

## August 21, 2018 - "Bona fide" Business Requirement Argument Doesn't Fly With Arbitrator

Date : August 21, 2018

### TOP STORY

***Newrest v Teamsters, Local 647***, [2018 CanLII 76447](#)

**Grievance - Layoff and Bargaining Unit Work** - Grievance over 6 layoffs and continuing violation of agreement by assignment of bargaining unit work to management and non-union administrative positions - Employer admitted to violation of the agreement due to *bona fide* work requirements - Grievance allowed, Employer declared in violation of agreement, cease and desist Order issued, laid off employees to be returned to positions

### DECISIONS

- **Passenger Complaint - Lost Passport - *Deschênes c. Sunwing Vacations***, [2018 QCCQ 5702](#)  
Claim for \$3,602.47 due to loss of passport on flight and resulting failure to enter destination country - Passenger lost passport on flight, employees of flight found they attempted to assist and could not have done more - Dismissed

### CIRB DECISIONS

- **Certification - *Sunwing Airlines Inc.***, [Order No.: 11309-U](#)  
*IAMAW - employees of Sunwing Airlines Inc. at the Toronto-Lester B. Pearson International Airport carrying out aircraft maintenance and ground support functions, including aircraft maintenance engineer (AME) supervisors, interior technicians and ground support technicians, **excluding** administrative employees, clerical employees and those above the rank of supervisor.*

### CANADIAN TRANSPORTATION AGENCY DECISIONS

- **Application - *FAI rent-a-jet Aktiengesellschaft c.o.b. as Flight Ambulance***

***International*** - [Order No. 2018-A-140](#)

Exemptions from paragraph 33.1(b), subparagraph 73(2)(c)(i) and section 33.2 of the *Air Transportation Regulations*, SOR/88-58, as amended

- **Application - *Cat Aviation AG*** - [Order No. 2018-A-141](#)

Exemptions from paragraph 33.1(b), subparagraph 73(2)(c)(i) and section 33.2 of the *Air Transportation Regulations*, SOR/88-58, as amended

## TC/TSB NEWS

- [Minister Sohi to make an important announcement about infrastructure improvements at the Prince George Airport in British Columbia](#)
  - [Postponement of Minister Sohi's announcement in Prince George, British Columbia](#)
- [TSB is deploying a team of investigators to the site of an aircraft accident at the Abbotsford International Airport, British Columbia](#)
- [TSB deploys a team of investigators to an air accident northwest of Edmonton, Alberta](#)
- [TSB will deploy a team of investigators to a fatal air accident at Little Doctor Lake, Northwest Territories](#)
- [TC-MMEL](#)

## INDUSTRY ASSOCIATION NEWS

- CBAA: [Respected BA operator and entrepreneur Anthony Norejko to Lead CBAA](#)
- COPA: [Marine park airspace restrictions changed](#)

## UNION NEWS

- ALPA: [ALPA celebrates National Aviation Day](#)
- IAMAW: [AJW Technique workers overwhelmingly ratify contract in Montreal](#)

## AVIATION MEDIA

- [Air Canada announces departure of Benjamin Smith, President, Airlines and Chief Operating Officer](#)
- [Air Canada exec to become new CEO of Air France-KLM](#)

- [Air Canada likely to tap into its deep management 'bench strength' after COO gets poached](#)
- [Aircraft crashes after 'stolen' plane takes off from Seattle Tacoma International Airport](#)
- [Airline's fourth aircraft swoops into service](#)
- [Airplane theft in Seattle shows potential dangers from airline workers](#)
- [Authorities probe how Seattle airline employee could steal plane](#)
- [Canada's biggest airline seeks finance ministry approval to form insurance firm](#)
- [Challenging Canadian innovators to develop cleaner aviation fuel](#)
- [First Air says it followed boarding rules for flight that landed man in wrong destination](#)
- [IAMAW welcomes 60 aircraft engineers at Sunwing](#)
- [Looking up](#)
- [Man dies in border security altercation at Canada airport](#)
- [Ministry contacting WestJet over outing of transgender passenger](#)
- [Toronto Pearson set to break busiest day of the year record](#)
- [Travellers warned after teen with measles goes through Vancouver Airport](#)
- [WestJet passenger says she was 'in shock' after gate agent outed her as transgender](#)