



# Toronto Civic Employees' Union, Local 416

110 Laird Drive  
Toronto, ON M4G 3V3

Tel: 416-968-7721 Fax: 416-968-7829  
www.local416.org

## LOCAL 416

Affiliated with CUPE,  
Canadian Labour Congress

MARK FERGUSON  
*President*

DAVE HEWITT  
*Vice-President*

DARIN JACKSON  
*Secretary-Treasurer*

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*Chief of Stewards*

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*Outside Division Chair*

COLIN MACDONALD  
*Committee & Grievance  
Coordinator*

JIM INNES  
*Recording Secretary*

### IMPORTANT MESSAGE TO ALL LOCAL 416 MEMBERS IN THE OUTSIDE DIVISION

July 23, 2010

In early June of 2010, the Facilities Branch, within the Parks, Forestry & Recreation Division, advised Toronto Civic Employees' Union, Local 416 that they were going to proceed with the deletion of numerous APO2 positions, and transfer those permanent employees to various work locations within the same APO2 classification.

Local 416 President, Brother Mark Ferguson, immediately informed the employer that any such movement of permanent employees would be a violation of our collective agreement, Article 28, (Redeployment) and our members were to be afforded their collective agreement rights. Your Union advised the employer that any permanent employee who has their base position deleted is entitled to exercise collective agreement rights within Article 28, and that the employer cannot circumvent the collective agreement by unilaterally transferring individuals into positions they deem appropriate. The employer disagreed with the Union's position.

On June 29<sup>th</sup>, Local 416 proceeded to expedited Arbitration on the matter as to whether the employer can delete permanent positions and transfer individuals from those positions and deny the use of Redeployment Rights.

The Arbitrator ruled in favour of the Union and determined that the process outlined in Article 28 of the collective agreement should have been followed.

This decision is very important to you and your Union, as it ensures that the integrity of the redeployment process within our collective agreement is recognized.

Most recently, the Union has been advised by the employer that they intend to go back to the same Arbitrator to advance a legal argument that they can transfer permanent employees whose positions have been deleted while they go through the Redeployment process. This is nothing more than a continued attempt by the employer to attack and diminish your collective agreement rights, the very same collective agreement rights that the employer attempted to strip away during a 39-day work strike. There is no provision under the redeployment process that enables the employer to transfer employees prior to the completion of the redeployment process.

Be assured that Local 416 will utilize all of its resources and mechanisms available to defend our collective agreement rights to ensure that your hard fought gains achieved through previous rounds of negotiations are maintained.

In solidarity,

Dave Hewitt  
Vice President  
Toronto Civic Employees'  
Union – Local 416