

Grievance Summary Report

Date: April 26, 2017

To: The Board of Governors of Exhibition Place

From: R. J. Reynolds, Director, Employee & Labour Relations

Wards: All

SUMMARY

This report provides a summary and analysis of grievance and arbitration activity for the twelve month period of January 1, 2016 to December 31, 2016. The 2016 grievance activity is also compared to the twelve month period of January 1, 2015 to December 31, 2015.

In the year of 2016 the total number of grievances filed by all bargaining units on Exhibition Place grounds was fifty-four (54). One (1) grievance was also filed by LiUNA Local 183 (Roads) in 2016 which is presently at the OLRB, making the total number of all grievances filed fifty-five (55). Of the 55 grievances filed, forty-seven (47) remain unresolved, thirty-two (32) of which are at arbitration or settlement discussions are ongoing. In 2015, the total number of grievances filed by all bargaining units was seventy-two (72).

RECOMMENDATIONS

It is recommended that:

1. The Board receive this report for information.

FINANCIAL IMPACT

There are no financial implications in relation to this report.

DECISION HISTORY

As a result of a request from the Board of Governors at its meeting of December 4, 2015, the City has prepared this grievance report to provide information for the Board. This submission covers the period of January 1, 2016 to December 31, 2016.

<https://www.explace.on.ca/about/board-of-governors/schedule-and-reports/2016-february>

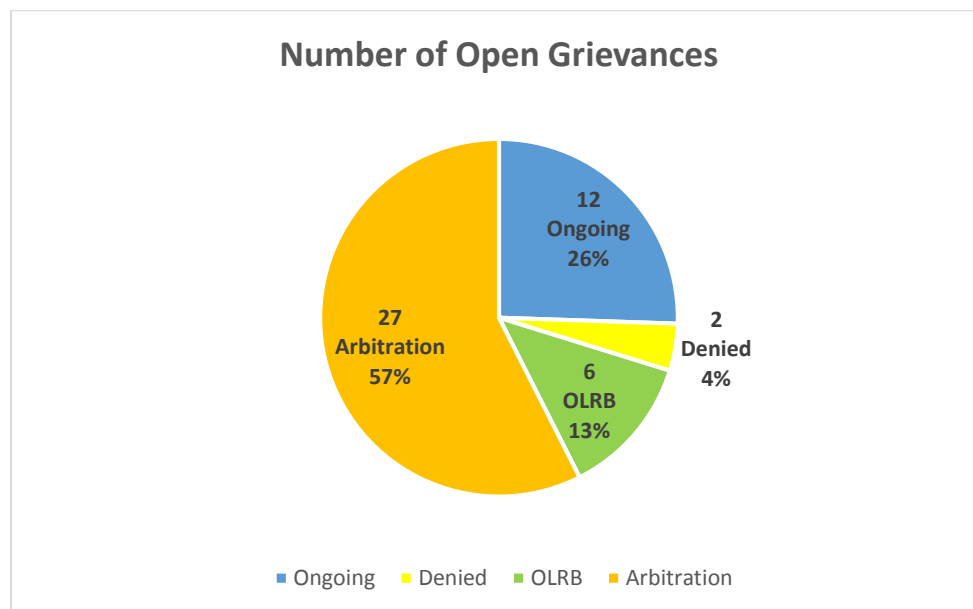
COMMENTS

Grievance Activity

There were fifty-five (55) new grievances filed during the period of January 1, 2016 to December 31, 2016; during the corresponding time frame in 2015, seventy-two (72) new grievances were filed. This represents a decrease of seventeen (17) new grievances filed in 2016.

There were thirty-three (33) grievances resolved, withdrawn, or adjourned during the period of January 1, 2016 to December 31, 2016, including grievances filed in prior years. The number of 2016 grievances that remain open is forty-seven (47), 85.4% of grievances filed. The chart below provides an overview of the status of the grievances filed.

Chart 1: Open Grievances by Status – as of December 31, 2016



Ongoing grievances include those where Exhibition Place requires information from the tenants or the Union, and those that are the subject of active settlement discussions.

Grievances by Union Affiliation

Exhibition Place has eight maintenance Collective Agreements to which it is bound on the grounds. Exhibition Place is also bound under the Provincial Industrial, Commercial, Institutional (ICI) Collective Agreements for Electrical, Carpentry, Labour, Painting, and Plumbing.

Chart 2: Grievance Ratio by Union Affiliation – January 1, 2016 to December 31, 2016

