

**OPSEU Local 560**  
**Your Seneca College**  
**Faculty Union**

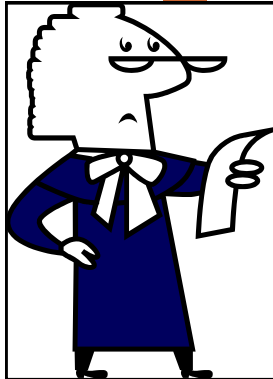
April 4, 2012

Contact your union at:

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or

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THE LOCAL

EXPRESS

**2006 Return-to-Work Overtime Grievance:  
Stall, Stall and Stall**

After the strike in March 2006, faculty were required to come up with semester-completion strategies for their students. In many cases, this required changes to lesson material, assignments, even exams. As a result, the weeks after the strike played out quite differently for us than simply going back to class.

One of the items negotiated upon conclusion of the strike was a Return-to-Work Protocol that became part of the Collective Agreement. It provided for any issues arising out of our return to work to be sent to an Arbitration panel.

The arbitration award in the matter of the 2006 return-to-work protocol has finally been handed down (the Shime Award).

In short, the arbitration board made decisions on four cases of the nearly 1,200 claims and used those to set out some principles for determining the rest. Two claims were upheld, two denied.

The union contacted the employer to move forward. The employer has replied that they are seeking to have the award overturned by Judicial Review. Accordingly, we cannot yet resolve any of the claims. We don't know the basis for the Judicial Review and will know only once the colleges file their case. We will continue to press forward and will respond vigorously to the Judicial Review. We will keep you updated as the matter proceeds.

The only conclusion seems to be that the Colleges would prefer to pay lawyers than pay overtime earned by faculty.