

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

Grievance Form



GRIEVANCE NUMBER: CHQ-24-18 (POLICY)

SUBJECT: *Canada Labour Code* Paid Medical Leave (section 239)

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

NATURE OF THE GRIEVANCE:

The Union claims that Air Canada violated the *Canada Labour Code* and is filing a Policy Grievance. Specifically, Air Canada's practice of not paying a member who is unable to work on a regular day off (RDO) due to medical reasons while deducting sick days from their sick day bank violates the *Canada Labour Code* requirement to provide ten paid sick days per year.

We submit this grievance under articles 3, 5, 9, 13, 24, and LOU14 of the Collective Agreement; section 239 of the *Canada Labour Code*; the *Canadian Human Rights Act (CHRA)*; and any related articles, acts, or statutes, and all other pertinent sections of the Collective Agreement.

SETTLEMENT REQUESTED:

- 1) Air Canada abide by the *Canada Labour Code* by paying members who are unable to work on RDOs due to medical reasons;
- 2) Cease and desist not paying members on RDOs due to medical reasons;
- 3) Air Canada pay affected members who are unable to work on RDOs due to medical reasons in accordance with section 17(a) of the *Canada Labour Standards Regulations*;
- 4) Make all affected employees whole including damages to individual members;
- 5) Provide damages to the Union; and
- 6) Any other relief deemed appropriate by the Arbitrator.

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 22, 2024