

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

**Grievance Form**



**GRIEVANCE NUMBER: CHQ-24-34 (POLICY)**

**SUBJECT: Recovery of Overpayments and Errors (CLC, section 254.1)**

**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, 5, 5.14.03, 21.01, L26, 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 incorrectly and inappropriately clawing back overpayments in a manner that includes and is not limited to the following: i. incorrectly calculating that an overpayment was made, ii. before advising members in writing that an overpayment was made, iii. by not providing an explanation, relevant calculations, and breakdown of the alleged overpayment, iv. by not providing timely responses to members, and v. by not correcting and reimbursing incorrectly captured claw backs in a timely fashion.

**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*, including but not limited to 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, including retroactive payment with interest;
5. Pay damages to all affected members;
6. Pay damages to the Union;
7. Hire sufficient staff to properly and accurately address pay issues and required payments;
8. 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 be "Wesley Lesosky".

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

Date: April 11, 2024