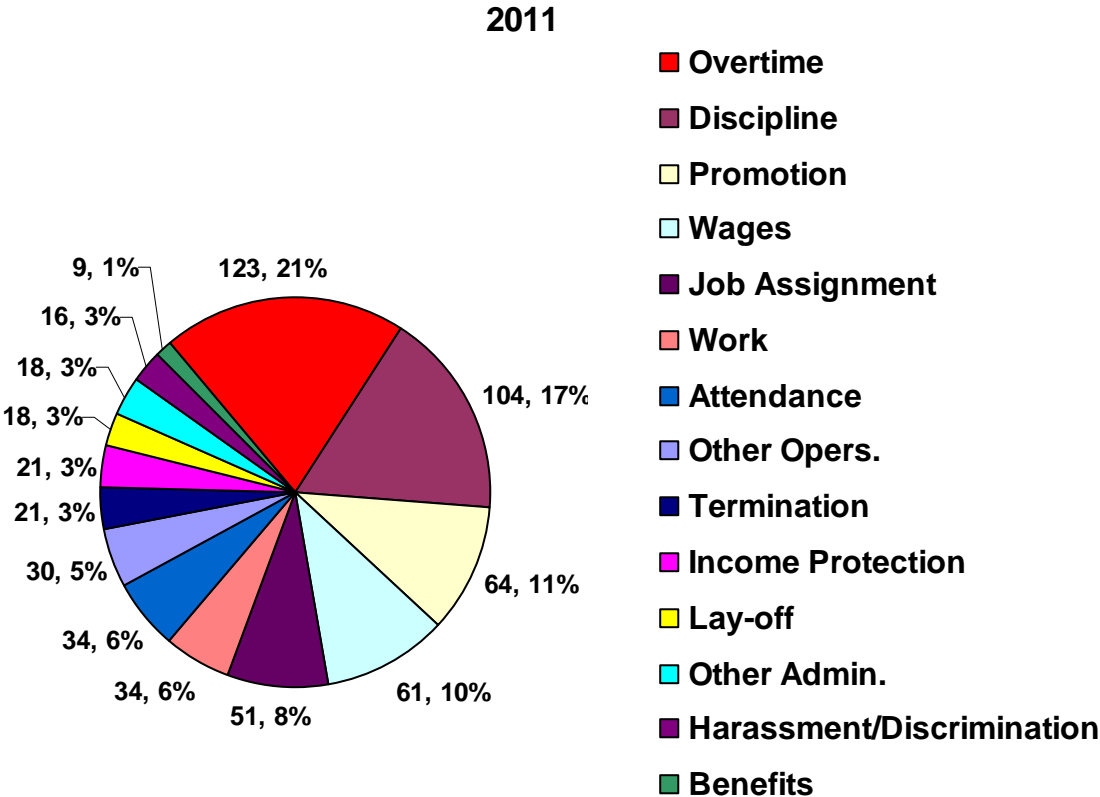
Lay-off: Lay-off, Recall, Bumping, Shift Schedule;

Work: Duties, Scope, Work of the Bargaining Unit, Contracting Out, Union Representation, Technological Change, Workplace Safety, Meal Breaks;

Other Admin.: Parking, Mileage, City Vehicle, Bus Pass, Corporate Policy, Confidentiality, Tuition Reimbursement, Performance Appraisal, Admin-other;

Other Operations: Clothing Allowance, Cleaning Allowance, Clothing/Uniform, Safety Wear, Training, Missed Page.

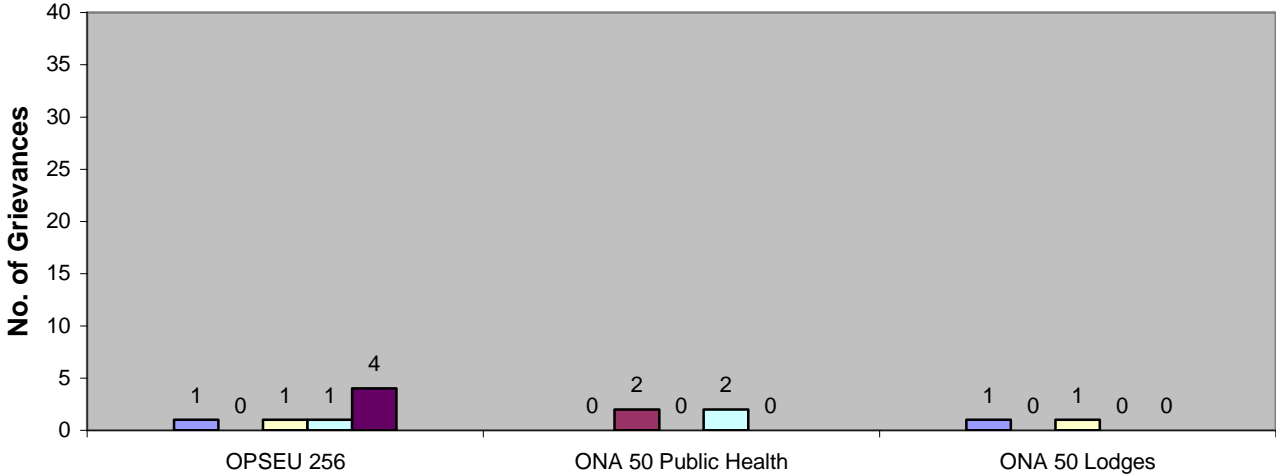
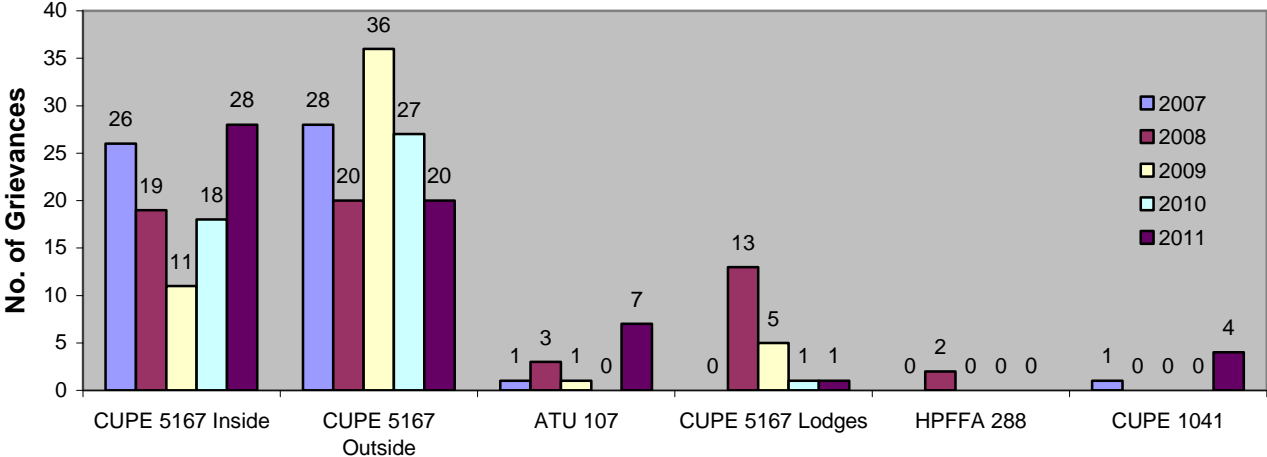
Grievance Category Frequency, All Unions, 2011:



