

## Summary of Arbitrator Flynn's Decision on RSMC Pay Equity

In her 176 page decision, Arbitrator Flynn accepted the “derived hourly rate” methodology proposed by CUPW and rejected the point of call approach proposed by Canada Post Corporation.

She stated: *“the Tribunal comes to the conclusion that the Corporation’s methodology must be rejected. It is not reasonably accurate nor is it reliable. Rather, it is fundamentally flawed and , consequently, produces so-called compensation results that do not correspond to the employees’ respective realities in light of all the evidence that was adduced in this case.”*

Due to the complexity of the case, Arbitrator Flynn has referred the decision on the amount of compensation back to the parties. She has given the parties until August 31, 2018 to come to an agreement or she will decide.

Her report states the following:

**Wages:** She agrees to use the Route Management System (RMS) to determine the “derived hourly job rate”. She has not set the amount of compensation but has referred this back to the parties. She agrees that variables (personal contact items and lock changes) should be included in both in the assessment of direct wages and in the evaluation of the pension benefits.

**Variables (lock changes and PCIs):** She states there should be *“ an adjustment to RMS hours to reflect the time required to complete them....”*

**Pension status of Personal Contact Items and Lock Changes:** She states: *“if the parties cannot agree on a time value for PCIs and lock changes, or another way to remunerate them other than variable pay compatible with the Pension Plan provisions, or obtain the necessary permission, the Tribunal will have the power to amend the collective agreement accordingly. Otherwise, the objective of the Act could not be attained, and discrimination would be allowed to flourish, which is incompatible with a broad and liberal interpretation of the legislation. “*

**Post-Retirement Benefits:** Eligibility to start January 1, 2016.

**Vehicle Expenses:** Flynn agrees with the union that vehicle expenses are not included as RSMC compensation.

**Paid Meal Period and Rest Periods:** She rejects the union position that, for the purpose of comparison, letter carrier wages should be adjusted to reflect the paid meal period and rest periods.

**Life Insurance and Death Benefit, Retiree Dental and Other Health Related Benefits for Retirees, Disability Insurance, Vacation Leave, Marriage, Birth, Adoption and Special Leave, Pre-retirement Leave, BC Provincial Health Care Premium, Displacement Lump Sum, and Isolated Post Allowance:** She refers these issues to the parties.

**Glove Allowance:** Integrate the glove allowance (\$20.00) into RSMC compensation.

**Care and Nurturing Leave and Sick Leave Without Pay:** She rejects the union's position.

**Injury on Duty Leave:** She rejects the union's position.

**New Route Measurement System:** She says she does not have jurisdiction to award this.

In Solidarity,

Members of the Pay Equity Committee:



Cathy Kennedy



Nancy Beauchamp



Barb McMillan