

**IN THE MATTER OF AN ARBITRATION**

**B E T W E E N :**

**AIR CANADA**

**- and -**

**AVEOS**

**- and -**

**IAMAW**

**Re: Transition MOA**

**MARTIN TEPLITSKY, Q.C.**  
**Arbitrator**

**APPEARANCES:**

**On behalf of Air Canada: John Beveridge**

**On behalf of AVEOS: Frank Szemenyei**

**On behalf of IAMAW: Fred Hospes  
Gary Sinclair  
John Bialowas**

**Hearing held on Friday, February 25, 2011 in Vancouver**

Further to my award dated February 14, 2011, which followed a meeting on February 11, 2011, the parties met with Bruce Light as facilitator. I conducted a hearing on February 25, 2011 in Vancouver, both to receive a report on progress and to resolve any outstanding issues.

I commend the parties on their efforts. Despite the tensions and difficulties which envelop the transition process, both parties are working cooperatively to ensure the provision of full information for employees who have a variety of options to choose between. More specifically, I make the following directions:

1. As agreed, there will be two brochures, one for each unit.
2. I approve the clerical brochure as presented. There is an interpretive issue concerning clerical which is outstanding. The parties should arrange a date with my Assistant, Esther, for this purpose as soon as possible.
3. I approve the TMOS brochure as presented with the following change: As submitted by the Union, the definition of eligible employee shall be the one used in the MOA. The Union's request for additional references to the MOA is dismissed. The suggested references would not add clarity to the brochure.
4. The pension calculator currently on the web site is a useful tool. However, it does not answer all relevant questions. The employer will report back about a "Mercer's hotline for pension issues" by Monday, February, 28, 2011. The parties shall cooperate in adding the "Q & A" feature on the web site.

5. The brochures shall appear on the website. Additionally, hard copies of the brochures shall be made available at each location where affected employees work and employees shall be advised by e-mail of both of these matters. I expect all of the above to be completed by mid-week of February 28, 2011. I do not require a copy of the brochure to be mailed to each employee either by registered or prepaid post.

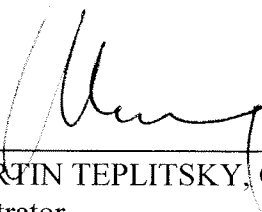
The final matter raised is the Union's request to extend the selection date of April 15, 2011, i.e. the 74 day period after January 31, 2011 as provided by the MOA. Mr. Coller testified on this issue. His evidence was endorsed by Tony Didoshak. Mr. Szemenyei also testified. There was no cross-examination at this time. In any event, apart from legal issues which arise, I consider it premature to make a decision on this request. The Union may renew its request on notice to the employers. Should this occur, a full evidentiary hearing and argument on legal issues will be required.

In the interim, I have encouraged the parties to continue their cooperative efforts toward full dissemination of all necessary information as quickly as possible.

Quite apart from any legal issues, the parties are in the best position to gauge whether any additional time is, in fact, necessary.

I am returning to Vancouver on March 11, 2011 at which time any additional issues can be dealt with.

DATED the 28<sup>th</sup> day of February, 2011.



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MARTIN TEPLITSKY, Q.C.  
Arbitrator