

13 MAY 94

MR. G. A. R. B.
ROBERTSON

RECEIVED MAY 24 1994

IN THE MATTER OF AN EXPEDITED ARBITRATION

BETWEEN:

GOVERNMENT OF THE NORTHWEST TERRITORIES
(the "Employer")

AND:

UNION OF NORTHERN WORKERS
(the "Union")

ON BEHALF OF GROUP GRIEVANCE - GRIEVANCE #93-808

ARBITRATOR:

Vincent L. Ready

COUNSEL:

Guy Bisson for
the Employer

Chris Dann for
the Union

HEARING:

May 4, 1994
Yellowknife N.W.T.

PUBLISHED:

May 13, 1994

This is a group grievance brought by the Union on behalf of a number of employees employed by the Government of the North West Territories in the Fort Smith region.

The Agreed Statement of Facts reads as follows:

1. The grievors are all employees of the Government of the Northwest Territories in the Fort Smith region.
2. A letter dated July 20, 1993 was sent to the Regional Director and all superintendents of the Fort Smith Region under the signature of Ralph Shelton, Regional Superintendent. This letter announced a new government policy for user pay fees for government energized parking stalls. The monthly rate was set at \$25.00 per month. Previously this type of parking had been provided at no cost.

Counsel for the Union submitted that during the last round of negotiations with the Employer in the spring of 1992, the Employer did not indicate to the Union, in any way, that it was planning to change its policy on parking by changing the monthly parking fee. Essentially, the Union argues that the Employer is now estopped from making that change.

It is the position of the Employer that the parking policies throughout the Northwest Territories are different and, from time to time, it is necessary to change parking policies and procedures in different areas.


It is argued further that the change in the parking policy at the Fort Smith region was intended to extend the parking policy across the Northwest Territories.

Further, it is argued that the Collective Agreement is silent on the matter and it is within the discretion of the Employer to make the necessary changes when it deems appropriate.

Having examined the submissions and facts of this matter with some care, I am of the view that there is no violation of the Collective Agreement.

It is so awarded.

Dated at Vancouver, British Columbia this 13th day of May, 1994.



Vincent L. Ready