Grievance Categories, by Union – 2007-2011

Promotion

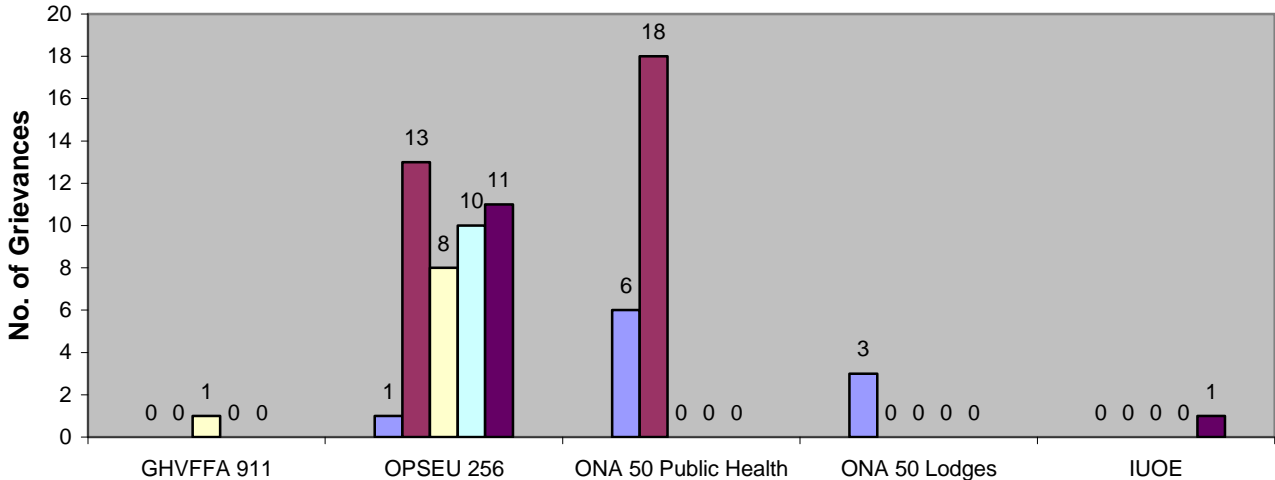
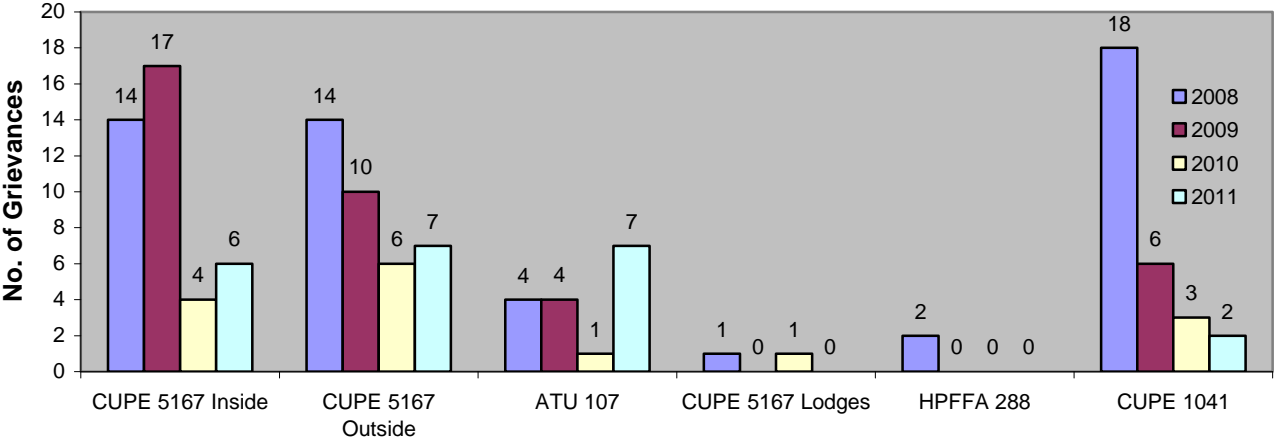
Job postings, Promotion, Demotion, Complement, Vacancies, Testing



Grievance Categories, by Union – 2007-2011

Attendance

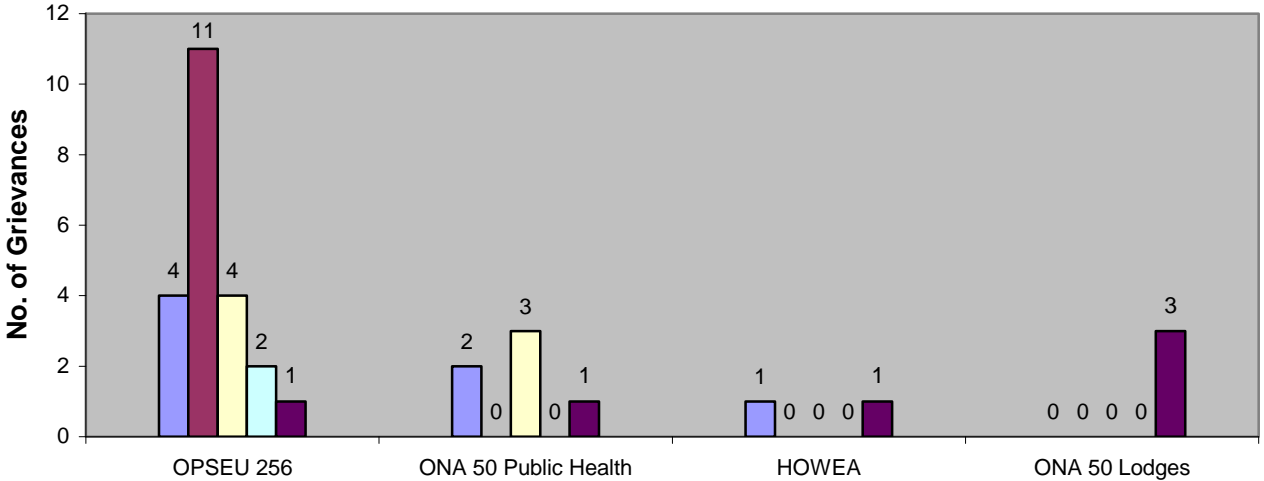
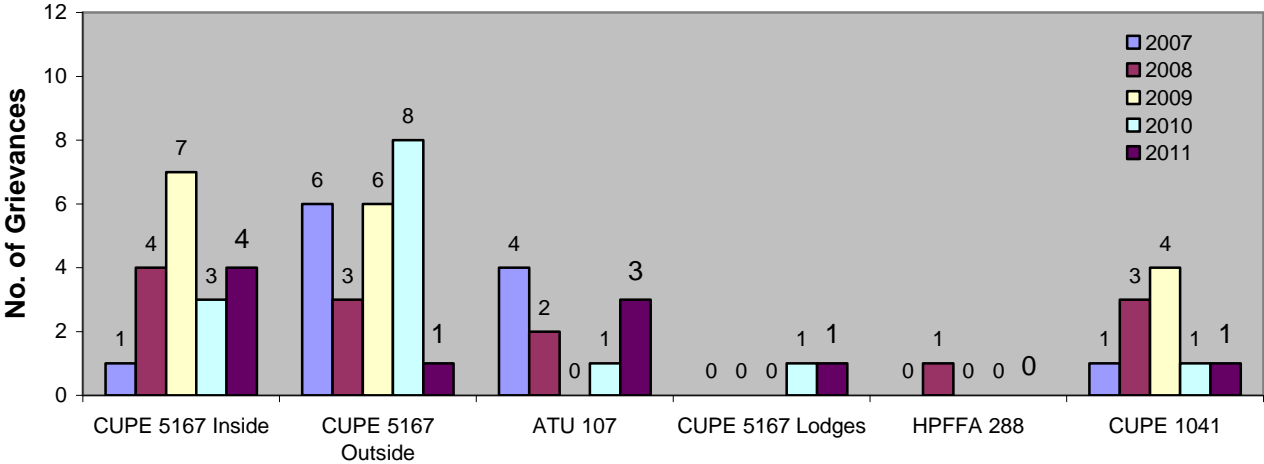
Vacation, Stat Holidays, AWOL, Leave of Absence, Bereavement, ASMP, Lieu Bank, Sick Bank, Flex Time;



