



August 13, 2018

To: Regional Vice Presidents  
Branches & Facilities

### **Arbitration Decisions**

CATCA has recently received two (2) arbitration decisions for cases recently argued.

One arbitration concerned the denial of Care and Nurturing Leave (article 26.09) in Moncton ACC due to operational requirements. The grievance was denied, and the grievors were not granted their C&N leave. The [arbitration decision](#) is available on the CATCA website.

The second arbitration award concerned hours of work, and how they count towards CLC maximum hour totals. CATCA and NAV Canada had differing views on how hours should be applied and went to arbitration for clarification.

As a result of that arbitration, effective immediately, when a member is sent home on paid administrative leave, those hours **do not** count towards the CLC maximum hour totals. The hours that you are sent home on paid administrative leave are hours that can be available to work elsewhere in a 56-day period.

There are other issues around time-off-in-lieu of payment for overtime (TOIL) and how it applies to CLC maximum hour totals. The arbitration decision requires discussion between CATCA and NAV Canada on how it will be implemented. Those talks are scheduled to take place shortly. The arbitration decision states that no change to the application of TOIL and how it is counted under the CLC guidelines should occur before April 2019. Once CATCA has concluded its talks with NAV Canada about this arbitration decision, the full text of the arbitration and more detailed analysis will be provided to members.

In solidarity,

Peter Duffey  
President

Doug Best  
Executive Vice President

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