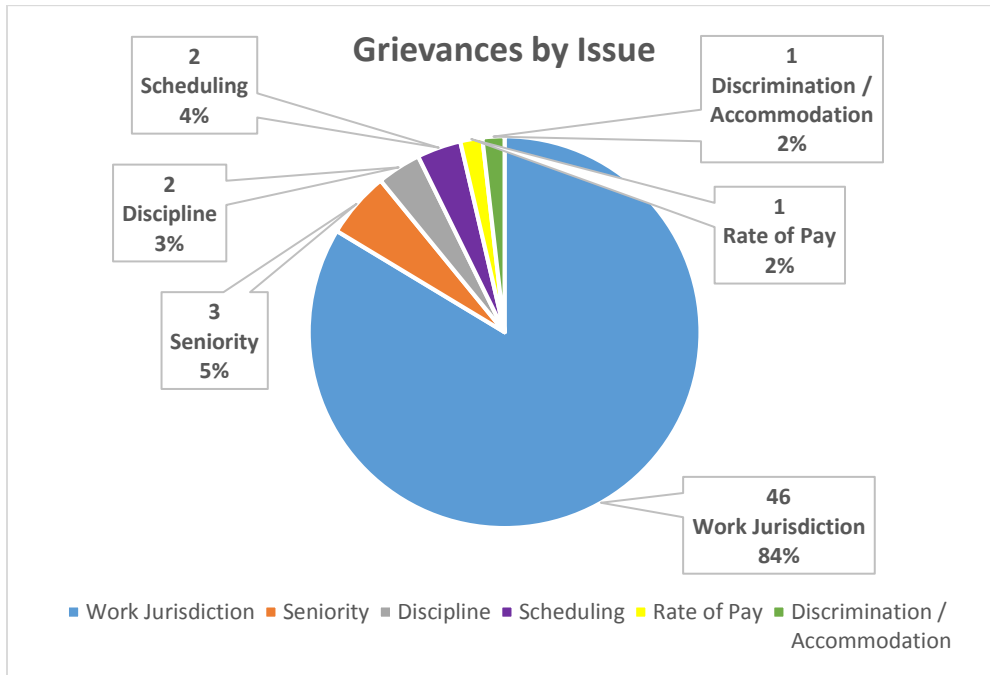
	Maintenance	ICI	Total
Carpenters	0	0	0
IATSE	11	N/A	11
Labourers	31	6	37
Security	1	N/A	1
Parking	4	N/A	4
Plumbing	0	1	1
Electrical	0	0	0
Painting	0	0	0
Other *	N/A	1	1
Total	47	8	55

*LiUNA Local 183 (Roads) filed one (1) grievance in 2016.

Most Common Grievance Issues

The most common grievances at Exhibition Place are related to assignment of work and work jurisdiction. In 2016, 16% of all grievances filed were related to seniority, discipline, scheduling, rate of pay and discrimination/accommodation.

Chart 2 - Most Common Grievance Issue - January 1, 2016 to December 31, 2016



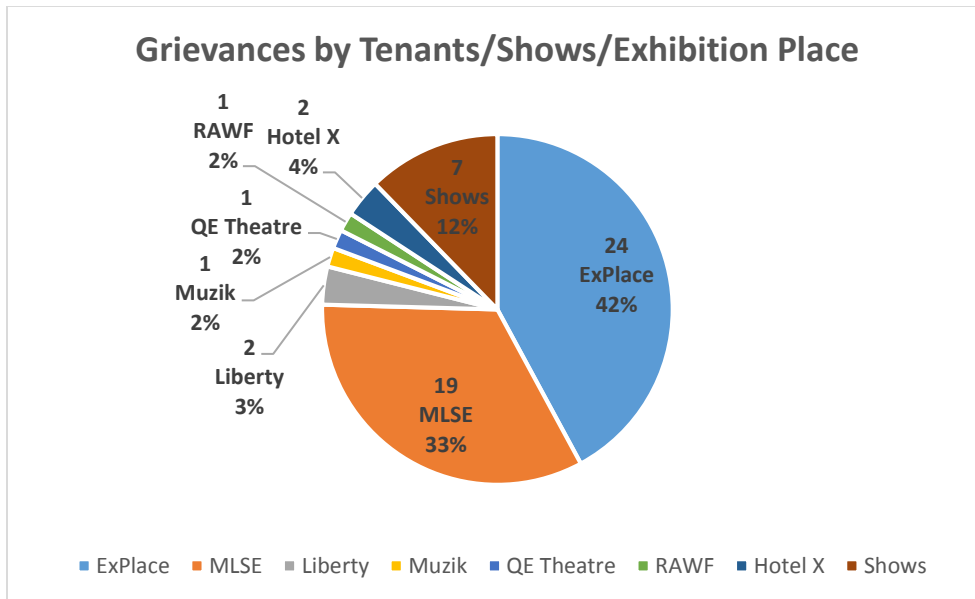
The jurisdictional issues arise out of the assignment of work and can be attributed to the trades Collective Agreements between Exhibition Place and its Unions. Work jurisdiction grievances are common in the construction industry and with construction oriented union locals. The value of a person's union membership and craft is strongly linked to the work opportunities available to that Union. As such, jurisdiction over work assignments is of critical importance to the Union(s) and their membership. With respect to the directly employed staff on the grounds, there is overlap of certain work tasks between the collective agreements and there are lots of work assignments that might reasonably be assigned to members of more than one union. With construction projects, work jurisdiction disputes are fairly common and will usually commence with a particular union putting in a grievance to claim the work, while employees from another union performed the work. There is plenty of room for reasonable disagreement between various unions, contractors, subcontractors and management of Exhibition Place as to which union is properly assigned a particular task.

Tenanted Space and Shows

All tenants have leases and agreements that obligate them to respect the provisions of the Collective Agreements of Exhibition Place. Tenants are clearly advised of their collective agreement obligations. As noted above, however, there can be room for reasonable disagreement about whether a particular task must be assigned to a particular union or not.

A significant portion of Exhibition Place's business involves the booking of shows and exhibitions. These clients are advised of the Collective Agreement obligations however, when show managers change or shows are new to the grounds, incorrect assignments of work may occur. As noted above, there is also room for reasonable disagreement about whether a particular task must be assigned to member of a particular union or not.

Chart 3 – Grievances Filed by Unions With Regards to Exhibition Place, Tenants and Show Activities - January 1, 2016 to December 31, 2016



CONTACT

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SIGNATURE

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