

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

Grievance Form



GRIEVANCE NUMBER: CHQ-24-32 (POLICY)

SUBJECT: Special Assignments and Statutory Holiday Entitlements (Articles 8.03, L5)

DEPARTMENT: 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, 8, 21.01, L5, all relevant provisions of the Collective Agreement, *the Canada Labour Code*, and any other relevant legislation, act, or statute. Specifically, Air Canada has been determining the entitlement to statutory holidays of those on special assignment based on an incorrect application of the collective agreement. Air Canada is stating that members on special assignment are considered to be “off the payroll” and allegedly disentitled to statutory holidays, contrary to the Collective Agreement and the *Canada Labour Code*. Furthermore, Air Canada is improperly clawing back what they believe to be overpaid statutory holidays.

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* by not providing the required statutory holiday entitlements to those on special assignment and clawing back alleged overpayments of statutory holidays that members are actually entitled to;
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

A handwritten signature in black ink, appearing to read "Wesley Lesosky".

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

Date: April 11, 2024