

IN THE MATTER OF AN ARBITRATION UNDER THE
LABOUR RELATIONS CODE, RSBC 1996, C. 44

Between

Sobeys West Inc. (Safeway Operations)
(the "Employer")

-and-

UNITED FOOD AND COMMERCIAL WORKERS, LOCAL 1518
(the "Union")

(Job Postings Grievance No. 17-0678)

ARBITRATOR:	Sylvia Skratek
COUNSEL:	James D. Kondopulos for the Employer Chris Buchanan for the Union
AWARD:	November 24, 2017

AWARD

WHEREAS:

- A. I was appointed by the Employer and the Union to arbitrate the following grievance advanced to arbitration by the Union: Job Postings Grievance No. 17-0678 (the "Grievance"); and
- B. The Employer and the Union agree that I am properly constituted as an arbitration board and have the jurisdiction and authority to make any necessary decision, order, direction or award in respect of the Grievance,

NOW THEREFORE the following Award is made pursuant to the *Labour Relations Code*, RSBC 1996, c. 44 by consent of the Employer and the Union:

- 1. It is declared that the Employer did not follow section 8.10 of the collective agreement;
- 2. It is hereby ordered:
 - a. For any full time job posting subject to the Grievance that the Employer did not make available to all the stores across the relevant geographical area, the Employer will re-post the job posting (and any subsequent backfill posting) to the entire geographical area; and
 - b. The Employer will make whole any employees affected by an earlier job posting that has to be re-posted.
- 3. I will remain seized if the parties are unable to agree upon the compensation, if any, arising from paragraph 2(b) above; and
- 4. I will remain seized with respect to the interpretation, application and implementation of this Award.

DATED AND EFFECTIVE at Vancouver, British Columbia, this 24th day of November, 2017.

Sylvia P. Skratek

Sylvia Skratek
Arbitrator