

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")

(Store Closure Grievances)

ARBITRATOR: Ken Saunders
COUNSEL: James D. Kondopulos for the Employer
Chris Buchanan for the Union
AWARD: November 20, 2017

AWARD

WHEREAS:

- A. I was appointed by the Employer and the Union to arbitrate the following grievances advanced to arbitration by the Union:
- Davie Street (English Bay) grievance nos. 17-0503, 17-0504, 17-0505, 17-0506 and 17-0507; and
- Austin Road grievance no. 17-0647
- (collectively, the "Grievances"); 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 Grievances,

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 8.07 of the collective agreement;
2. It is hereby ordered:
 - a. At the earliest reasonable opportunity, and no later than 21 days after the date of this Award, the Employer will re-do the bumping and layoff caused by the English Bay Safeway store closure and then it will re-do the bumping and layoff caused by the Austin Road Safeway store closure; and
 - b. The Employer will make whole any employees affected by the earlier bumping and layoff that occurred.
3. I will remain seized if the parties are unable to agree upon the compensation, if any, arising from 2(b) above;
4. I will remain seized with respect to the interpretation, application and implementation of this Award.

DATED AND EFFECTIVE at Vancouver, British Columbia, this 20th day of November, 2017.



Ken Saunders
Arbitrator