

**MEMORANDUM OF AGREEMENT
REGARDING OXP AND OVERTIME**

B E T W E E N :

BELL TECHNICAL SOLUTIONS

(the "BTS")

- and -

UNIFOR

(the "Union")

WHEREAS article 6.02 of the collective agreement provides for time off for other union business, and includes a provision whereby the employee will continue to receive his basic rate of pay, but any amount so paid is to be deducted from union dues;

AND WHEREAS the aforementioned time is coded by the Company as OXP for the purposes of its SAP system;

AND WHEREAS article 17 of the collective agreement provides for payment at an overtime rate of pay in certain circumstances;

AND WHEREAS a number of grievances have been filed in relation to the issues of OXP being paid to employees and deducted from union dues at an overtime rate of pay, some of which have been referred to arbitrator Keller;

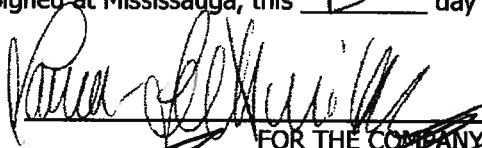
AND WHEREAS the parties wish to clarify the administration of OXP, and resolve all outstanding grievances;

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1. BTS agrees to start working on updating its SAP systems so that OXP will only be billed to local unions at the applicable straight time basic rate of pay.

2. While the update is underway, BTS agrees to bill OXP to the Union at the applicable straight time basic rate of pay.
3. BTS agrees that the update to its SAP systems will seek to have all hours worked outside of the employees basic work schedule on all other codes to be accounted as overtime on the day they are worked.
4. All OXP that is scheduled in advance or on Due Date as part of the employees regular work week, shall be paid at the applicable straight time basic rate of pay. It is specifically understood that OXP shall be taken from the employees' regular scheduled hours.
5. OXP scheduled outside of the regular workweek shall be administered by the local union as an internal union matter.
6. The Company shall reimburse local 44 of the Union an amount of \$600 and the parties hereby agree and declare that grievances 14-01 McNaughton-Taylor (BTS) grievances 44-2013-140,160, 161, 162, 163, 165 are to be considered resolved.
7. The Union agrees that this Memorandum of Agreement fully and finally settles grievances 14-01 McNaughton-Taylor (BTS) grievances 44-2013-140,160, 161, 162, 163, 165, and BTS-ON-15-441 to which shall not be refiled.
8. The parties agree to sign this Memorandum of Settlement fully and finally without any admission of responsibility or of wrongdoing.

Signed at Mississauga, this 13th day of October, 2017



FOR THE COMPANY Date Oct 13/17.

Per: 

FOR THE UNION Date Oct. 13 / 17.

EXAMPLE 1

Steward works Monday to Friday 8 am to 5 pm each day.

On Saturday he performs "other union business": from 9 am to 3 pm – 6 hours.

He will record his time as 6 hours OXP, and will be paid by the company for 6 hours pay at his straight time regular rate of pay. The company will deduct the amount paid from the union dues.

He will be paid 46 hours pay at his straight time regular rate of pay.

The payment of any overtime will be administered by the local union.

EXAMPLE 2

Steward claims OXP for Monday, 8 am to 5 pm – 8 hours.

Steward works Tuesday to Friday, 8 am to 5pm.

Steward is offered and accepts or is scheduled additional hours on Saturday from 8am to 5pm.

He will record his time as 8 hours OXP, and will be paid by the company for 8 hours pay at his straight time regular rate of pay. The company will deduct the amount paid from the union dues.

He will be paid 40 hours pay at his straight time regular rate of pay, and 8 hours at his overtime rate of pay.

EXAMPLE 3

Steward scheduled to work – Monday to Friday, 8 am to 5 pm – 8 hours.

Steward schedules in advance 8 hours OXP as part of his work schedule for Friday, 8 am to 5pm.

Steward accepts or is scheduled additional hours on Sunday prior to start of the regular week from 8am to 5pm.

He will record his time as 8 hours OXP, and will be paid by the company for 8 hours pay at his straight time regular rate of pay. The company will deduct the amount paid from the union dues.

He will be paid 40 hours pay at his straight time regular rate of pay, and 8 hours at his overtime rate of pay for the Sunday.

EXAMPLE 4

Steward scheduled to work – Monday to Friday, 8 am to 5 pm – 8 hours.

Steward Schedules OXP as part of his work schedule, in part or the whole of the day on Tuesday 8 am to 5pm.

Steward accepts or is scheduled 2 additional hours on Tuesday that take him past the end of his shift 8am to 5pm.

He will report his time for the portion of his shift as OXP, and will be paid by the company for those hours at his straight time regular rate of pay. The company will deduct the amount paid from the union dues. He will be paid 8 hours pay at his straight time regular rate of pay, and will be paid 2 hours at his overtime rate of pay on the day.