Grievance Categories, by Union – 2007-2011

Harassment/Discrimination

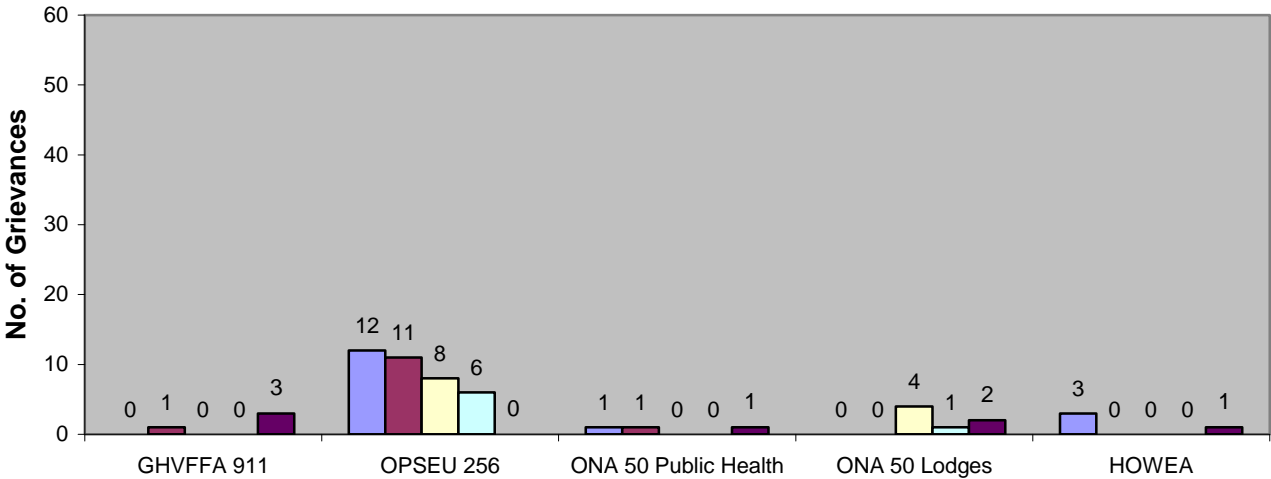
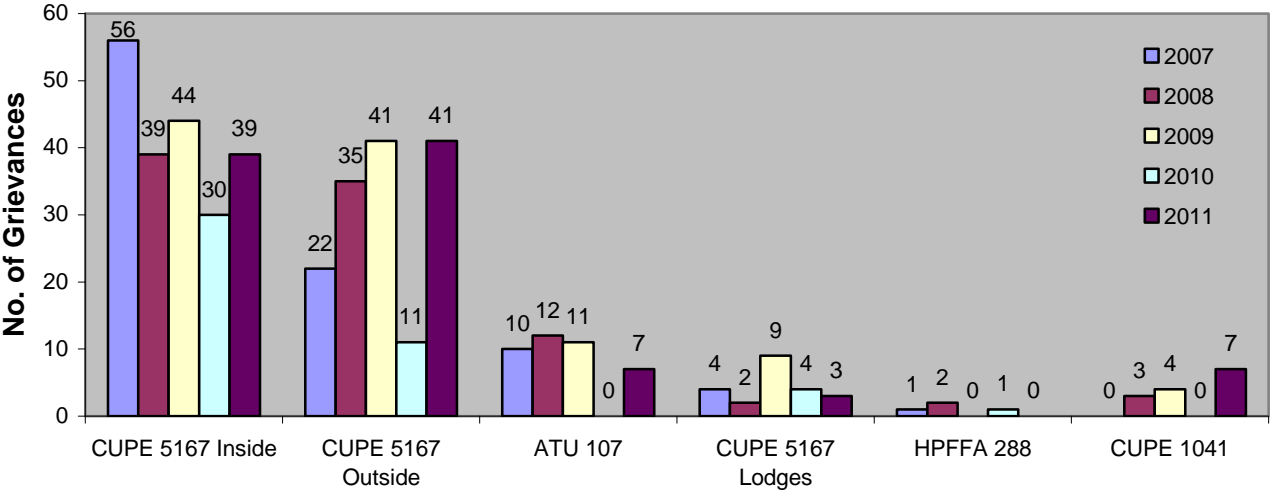
Harassment, Discrimination, Human Rights, Toxic/Poisonous Workplace;



Grievance Categories, by Union – 2007-2011

Discipline

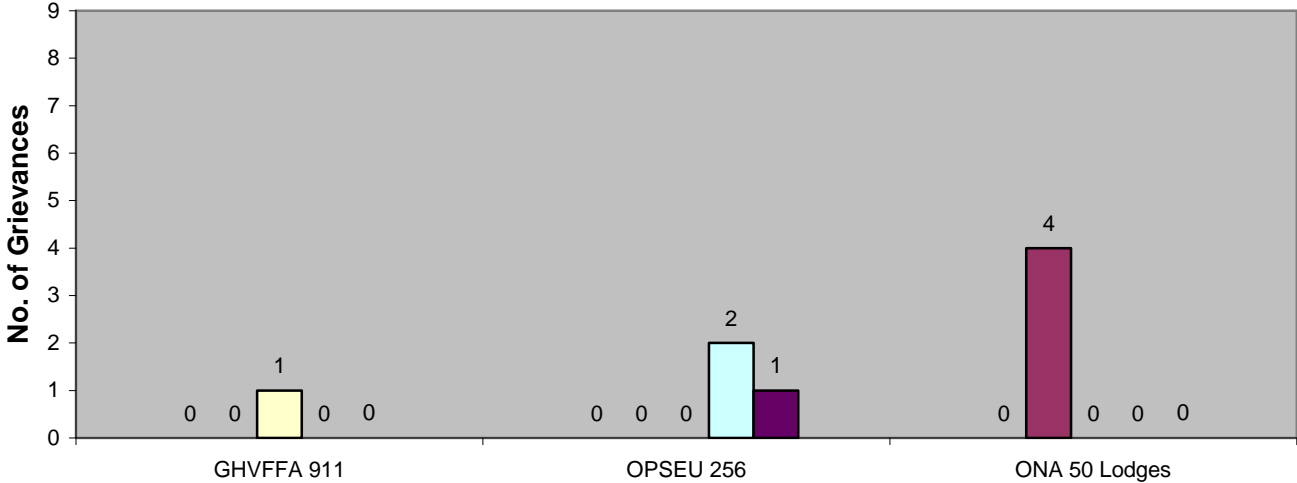
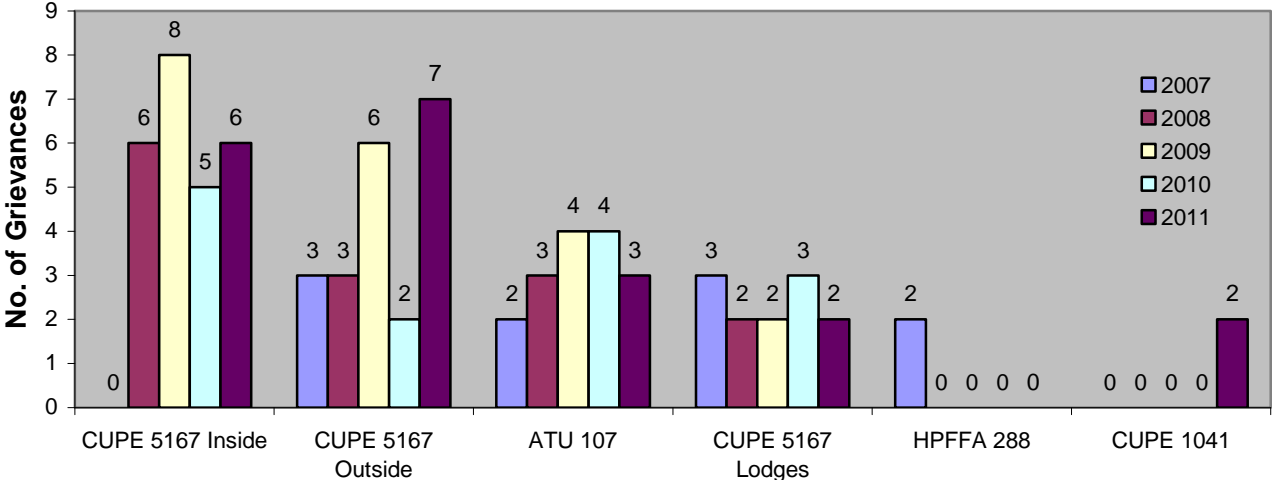
Verbal, Written, Suspension, Discipline;



Grievance Categories, by Union – 2007-2011

Termination

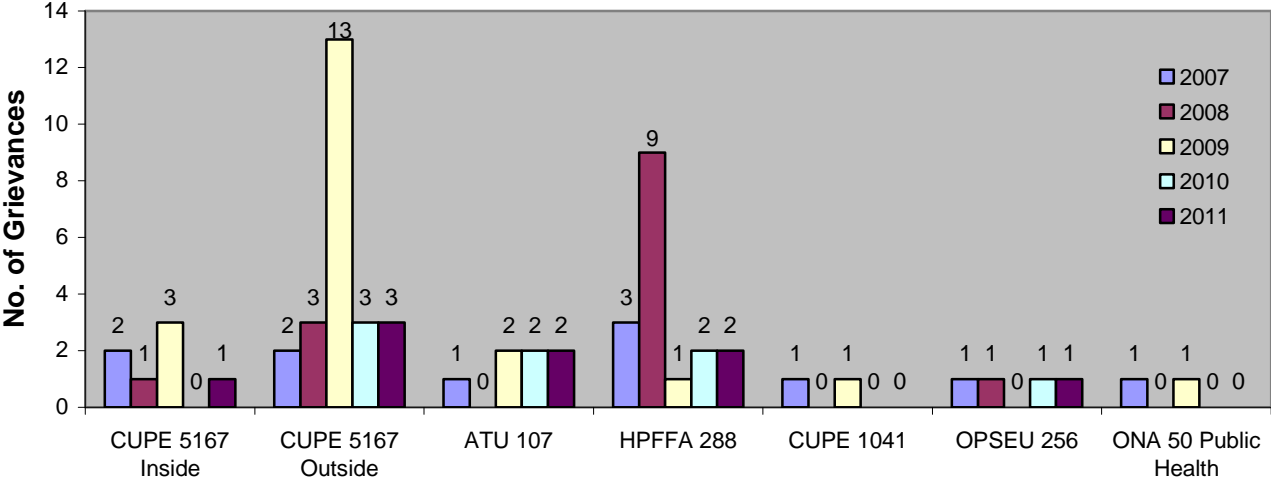
Termination, Severance;



