



BULLETIN

TRANSPORTATION DISTRICT 140
DISTRICT DES TRANSPORTS 140

International Association of Machinists and Aerospace Workers
Association internationale des machinistes et des travailleurs et travailleuses de l'aérospatiale

TO ALL THE IAMAW MEMBERS

AIR CANADA - TMOS

RELATIONSHIP BETWEEN THE CATEGORY 38 B

STATION GRIEVANCE & COLLECTIVE AGREEMENT

Dear Brothers and Sisters,

This bulletin explains the relationship between the long-overdue Category 38 B station grievance and the collective agreement opener prescribed in appendix XXXIV.

A grievance is a violation of the existing language of the collective agreement whereby your representative is attempting to uphold the existing language. In this circumstance before an arbitrator.

Collective bargaining (negotiations) is a process to change the language of the collective agreement on a going forward basis.

What has happened with the category 38 B station grievance is proving to be an amalgamation of both grievance handling and collective agreement negotiating.

On May 06, 2022, the Tech Ops Negotiating Committee was invited to a meeting with the committee of general chairpersons and the IAMAW legal representative. Your committee was informed that the company intends to train the category 38's to give them a signoff to the same extent as the category 01 employees. They will use an outside vendor program to do that. This program would provide a path for displaced category 38 employees to return home but would not guarantee their return. There were no details of the training program nor the impact such a program would have on the collective agreement seniority based rights of both category 38 and category 01 employees. (I.e.; shifts, vacation, upgrades, overtime, access to training, etc.)

On May 11, 2022, the Negotiating Committee responded to the committee of general chairpersons advising them that our position was to resolve the grievance by immediately recalling all category 38 employees to their point of layoff. The committee believes that these drastic changes to the language must be negotiated at the bargaining table and ratified by the membership. By recalling the small number of category 38's affected by this grievance, it would show the will of the company to move into a meaningful negotiation.

On June 21, 2022, the employer brought forward the intent to retrain category 38 employees into an E-M2 licence. We learned the employer had contacted Transport Canada to expand the signing authority of an E licence holder and were rejected. We also learned the focus had now shifted to expanding the category 38 into an E-M2 licence holder.

Through continued dialogue on June 21, 22, 23, 28, 29, 2022, we learned the following intentions from the employer:

- 1. The AME E will never return to the B stations.**
- 2. It is an opportunity to come home but, if you do not have M2, you will never go back home.**
- 3. The Company will not staff the B stations to their pre-2020 levels**
- 4. It is a path, not a guarantee**
- 5. The Company will stop hiring new CAT 38 employees.**

Cont'...

As the Negotiating Committee navigated through the impacts of a breakthrough change to the collective agreement, it became clear the implementation of a segmented licence within categories would pose future challenges to seniority rights and privileges. Seniority is the most basic, fundamental right of your collective agreement. You use it every day in every fashion of your employment. As we are all aware, the employer utilizes operational requirements to circumvent seniority at any opportunity. Your committee has taken the approach to prevent a misuse of seniority before they occur.

The focus of the employer initially was to address the laid off category 38 employees as a condition of their return which rapidly shifted to all category 38 employees in all stations.

On July 06, 2022 discussions on the implementation of a one-category style system broke down as there was no common ground to pursue the discussion to resolve the magnitude of issues the Company's proposal brings. Pared down to its basic form, the employer is asking you to perform the duties prescribed in two (2) Transport Canada AME licences for the compensation of one. It is the position of the Negotiating Committee that any migration towards an expanded scope of work on a permanent basis would come with a respective increase in compensation.

Although the M2 licence encompasses a broader maintenance release authority, the reality is that E type work has been a long-standing practice to be performed by an E licence holder. Any migration towards a shift in work scope must be met with effective training to allow any meaningful measure of success.

Category 01 employees and Category 38 employees are equally as important to the ongoing safety of flight and long-term sustainability of serviceable aircraft when the operation requires them. Safety first. Always.

The Negotiating Committee is aware several members of the Air Canada Maintenance management team have held discussions directly with our membership throughout negotiations, suggesting there are talks with the union regarding a plan for B station category 38 employees. In reality, the discussions ceased at the bargaining table with the discussion of money and seniority issues. The employer does have a plan to resolve the Category 38 B station grievance, but it will cost you and not compensate you.

It is truly disheartening to navigate free collective bargaining while employees' lives are being held as a bargaining chip to boost pressure and position at the bargaining table. The negative personal, mental, physical and financial impacts that exist with our displaced B station category 38 members, is not lost on any member of this bargaining committee. Your Negotiating Committee is not utilizing the global pandemic to change the conditions of recall, that is solely on the employer.

Like all employees who were displaced by (hopefully) once in a lifetime global pandemic, the expectation to return to your point of layoff and perform the functions that you have performed for decades, appears to be a false pretense for our B station Category 38 employees. Many of these stations have returned to pre-pandemic aircraft scheduling. Unfortunately, the impact of the pandemic continues for our displaced members and their loved ones as the employer insists on using them as leverage to obtain a collective agreement change.

The employer asserts that they have utilized the pandemic to reevaluate how they perform aircraft maintenance. They no longer require category 38 employees with an E licence to staff B stations. Many of you have witnessed the changes in manpower planning, tasks like service check requirements are being contracted out in non-Canadian stations. We witness aircraft arriving into A stations that become AOG because the service check has expired even though these aircraft overnight at one of our B stations the night before. We have witnessed AOG aircraft in all of our B stations over the past three years where category 38 employees are required. At times, category 38 employees have engaged in the out-of-town assignments, other times they have not and the employer has had to ferry these aircraft under permit to a main station for rectification. As licensed AME's we see these things transpire and wonder why?

In the initial stages of the pandemic, the employer started to implement a Multi Disciplinary Technician MDT program where they would train category 01 employees in basic avionics skills of splicing wires and using multimeters. It was highlighted in a “Tony Tech Talks” bulletin on November 27, 2020 in the following words; “*This week, I had the opportunity to learn more about **Multi Disciplinary Technician (MDT). In an effort to streamline our category system**, the MDT program was designed to align with industry and regulatory standards, support best practices, change and overall enhance competency and qualifications. More details about the MDT program will be shared over the coming weeks*”. That program has been placed on the bookshelf according to the company.

Collective bargaining has reconvened on February 14 to 16, 2023 for the mediation portion of the 2022 opener. The committee held a conference call on February 14, 2023 with IAMAW legal counsel to gain a clear picture as to what transpired on February 09, 2023 during the category 38 grievance arbitration. Our legal counsel has explained the grievance is complex in nature as it deals with multiple issues, the past and the future. With the employer’s position, that category 38 employees are not returning to B stations going forward, a change (negotiation) to the current collective agreement language is required. With mediation resuming on February 14, 2023, it was understood before the arbitrator that the employer would present proposals in that setting.

As such, the Negotiating Committee anticipated the employer would be coming to the table with a proposal to negotiate the necessary changes toward a single category system. The mediation phase of this opener concluded on February 15th, 2023 without any proposal being brought before the committee.

This Negotiating Committee remains focused at the negotiations table, fighting for fairness, equality, recognition and the respect that you deserve as a professional Aircraft Maintenance Engineer. We will not waver in your fight for fairness.

In solidarity,

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