

R.M. OF LUMSDEN No. 189
MINUTES OF THE EMPLOYEE COMMITTEE MEETING
HELD ON OCTOBER 18th, 2011

The Lumsden Rural Municipal Employee Committee convened a meeting in the Council Chambers of the R.M. Office, on the morning of Tuesday, October 18th, 2011 at 9:00 a.m. with Chairman Al Szeles presiding.

Present:	Chairman:	Al Szeles
	Reeve:	Jim Hipkin
	Councillor:	Dale Srochenski
	Asst. Administrator:	Krystal Brewer
Absent:	Councillors:	Kent Farago, Bill Marquardt

Purpose:

The Employee Committee called a meeting to hear information regarding the incident that took place on October 4, 2011 between Grader Operator Randy Walters and Manager of Public Works, Don Barnett.

Delegation:

Grader Operator, Randy Walters appeared before the Committee to discuss the events that occurred on October 4, 2011. Randy declined his right to have a Union Representative or Shop Stewart present. Chairman, Al Szeles confirmed with Randy that he had received a copy of the reprimand letter written by the Manager of Public Works, Don Barnett and he indicated to Randy that was why the Committee asked to meet with him.

The Employee Committee asked Randy various questions to clarify the situation and what the cause may have been. Randy indicated the following:

- That the reason the incident happened was because he was caught on a bad day
- That he asked Don Barnett for assistance in performing the task of rebuilding a road, but was told he would have to work on his own and was unhappy with that response
- That there was an unfriendly exchange between himself and Don
- That he didn't fully understand what Don wanted him to do and that he didn't want to work by himself
- That he was upset at the Shop Stewart and felt blindsided
- That he feels the other employees are not being adequately trained to be able to rebuild roads
- That rebuilding roads is somewhat difficult work and that he prefers to blade roads, because it is easier work
- That he prefers to work on the east side of the RM so he doesn't have to travel as far to get to work
- That he is unsure if he will sign up for the winter call-in list or if he will return to work in the spring of 2012.

The Employee Committee provided the following comments to Randy:

- That the Grader that Randy operates on a daily basis, was purchased with the intention of it being used for building and reclaiming roads approx.. 30% of its operating time due to its all-wheel drive capabilities
- That Don has indicated his respect for Randy's road building skills
- That Don has the right to ask all employees to operate in different parts of the RM, and that required travel is within the scope of Randy's employment position
- That rotation of manpower within the divisions was brought up during union negotiations, as well as the rotation of equipment. These rotations allow the operators to become more familiar with different areas of the RM and the roads benefit from the rotation of the equipment. There were no issues from a union point-of-view regarding those rotations
- That Mr Walters was warned according to the policies set out within the Human Resources Manual that any additional reprimands may result in suspension.

General Discussion:

The Employee Committee discussed the details outlined in the reprimand letter to Randy dated

October 4, 2011, the written report of Don Barnett and concluded that the following offences in the Human Resource Manual occurred:

- That Randy Walters used abusive language towards Don Barnett
- That Randy Walters made malicious and false statements regarding of the ability and authority of the Manager of Public Works and fellow employees.

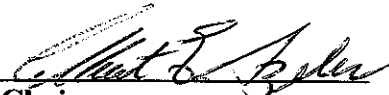
Conclusions:

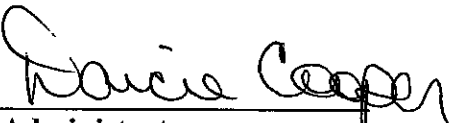
The Employee Committee concluded that:

- Work may only be refused if the worker feels it is unsafe to perform a certain task
- That abusive language and malicious & false statements were made, and that those actions constitute 'Group 2 Offences' according to Appendix E of the Human Resources Manual
- That all offences require written warnings to be placed on an employee's file
- That although an incident occurred on June 7, 2011 it was dealt with via a verbal warning
- As indicated in the Human Resource Policy Manual, a first offence requires a written warning, and as the first written warning was provided on October 4th, that would constitute a first offence
- Therefore, it was concluded by the Employee Committee that they have no authority to suspend the employee, as suspension is an option for a second offence

Adjournment:

The meeting was adjourned at 10:00 a.m.


Chairman


Administrator