

**Canadian Union of Public Employees,
Air Canada Component**

Grievance Form



GRIEVANCE NUMBER: CHQ-22-19 (POLICY)

SUBJECT: Recovery of Overpayments (CLC, section 254.1)

DEPARTMENT: Mr. Giuseppe Morello, Director, Air Canada Labour Relations - IFS

NATURE OF THE GRIEVANCE:

I/We, the undersigned claim that Air Canada violated the Collective Agreement, including articles 3, 5, 21.01, all relevant provisions of the Collective Agreement, the Canada Labour Code section 254.1, and any other relevant legislation, act, or statute. Specifically, Air Canada has been inappropriately clawing back overpayments in a manner that includes and is not limited to the following: i. before advising members in writing that an overpayment was made, ii. by not providing an explanation, relevant calculations, and breakdown, and iii. clawing back wages at a rate higher than what the wages were initially paid at.

SETTLEMENT REQUESTED:

1. Air Canada abide by the Collective Agreement;
2. A declaration that Air Canada has violated the Collective Agreement and the Canada Labour Code section 254.1 by inappropriately clawing back overpayments including and not limited to the manner described above;
3. Cease and desist all identified violations;
4. Make all affected members whole;
5. Pay damages to all affected members;
6. Pay damages to the Union;
7. Provide for any other redress deemed appropriate.

We request a hearing within the contractual time limits and that the Company provide all documentation relied upon in this matter.

Signature of Employee(s) or Union Officer

Name of Union Officer Originating Grievance: Wesley Lesosky, President, Air Canada Component of CUPE

Date: March 11, 2022