

RSMC OVERTIME PAYMENT IMPORTANT UPDATE

Following many discussions with Canada Post representatives and after reviewing the arbitration decision, in great detail, some clarifications to the June 18, 2020 Bulletin (#152) are required.

Arbitrator MacPherson's award only covers hours worked in excess of 40 hours a week. It also includes a trigger to have access to overtime payment.

The Union's Interpretation of this New Language

All hours worked by RSMCs and Permanent Relief Employees (PRE) and On-Call Relief Employees (OCRE) beyond forty (40) hours per week, will be paid at 1.5 times your derived hourly rate, regardless of the time value listed on the Schedule A, once the trigger is initiated.

The condition to get access to these payments starts with the route holder working over an average of 40 hours during any two (2) consecutive weeks. Then, until the Corporation has reduced the average workweek to an average of forty hours, any employee working on the route is entitled to additional payment for the difference between the actual number of hours worked and 40 hours.

How do I get paid?

1. You must RECORD the number of hours WORKED EVERY DAY.
2. If you are the route holder, you must NOTIFY the Corporation that you have WORKED an average of more than 40 hours per week over a period of two (2) CONSECUTIVE weeks. This is the trigger to start the access to overtime payments.

When such an overtime situation occurs, Canada Post must pay the route holder the overtime for all the hours worked over 40 hours for each of these two weeks and then it has three (3) options:

- Do nothing and continue paying the overtime worked on the route, by any employee, for every week that follows when they worked over 40 hours, or

- Restructure to reduce the route (RMS hours) in order to bring the average workweek to an average of forty (40) hours, or
- Where practicable, provide assistance to perform the work beyond an average of forty (40) hours per week.

*Note that the salary of the employee providing the assistance will be paid by the Corporation and will not be deducted from your salary. Your salary will remain the same until your route is reduced.

Will I get paid for ALL the hours I work?

Once the trigger is initiated, and if Canada Post has not taken any of the actions above, the Corporation shall pay every employee working on the route the difference between the actual number of hours over 40, worked by the employee each week and 40 hours, at the appropriate derived hourly rate multiplied by 1.5.

Example: Your Schedule A lists your route at 36 hours per week. You worked 50 hours in the first week and 37 hours in the second week. You will be paid for ten (10) hours WORKED at time and a half (1.5) for the first week. In the first week, the four (4) hours worked between hours 36 and 40 remain unpaid. In the second week, the one hour between 36 and 37 hours will also remain unpaid.

If an employee works more than 40 hours in any week after these two (2) weeks, and if Canada Post did not take any of the above actions to reduce the work week to an average of 40 hours, they will get paid for all the hours worked above 40 hours. Based on the arbitrator's decision, an employee will not get paid for the hours between the route's RMS hours, 36 in this example, and 40 hours.

The arbitrator's award is legally binding and the changes are effective as of June 11, 2020. You should carefully record your hours worked to assert your right to be paid for hours worked beyond forty (40) hours. We are continuing to consult with Canada Post to determine the process for recording hours worked. We will provide this information as soon as it becomes available.

We will return to bargaining soon and continue to demand that all hours worked be paid at the appropriate rate. We will not remain silent in the face of injustice.

In Solidarity,



Carl Girouard
National Grievance Officer

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