Grievance Categories, by Union – 2007-2011

Benefits

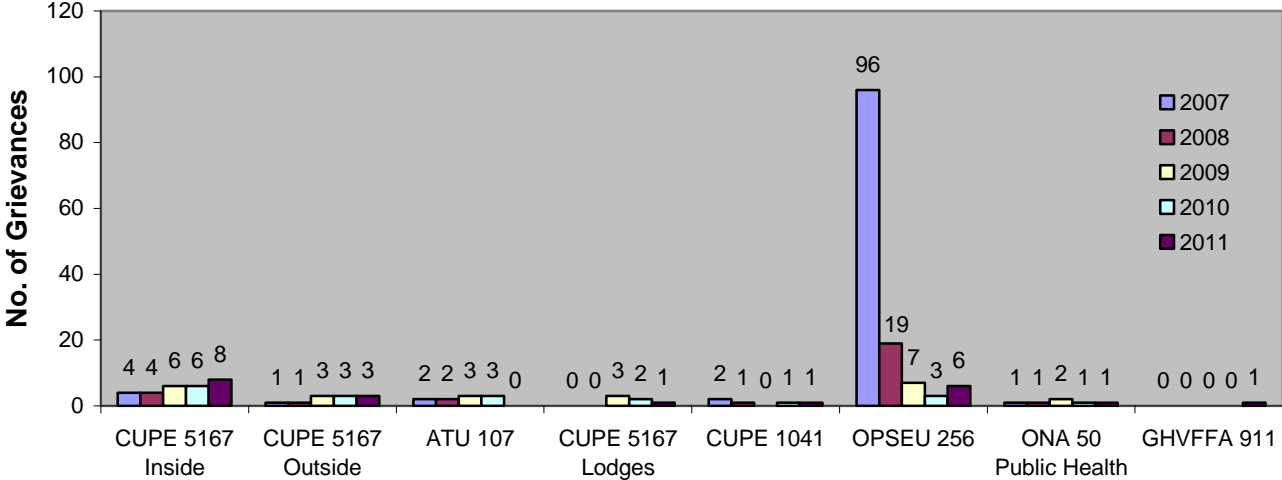
Health Benefits, Life Insurance, OMERS, AD&D, Benefits;



Grievance Categories, by Union – 2007-2011

Income Protection

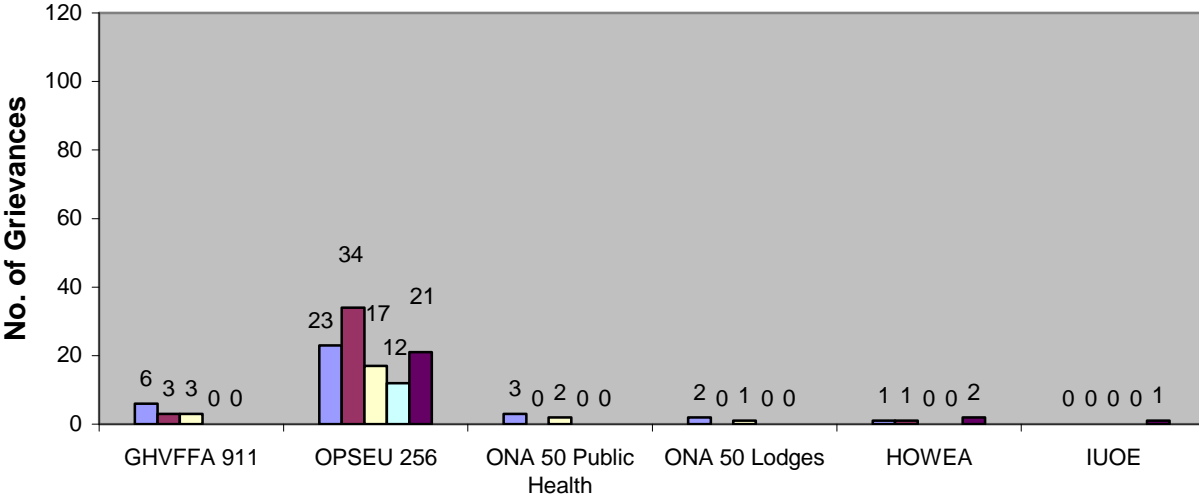
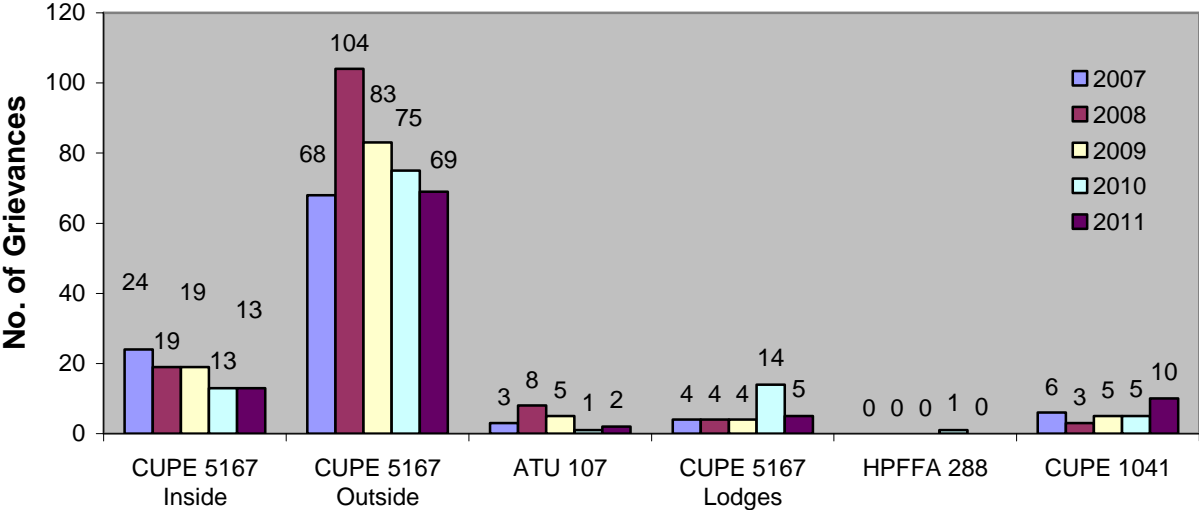
STD, IPP, LTD, Work Accommodation, Return to Work, Doctors Note, Bridging;



