

ARTICLE 6 - ARBITRATION

- 6.01** Unless the provisions of [Article 5](#) have been complied with, a grievance shall not proceed to Arbitration.
- 6.02** A grievance shall proceed to Arbitration if either party makes service upon the other of written notice within ten (10) working days of the decision being rendered from the Step 3 grievance meeting.
- 6.03** The parties shall appoint a single Arbitrator within seven (7) working days of notice being provided as in Article 6.02. If the parties are unable to agree on a single Arbitrator within fourteen (14) working days of the service aforesaid, they shall request the Federal Minister of Labour to appoint. The fourteen (14) working day timeframe to select a single Arbitrator may be extended by mutual agreement.
- 6.04** The Arbitrator shall not have any power to alter or change any of the provisions of this Agreement, or to substitute any new provisions for any existing provisions, and in reaching its decision it shall be bound by the terms and provisions contained herein.
- 6.05** The Arbitrator may, before the hearing, require the representative of the parties to attend a preliminary hearing to define the issue(s) to be arbitrated and to establish the procedure to be followed at the hearing.
- 6.06** The Arbitrator shall hold the hearing and issue the award as promptly as possible.
- 6.07** The decision of the Arbitrator shall be final and binding on the parties.
- 6.08** Where the grievor has been terminated or laid off, or has received a suspension without pay for more than thirty (30) days, the Union may use the following process:
- a) Within seven (7) working days of notice being provided under Article 6.02, one of the following Arbitrators will be appointed: Diane Jones, Colin Robinson, Michael Green.
 - b) Within fourteen (14) days of the Arbitrator being appointed under Article 6.08(a), the Union shall notify that Arbitrator of his or her appointment and request a conference call with the parties or their representatives to schedule the arbitration hearing.
 - c) The Arbitrator appointed under Article 6.08(a) shall complete the hearing and hand down the award within one hundred and twenty (120) days of the day he or she was contacted under 6.08(b), provided the

time limits in Article 5, Article 6.02 and Article 6.08(a) and (b) have been complied with.

The one hundred and twenty (120) day time limit the Arbitrator has to complete the hearing and hand down the award may be extended with the mutual consent of the Union and the Company.

6.09 Each party shall pay one-half the fees and expenses of the Arbitrator.