
2004 BUDGET BRIEFING NOTE

2004 Public Health Operating Budget Animal Services Salary Arbitration Settlement

Issue/Background:

In April 2001, a policy grievance was initiated by CUPE Local 416 (L416) challenging a group of job postings for Animal Care and Control Officers (ACCOs) dated March 15, 2001. At the time of the postings, L416 and the City were governed by their first collective agreement. Wage harmonization had still not been addressed.

On April 3, 2002, Arbitrator M.G. Mitchnick, made an award related to the arbitration between the City and L416 regarding wage harmonization. In his ruling regarding ACCOs he harmonized the overall annualized salary rates but did not harmonize the hours of work per week. This meant that for the same annual salary some ACCOs continued working a 35-hour workweek; the remainder worked a 40-hour workweek, while performing the same range of duties. Thus the ACCOs were being paid different hourly wage rates while working side by side performing the same job. The award was retroactive to July 1, 2001.

The April 2001 ACCO related policy grievance (AC-01-66) was commenced as a 'rights' arbitration in 2003. The issues were complex and at the heart of the dispute was the workweek differential amongst the ACCOs working in the newly amalgamated City. The City and L416 agreed to a section 50 mediation-arbitration giving Arbitrator D. Randall the power to determine both hours of work and pay of the ACCOs. Both the City and the union presented a number of issues.

Having heard the submissions of the City and L416, D. Randall ordered the harmonization of the hours of work to a 40-hour workweek and a midpoint compromise on the hourly pay for the ACCOs effective October 1, 2003. The award was made without prejudice to and does not affect the upcoming job evaluation process.

Key Point(s):

The end result of the Randall arbitration order means an over all base increase of \$232,400 to the 2004 Public Health Operating Budget.

Date: February 18, 2004