Grievance Categories, by Union – 2007-2011

Overtime

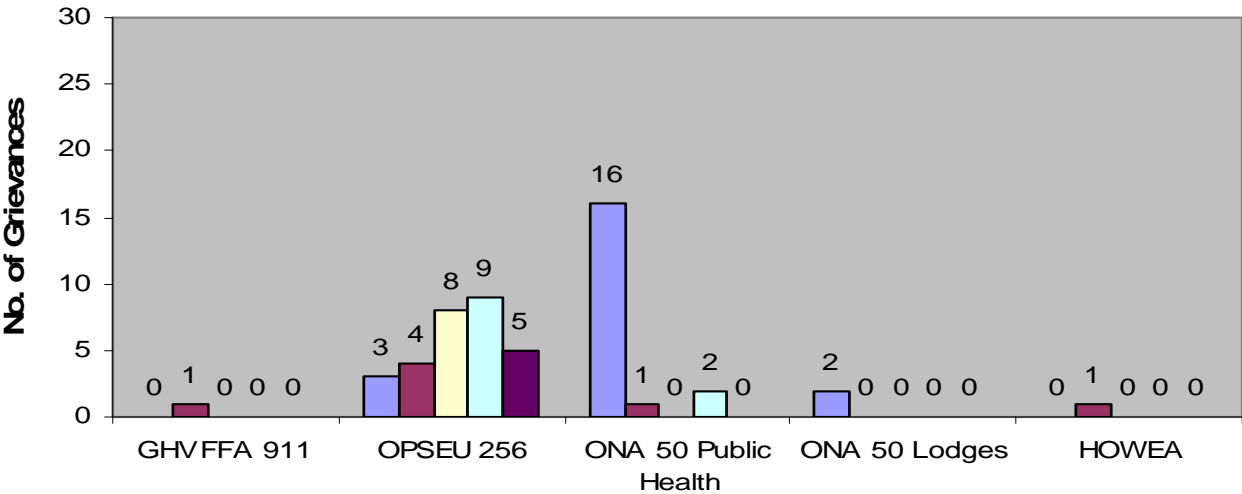
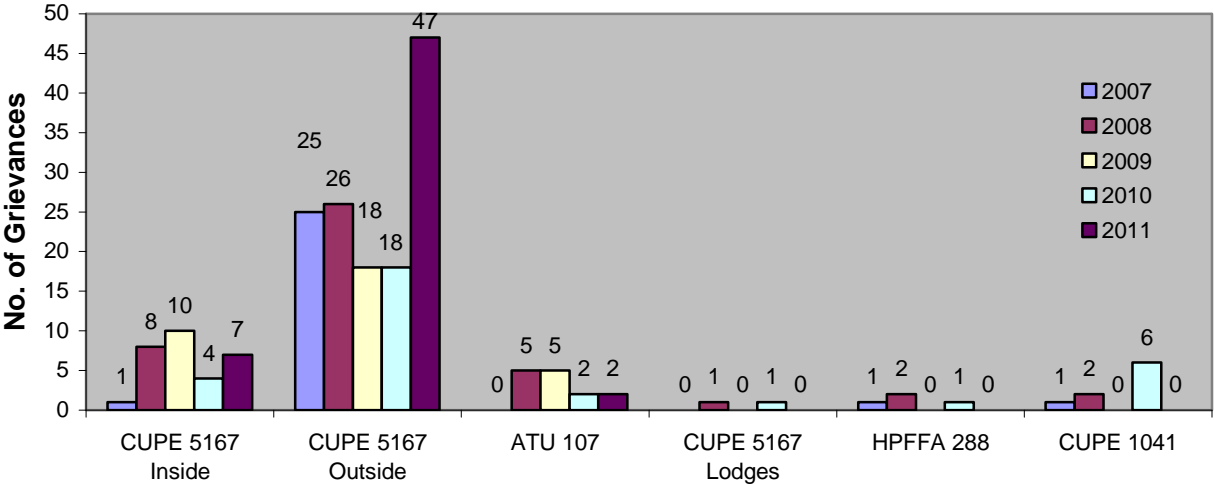
Overtime, Call-in, Call-out, Standby, Continuation of the work day;



Grievance Categories, by Union – 2007-2011

Wages

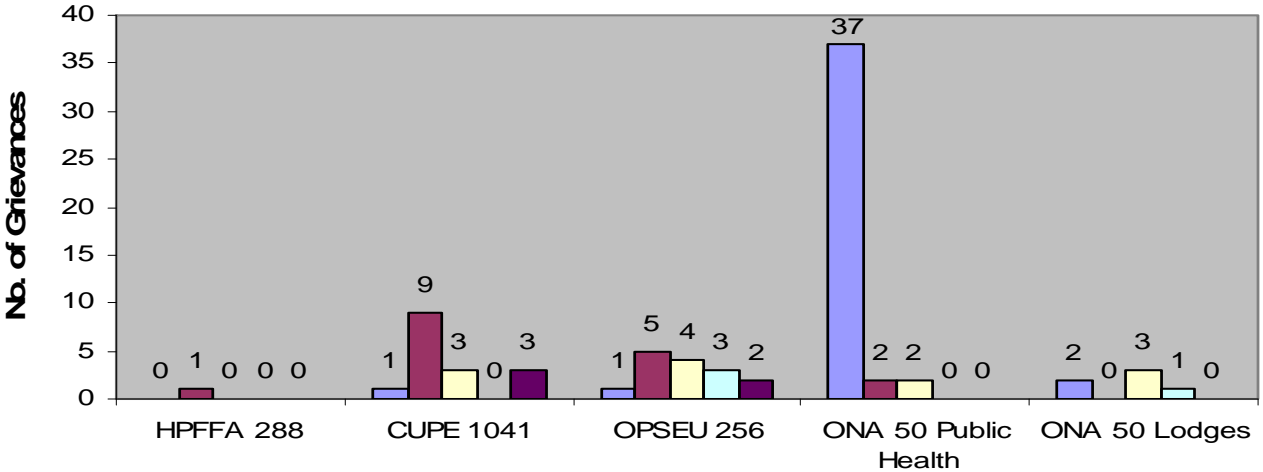
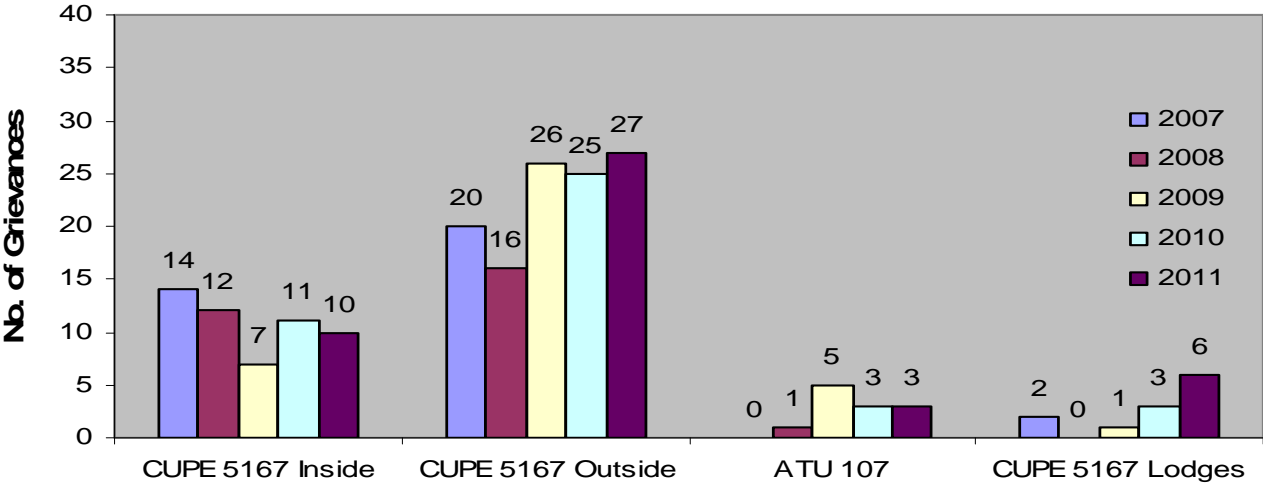
Wages, Hours of Work, Premium Pay, Shift Premiums, Meal Allowance, Compensation, Acting Pay, Job Evaluation, Retro Pay, Union Dues;



Grievance Categories, by Union – 2007-2011

Job Assignment

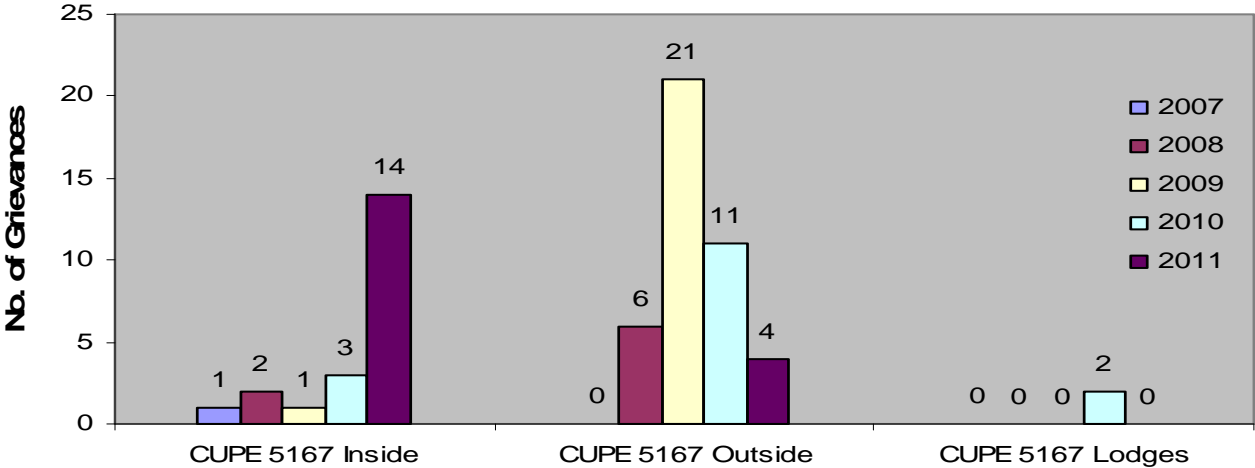
Seniority, Conditions of Employment, Restructuring, Transfer, Job Location, Job Share, Shift Change;



