



August 29, 2018

To: Regional Vice Presidents
Branches & Facilities

Arbitration Decisions

This is a follow up to the B&F released August 13, 2018 on arbitration awards.

An award concerning hours of work, and how they count towards CLC maximum hour totals, has now been reviewed and discussed between CATCA and NAV Canada. The award can be read [here](#).

The issue of administrative leave was clear and the implementation of the award regarding admin leave was communicated in the August 13, 2018 B&F.

The remaining issue surrounded time-off-in-lieu of payment for overtime (TOIL) and how it applied to CLC maximum hour totals. CATCA and NAV Canada now agree that the award states that any TOIL taken reduces the hours worked by an individual, and the hours taken as TOIL leave can be worked elsewhere as overtime.

Previously, if any hours of TOIL were taken, the hours still counted towards CLC maximum hours of work. With this award, the hours no longer count.

- Example: if you have worked your maximum allowable hours of work in a 56-day period and are “maxed out,” and you take an 8-hour shift off using TOIL leave, the hours counting towards your maximum are reduced by 8 hours, and you can now work another 8 hours of overtime.

The award states CATCA and NAV Canada agreed in arbitration that the current practice would continue until March 31, 2019. Since the release of the award, CATCA informed NAV Canada that we want and would agree to, the new practice begin immediately. NAV Canada has declined that request and as a result, the change in how TOIL hours are applied will not commence until April 1, 2019.

In solidarity,

Peter Duffey
President

Doug Best
Executive Vice President