

IN THE MATTER OF AN ARBITRATION

BETWEEN

**PARTICIPATING HOSPITALS**  
("the Hospitals" / "the Employers")

**LAKERIDGE HEALTHCARE CORPORATION**  
("The Hospital" / "The Employer")

- AND -

**ONTARIO PUBLIC SERVICE EMPLOYEES UNION**  
**ONTARIO PUBLIC SERVICE EMPLOYEES UNION, LOCAL 348**  
("the Union")

CONCERNING LOCAL ISSUES UNDER THE *HOSPITAL LABOUR DISPUTES*  
*ARBITRATION ACT* FOR COLLECTIVE AGREEMENTS FOR THE PERIOD  
MARCH 31, 2006 TO APRIL 1, 2009

BOARD OF ARBITRATION :

Christopher Albertyn – Chair  
Angelo Pesce – Hospitals' Nominee  
J. Cameron Nelson – Union Nominee

APPEARANCES

For the Union:

Michèle Dawson Haber, Research Officer  
Barry Casey, Staff Representative  
Leslie Sanders, Local President  
Lisa Madden  
Julie Miller

Larry King

For the Hospital:

Shane Smith, Counsel

John Harris, Manager Labour Relations

Mike Smith, Manager, Laboratory

Hearing held on July 12, 2007.

Written submissions thereafter.

Executive sessions held on July 12, 2007, August 27, 2007 and November 28, 2007.

Award issued on December 6, 2007.

**AWARD**

1. This is an interest arbitration under the *Hospital Labour Disputes Arbitration Act*, in respect of a collective agreement effective from March 31, 2006 to April 1, 2009.
  
2. The parties bargain centrally. The parties agree which issues are to be determined centrally. Those issues that are not agreed to be determined centrally are dealt with in local negotiations. The issues negotiated locally, which are not resolved, are the subject of this award for the hospitals and local unions referred to herein.
  
3. We issued an award between the Hospital and the Union on October 1, 2007. We referred back to the parties the uniform allowance issue.
  
4. The parties have been unable to resolve the issue and they have filed additional written submissions and requested that we determine the matter.
  
5. We determine the uniform / hoovers issue as follows. The existing

provision guarantees the issuance of three hooovers to bargaining unit members, subject to certain conditions. Hoovers are no longer contemporary clothing. They are also garments which were worn by women only, at a time when women predominated in the occupations covered by the collective agreement. The provision needs updating, in a manner which is non-discriminatory and applies equally to male and female employees. The current equivalent garment is a scrub. The cost, though, of a scrub is approximately three times that of a hoover. We therefore revoke the hoover provision (Article J.03) and delete it from the collective agreement. In its place we substitute the following:

#### J.03 Uniforms

The Hospital will provide to each bargaining unit member an annual uniform allowance of \$75 for the purchase of scrubs. This amount shall be prorated for part-time employees. Lab coats will be supplied by the Hospital, where required, to be worn over clothing. It is understood that the lab coats remain the property of the Hospital and will be laundered by the Hospital.

6. We remain seized with respect to the implementation of this award.

DATED at TORONTO on December 6, 2007.



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Christopher J. Albertyn  
Chair: board of arbitration

I concur.

“Angelo Pesce”

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Angelo Pesce  
Hospitals’ Nominee

I concur.

“J. Cameron Nelson”

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J. Cameron Nelson  
Union Nominee