



BULLETIN

TRANSPORTATION DISTRICT 140
DISTRICT DES TRANSPORTS 140

International Association of Machinists and Aerospace Workers
Association internationale des machinistes et des travailleurs et travailleuses de l'aérospatiale

TO ALL MEMBERS OF THE IAMAW WORKING FOR AIR CANADA / TMOS

Where's My Money? – Part II

Dear Sisters and Brothers:

As many of you are aware by now, the Union has had to resort to taking the issue to arbitration because Air Canada has been unable to pay you the monies you are due from the final offer arbitration. Arbitrator Picher released his decision on June 17, 2012. Though he chose the employer's submission, the employer now says it cannot administer what it had proposed during the arbitration.

After what would normally be considered a "reasonable" amount of time, I contacted everyone, from the Senior Vice-President of Employee Relations, Kevin Howlett, right down to the Labour Relations representatives to inquire why our members had not received what they are entitled to.

As usual, we got the same old song and dance: "It's a huge undertaking. Due to a large number of changes and the amount of people we are dealing with, it could not be done any quicker." To make the required changes, approximately 8000 individual computer entries will have to be done.

Arbitrator Teplitsky's decision of August 3, 2012, indicates that the Picher award does not provide specific dates for implementation. "Accordingly, he writes, "one must imply a term in this respect. The appropriate term is payment as soon as reasonably practicable."

While to some people "reasonably practicable" may seem like the "appropriate term", the Union does not agree. It never works the other way when there are mistakes made on our pay cheques or when a mistake results in an overpayment. The usual procedure is that the money is removed from the cheque by the next pay period.

Mr. Teplitsky's decision is quite clear: Air Canada proposed to make the retroactive and lump sum payments by the end of August. As long as they meet that deadline, he considers that they have met the test of "reasonably practicable."

The Union's position is the following: If they do not meet the timelines as proposed, not only do they owe you interest on the monies but they should be subjected to a fine for each day they are late in doing so. What's good for the goose is good for the gander!

As usual, it is our advice that you follow the SOPs, work safely and think about what is a "reasonably practicable" approach to your job on an everyday basis.

In solidarity,

Chuck Atkinson
President and Directing General Chairperson

CA/mcb

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