

IN THE MATTER OF:

A POLICY GRIEVANCE DATED JULY 10, 2024; AND
AN ARBITRATION OF THE SAID GRIEVANCE;

BETWEEN:

Retail, Wholesale and Department Store Union, Local 544,

UNION,

- and -

Discovery Co-operative Ltd.,

EMPLOYER

ORDER

APPEARANCES:

For the Union: Gary L. Bainbridge, KC
For the Employer: Robert Frost-Hinz

BEFORE:

Chair: T. F. (Ted) Koskie, B.Sc., J.D.
Union Nominee: Hugh Wagner
Employer Nominee: Glen Gantefoer

ORDER DATE:

August 21, 2025

[1] On June 2, 2025, this Board, by majority decision, allowed the Union's Grievance. In so doing, the Board issued the following orders:

- a) the Employer shall immediately cease the practice of unilaterally reducing recorded time worked without prior verification and employee consent or documented managerial determination that no work was performed during the time in question;
- b) the Employer shall make all affected employees whole in all respects, including lost wages, vacation accruals, pension or benefit contributions, and any other entitlements tied to hours worked, for time recorded but not paid, resulting from improper adjustments;
- c) the remedy shall apply retroactively to August 2019, when the Employer implemented its first version of the electronic timekeeping system;
- d) within 60 days of the issuance of the award, the Employer shall disclose to the Union all timekeeping records and adjustment data related to recorded and paid hours for bargaining unit employees from August 2019 to the present;
- e) the Employer and the Union are directed to meet within 30 days of the Employer's disclosure to attempt to resolve the calculation and payment of any compensation owing to affected employees; and
- f) if agreement cannot be reached within that 30 day period, the matter may be referred back to this Board for further direction or determination.

[2] The Union advised the Board that:

- a) the Employer has advised it that it will be bringing judicial review proceedings of our Award;

- b) as a consequence, the Employer has not provided the Union with the disclosure ordered; and
- c) as a further consequence, the Union and Employer have not yet met to attempt to resolve the compensation owing.

[3] The Union asked that the Board suspend the time limits ordered “pending the outcome of the judicial review or related appeal proceedings, with the Union reserving the right to return to the Board in the event the award is upheld and agreement cannot be reached between the parties as to the implementation of the award.”

[4] In response to the Union’s request, the Employer has advised the Board that it has no objection to same.

[5] We are of the view the Union’s request is reasonable and practical. We therefore order that:

- a) the time limits ordered in our Award are suspended, pending the outcome of the judicial review or related appeal proceedings; and
- b) the parties shall have the right to return to the Board in the event the Award is upheld and agreement cannot be reached as to the implementation of the Award.

All of the members of this Board agree and concur with this Order. This Unanimous decision is the official Order of this Board, and I issue it at Saskatoon, Saskatchewan, on August 21, 2025.



T. F. (Ted) Koskie, B.Sc., J.D., Chair