Grievance Categories, by Union – 2007-2011

Layoff

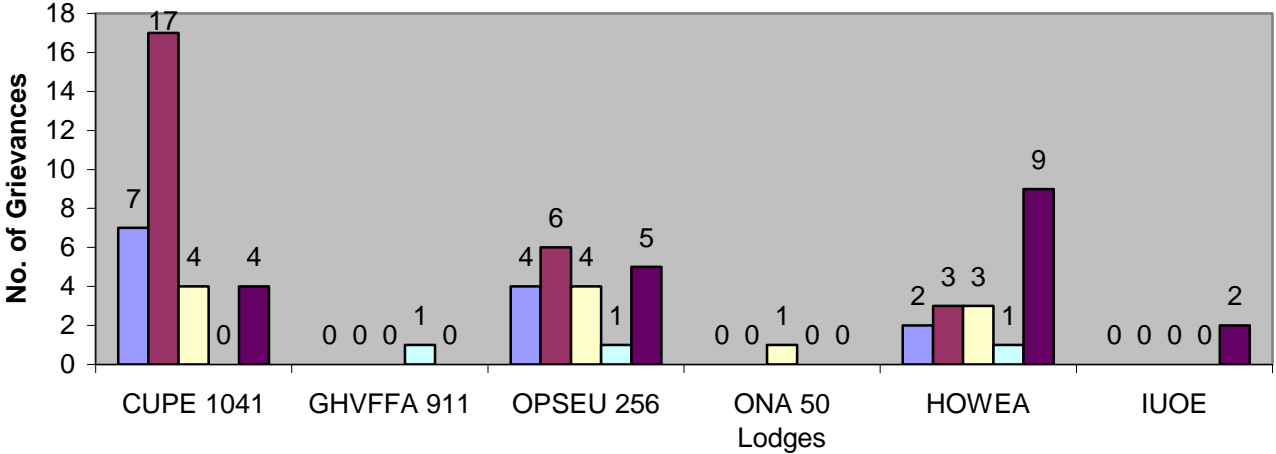
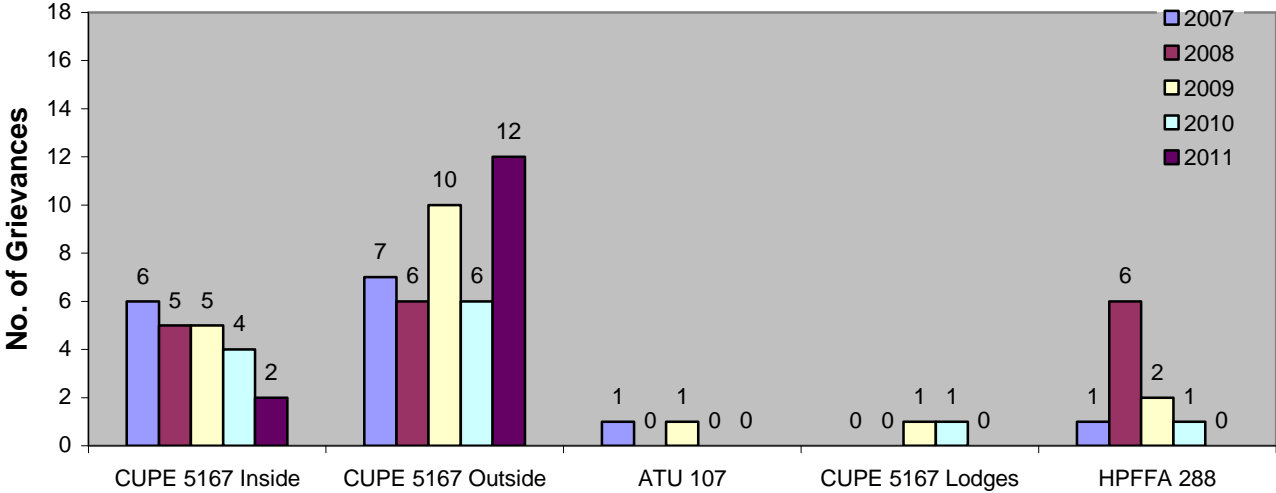
Lay-off, Recall, Bumping, Shift Schedule;



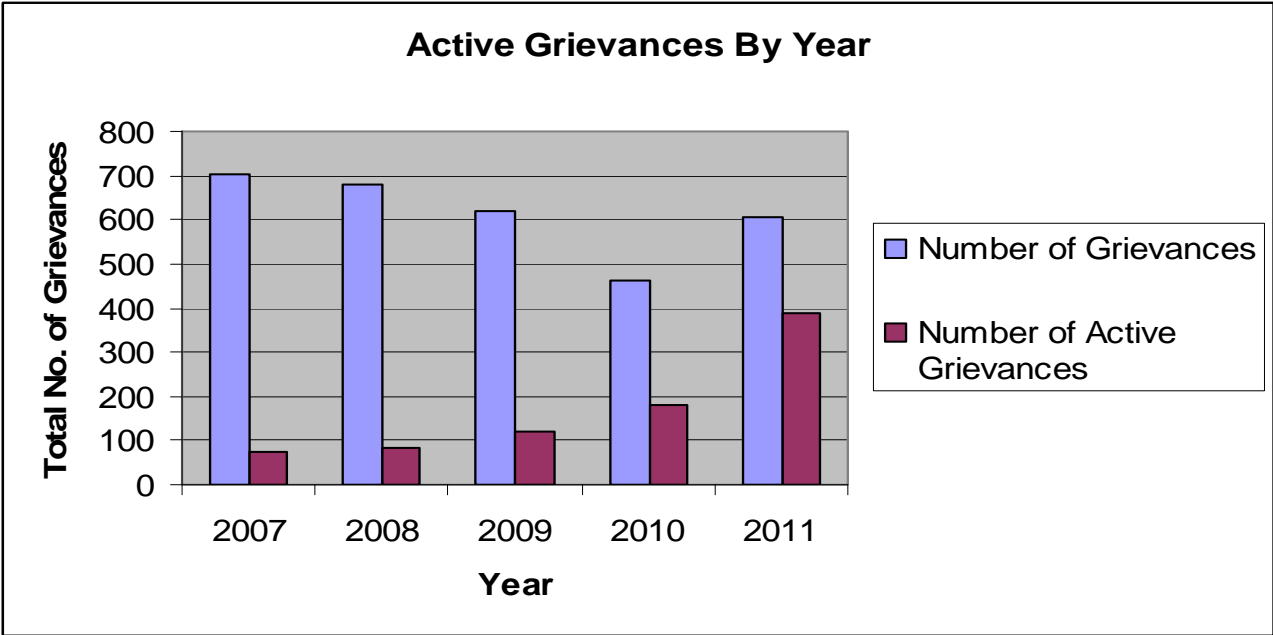
Grievance Categories, by Union – 2007-2011

Work

Duties, Scope, Work of the Bargaining Unit, Contracting Out, Union Representation, Technological Change, Workplace Safety, Meal Breaks;



Active Grievance Summary



Year	Number of Grievances	Number of Active Grievances	Overall Percentage of Active Grievances
2007	702	75	11%
2008	679	82	12%
2009	621	118	19%
2010	464	180	39%
2011	604	388	64%
Total	3070	843	28%

Labour Relations Training Initiatives (*Essentials of Managing in a Unionized Workplace*)

Corporate-Wide

Labour Relations Training

- Three modules: Introduction to Labour Relations, Investigations and Grievance Management and Performance Management and Progressive Discipline.

Introduction to Labour Relations:

- Provides education on legal obligations and legislative frameworks, as well as informs managers about management and union rights/responsibilities dictated by collective agreements.

Investigations and Grievance Management

- Provides education and guidelines to managers on how to better conduct investigations in grievance interviews.

Performance Management and Progressive Discipline

- Provides education and information on the importance of employee discipline.
- Provides guidelines to managers on the steps of progressive discipline process.
- Informs managers how to differentiate between performance management and discipline.

