



January 19, 2016

To: Regional Vice Presidents  
Branches and Facilities

### **Settlement of WG and EG ACC “counting” grievance**

In 2013, CATCA filed a grievance asking that the ATC premiums for Winnipeg ACC and Edmonton ACC be retroactively increased. Members at these centres filed complaints after discovering that NAV Canada’s new counting system (CAATS/FDE) was producing lower annual totals than the local ACC counts (using NFDPS and later CAATS).

The grievance went to arbitration, occupying five (5) full days of hearings between February and June 2015. More than once Arbitrator Picher indicated to the parties that such a complex, technical, and potentially far-reaching issue would be better settled by negotiation between the parties than by leaving the decision to him alone.

Both sides face serious risks depending on the outcome. Accordingly, while awaiting the decision, we entered talks and in September 2015 a settlement was reached. The key highlights are:

- Edmonton ACC and Winnipeg ACC saw their ATC premium level improved to Level 3 (EG) and Level 4 (WG), with compensation retroactive to January 1, 2014.
- Until such time as CATCA and NAV Canada mutually agree to a new definition of “movements”, the current system (CAATS/FDE) will be used, however, all seven (7) ACCs will either retain their current ATC premium level or be improved – they cannot change for the worse, even if movement counts decline.

Our analysis was that this settlement is significantly better than the most likely outcome had we left the decision to the arbitrator. The challenge now is to continue and conclude joint consultations to establish a method of determining ATC premium for ACCs which will function accurately.

Following the settlement, we conducted explanatory meetings with the members at both ACCs. We had intended to make the results public to all members shortly afterwards, but with the contract ratification tour, OSFI, and other pressing issues, we erred and failed to release the settlement announcement. We apologize for this late report to the membership.

On behalf of the Board of Directors;

Peter Duffey  
President

Doug Best  
Executive Vice President