

IN THE MATTER OF AN ARBITRATION

BETWEEN:

**ONTARIO SHEET METAL WORKERS' AND ROOFERS' CONFERENCE OF THE SHEET METAL
WORKERS' INTERNATIONAL ASSOCIATION**

and

**THE LABOUR RELATIONS SECTION OF THE ONTARIO INDUSTRIAL ROOF CONTRACTORS
SECTION**

Contributions pursuant to Section 25 of the *WSIA*

Before: Jesse M. Nyman
Sole Arbitrator

Appearances

For the Union: Ron Lebi – Counsel
Eric Comartin
Tim Fenton
Robert MacDougall
Arthur White

For the Employer: David M. Chondon – Counsel
Brandon Loehle – Student-at-Law
Don Marks
Rob Kucher
Mark Agius
Jay Rider

This dispute proceeded to a hearing in Toronto, Ontario on August 1, 2019.

1. The Ontario Sheet Metal Workers' and Roofers' Conference of the Sheet Metal Workers International Association (the "Sheet Metal Workers") and the Labour Relations Section of the Ontario Industrial Roofing Contractors Association (the "OIRCA") are parties to a provincial collective agreement.
2. The issue referred to me concerns the contributions to be made on account of certain obligations pursuant to Section 25 of the *Workplace Safety and Insurance Act, 1997*, S.O. 1997, c. 16, Schedule A as amended under the current provincial collective agreement (May 1, 2019 to April 30, 2022) and in particular the impact

on the increase in wages that had been negotiated in the most recent round of bargaining.

3. At the commencement of the hearing the parties agreed to my suggestion to proceed by way of mediation-arbitration pursuant to section 50 of the *Labour Relations Act, 1995*, S.O. 1995, c.1 Schedule A as amended. The parties were unable to reach a mediated resolution and were provided with the opportunity to make their submissions and present their evidence.
4. Having carefully considered the evidence presented, the submissions made to me and the applicable legal principles I ordered that the fair and just resolution of this matter requires the further contribution to the Total Package on account of future contributions to WSIB Bill 162 Contributions to be as follows:

\$0.10 per hour effective May 1, 2019 to April 30, 2020;

This amount will be reduced to

\$0.08 per hour effective May 1, 2020 to April 30, 2021;

A further reduction will be made to

\$0.07 per hour effective May 1, 2021.

All retroactivity payments back to May 1, 2019 are to be made by lump sum payment as soon as reasonably possible.

5. I am seized of any issues arising out of the implementation of this award.

DATED at Toronto this 2nd day of August, 2019.

Jesse Nyman
Sole Arbitrator