- **2010-2011 - Labour Relations has facilitated nineteen (19) courses involving three hundred and two (315) participants for all three (3) Training Modules.**

- **There are 190 Managers who are eligible participants for the Labour Relations Training Modules.**

Labour Relations Training Module	Number of Sessions (2010-2011)	Number of Participants N=190	Number of Participants Needed to Complete the Training Module	Percentage of Participation (per Training Module)
1. Introduction to Labour Relations	9	162	28	85%
2. Investigations and Grievance Management	6	97	93	51%
3. Performance Management and Progressive Discipline	4	56	134	29%

Survey Category	2010 - 2011 Overall Positive Rating N = 146
Content	95%
Organization	84%
Presentation	85%
Total No. of Completed Surveys	146

Content

- Information presented was educational.
- Content was relevant to my job.
- Examples and discussion were useful.
- New information and skills were learned.

Organization

- The presentation was well organized.
- The presentation was engaging.
- The presentation was timely.

Presentation

- The Facilitator was knowledgeable.
- The Facilitator presented the material clearly.
- The Facilitator was professional.
- The Facilitator provided real-life application of content.

Mediation and Arbitration Activity

<u>2011</u>	Arbitration	Mediation	Total
Number	47	29	76
Cost*	\$108,016.61	\$33,531.61	\$141,548.22*

* Includes cost of meeting facilities

2011

Average cost of Arbitrator per Hearing = \$2,298.23

Average cost of Mediator per Hearing = \$1,156.26

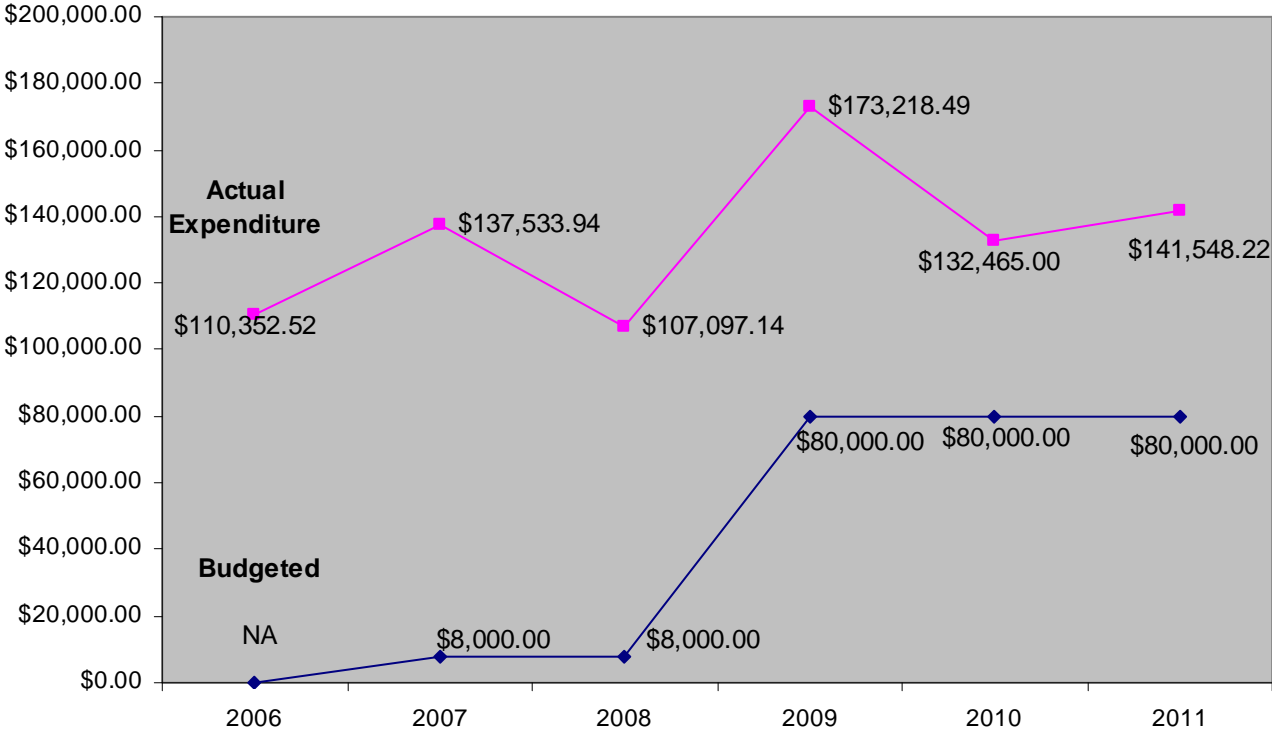
*Excludes Legal Fees

Total Arbitration Costs per Grievance - Type Activity*			
<u>Grievance Type - Category</u>	<u>Arbitration Cost</u>	<u>Legal Cost</u>	<u>Total Cost</u>
Administration - Other	\$3,880.50	\$19,201.84	\$23,082.34
Layoff	\$3,903.60	\$9,067.96	\$12,971.56
Operations - Other	\$1,763.10	\$4,833.50	\$6,596.60
Discipline	\$200.00	\$4,073.84	\$4,273.84
Harassment & Discrimination	\$4,755.37	\$38,127.71	\$42,883.08
Benefits	\$0.00	\$455.00	\$455.00
Wages	\$16,189.20	\$13,237.94	\$29,427.14
Promotion	\$1,072.50	\$1,722.50	\$2,795.00
Overtime	\$4,040.53	\$7,952.46	\$11,992.99
Income Protection	\$4,618.72	\$37,701.50	\$42,320.22
Work	\$25,379.87	\$89,135.89	\$114,515.76
Job Assignment	\$3,283.98	\$5,004.50	\$8,288.48
Termination	\$19,213.53	\$153,151.46	\$172,364.99
Attendance	\$2,967.90	\$16,292.75	\$19,260.65
Interest Arbitration	\$14,988.81	\$30,222.46	\$45,211.27
General Labour Relations (Non-Union, Carpenters, Pay Equity, JE's, etc.)	\$1,759.00	\$283,206.63	\$284,965.63
Total	\$108,016.61	\$713,387.94	\$821,404.55
Mediation Costs	\$33,531.61	\$0.00	\$33,531.61
Total Cost (including Mediation)	\$141,548.22	\$713,387.94	\$854,936.16

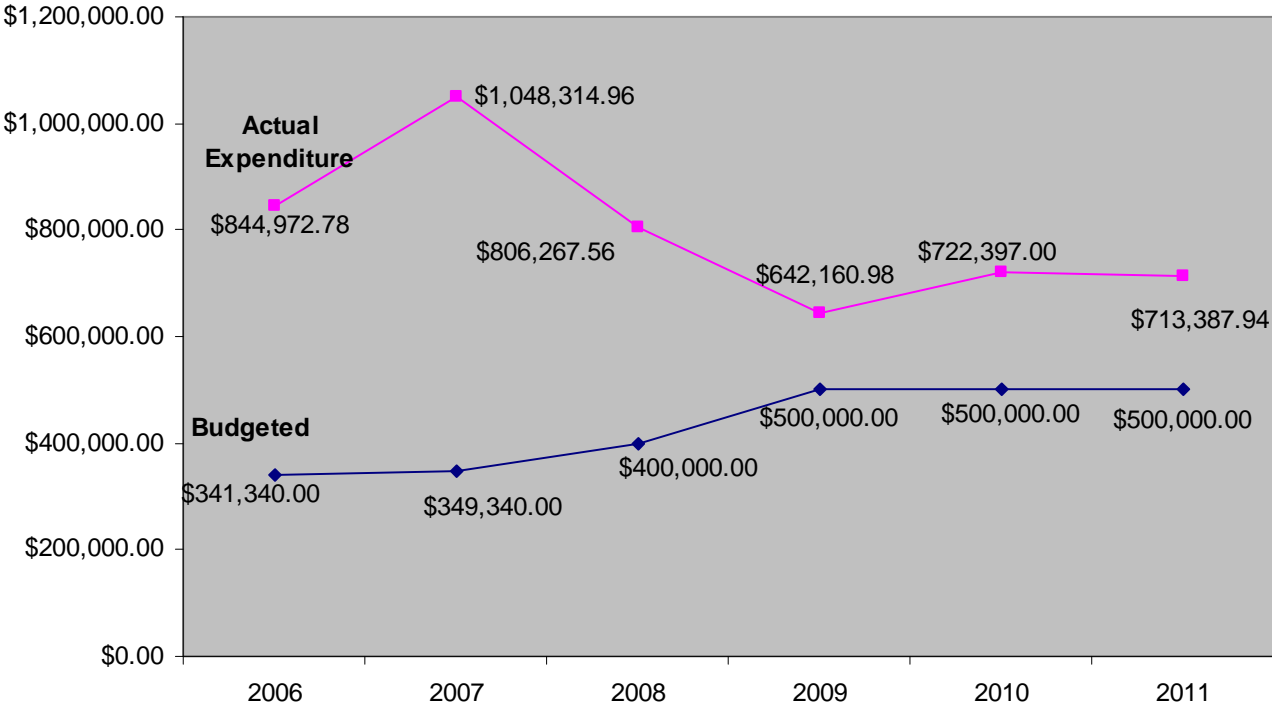
Total of Arbitration/Mediation Fees Per Union* (2011)				
<u>Union/Non Union</u>	<u>Arbitration/Mediation Cost</u>	<u>Legal Cost</u>	<u>Total</u>	<u>Percentage of Activity</u>
CUPE 5167 Inside/Outside/Long-Term Care Homes	\$59,634.10	\$204,113.00	\$263,747.10	31%
OPSEU 256 Paramedics	\$47,467.57	\$148,819.43	\$196,287.00	23%
HPFFA 288 Firefighters	\$0.00	\$877.21	\$877.21	0.10%
GHVFFA Volunteer Firefighters	\$1,206.80	\$3,603.56	\$4,810.36	0.56%
ATU 107 Transit	\$20,211.31	\$53,707.77	\$73,919.08	8%
ONA 50 Public Health	\$2,811.85	\$8,897.62	\$11,709.47	1%
ONA 50 Lodges	\$0.00	\$0.00	\$0.00	0.00
IUOE 772 HECFI and Lodges	\$9,009.79	\$912.00	\$9,921.79	1%
HOWEA Water Treatment Plant	\$0.00	\$21,643.50	\$21,643.50	3%
CUPE 1041 Supervisors	\$1,206.80	\$1,560.00	\$2,766.80	0.34%
Carpenters	\$0.00	\$169,150.10	\$169,150.10	20%
Non Union Includes Human Rights litigation	\$0.00	\$100,103.75	\$100,103.75	12%
TOTAL	\$141,548.22	\$713,387.94	\$854,936.16	100%

*

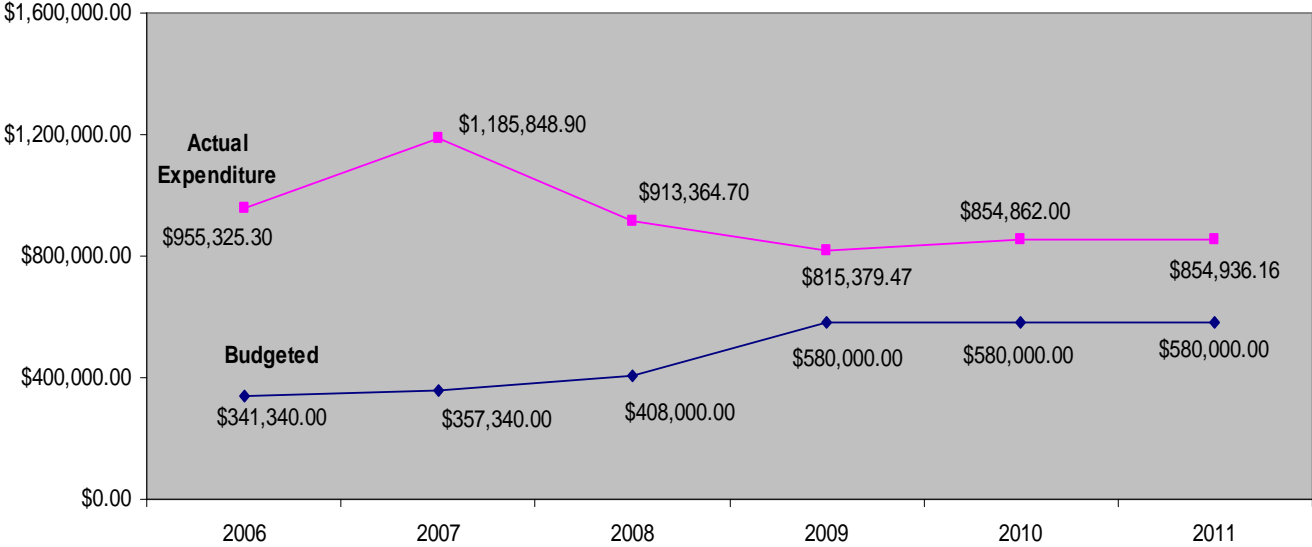
Total Arbitration & Mediation Costs 2006-2011



Total Legal Costs 2006-2011



Total Legal, Arbitration & Mediation Costs 2006-2011



Summary of 2011 Arbitration Awards and Financial Implications

Union	Grievance/Mediation Activity	Comments
ATU 107	Statutory Pay	This case provided for much needed clarity surrounding the matter of statutory pay within Transit operations. As a result of this Arbitration, all statutory pay provisions within the ATU group will be processed in a fair and consistent manner and in accordance with prevailing legislation.
ATU 107	Termination of Employment	This matter resolved a lengthy litigation regarding the termination of employment of an employee with complex medical issues. Pay-out for this employee was far less than the potential amount given the compromising exposures associated with the employee's medical circumstances, thereby avoiding both human rights litigation or possible reinstatement pay as high as 2 years' salary and benefits.
CUPE 5167	Interpretation of CA	In this matter, the Arbitrator's award allowed the City to reclaim its management's rights with respect to scheduling operations and avoided ongoing costs particularly within the Recreation division of Community Services Department.
CUPE 5167	Termination of Employment	In this case, the employee was terminated due to excess influence of alcohol while driving a City vehicle. Although the Arbitrator reinstated this employee, he did so without back pay and placed the employee on a precedent setting 5 year "last chance agreement." Despite what is considered to be an inappropriate ruling from the Arbitrator, the City takes solace in knowing that it took responsible and appropriate action in response to this circumstance.
CUPE 5167	Wages (Training & Overtime)	While the outcome for this case resulted in the City having to pay the grievor 6 hours pay for attendance at Classroom Education Training (CET), the outstanding matter gained closure with respect to an understanding for circumstances under which attendance at future CET's is permitted.
CUPE 5167	Job Assignment	The settlement for this matter provided for much needed guidance on the transferability of an employee from one location to another. Although the City was directed to restrict such transfers, it nonetheless avoids confusion and costs in the future.
CUPE 5167	Termination of Employment	This case resulted in a mediated settlement that arguably avoided significant severance costs associated with this employee. The final resolve included the employee's resignation along with a relatively small pay-out with a full and final release.
CUPE 5167	Termination of Employment	This case involved significant and complicated medical circumstances to which the City agreed to provide the employee with Long Term Disability, under the management of the City's carrier.

Union	Grievance/Mediation Activity	Comments
CUPE 5167	Termination of Employment	This employee was terminated for alleged theft in the workplace. Given the lengthy service and complicated circumstances, a severance payment was provided by the City. This severance payment was far less than potentially required under prevailing law. It also eliminated the City's potential exposure for employee reinstatement. More importantly, the City was able to preserve its position of intolerance regarding such behaviours in the workplace.
OPSEU 256	Work of Bargaining Unit	This matter was withdrawn by the union prior to the commencement of the Arbitration hearing. In this case, it was determined that the City indeed acted in good faith in its efforts to accommodate the employee. More importantly, the City demonstrated precedence for future potential action through its due diligence and responsible action taken as it applies to similar matters going forward.
OPSEU 256	Union Representation (Caucus)	In this case, the City successfully argued that union committee members do not get compensated for time attending meetings outside of the collective bargaining process. Consequently, the City avoided significant costs associated with attendance at meetings for collective bargaining when parties are not "at the table."
OPSEU 256	Income Protection (Doctor's Apps)	The City successfully argued that the Paramedics are not entitled to a guaranteed 5 hours absence from work for attendance at doctor appointments. This ruling resulted in significant costs savings with the Emergency Services Division.
OPSEU 256	Accommodation	In this case, the employee required accommodation once income protection was exhausted. Given the cost of further litigation, the cost associated with ongoing duty to accommodate, the cost of additional testing and training and the likelihood of failure to accommodate given restrictions, the City paid the employee an amount considered to be far lesser than potential required as a result of termination of employment.
OPSEU 256	Harassment	In this case, a small financial award was issued to an employee allegedly having been a victim to harassing behaviours. In order to avoid costly litigation and arguably challenging testimonies, the small award was issued, preserving good labour relations within divisions.
OPSEU 256	Overtime	In this case, the City successfully defended its position regarding payment for overtime hours worked. As a result, no monies was paid out, and the City preserved its payment process with respect to overtime provisions.
ONA PH	Accommodation	In this case, the matter was dismissed by the Arbitrator, stating that the grievance had been presented prematurely. The final resolve included small damages for the employee as well as prescribed process for the accommodation of employees.