

IN THE MATTER OF SUMMARY DISPOSITION 2009-01

BETWEEN

**BRITISH COLUMBIA MARITIME EMPLOYERS
ASSOCIATION**
(The Association)



AND

**INTERNATIONAL LONGSHORE AND WAREHOUSE
UNION, CANADA**
(The Union)

Job Arbitrator:

Ronald S. Keras

Counsel for the Association:

Mr. Brian Whitfield

Counsel for the Union:

Mr. Rob Ashton

Co Counsel for the Union:

Mr. Paulo Branco

Witnesses:

Local 514 (Summoned):

Mr. Troy Lazarowich

Local 500:

Mr. Al Cuciz

Kinder Morgan - Vancouver Wharves:

Mr. Alex Goold

In Attendance:

Local 500:

Mr. Bill Anderson

Local 500:

Mr. Antonio Pantusa

Hearing:

February 9, 2009

Decision Published:

February 10, 2009

I

The Union's issue was that the Employer was using an outside vacuum truck to clear ponds. The Union sought an order that Vancouver Wharves be directed to use Local 500 Longshore labour for the hose operation of the vacuum truck.

Subsequent to the testimony of witnesses, I assisted the parties in reaching the following agreement:

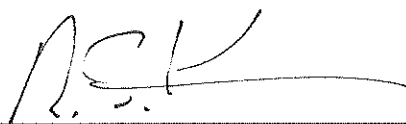
Kinderg Morgan will work with Local 500 to develop and implement a safe work procedure for the operation of the hose of the vacuum truck.

Such agreement will not set a precedent for the Union or the Association nor will it prejudice the Union or the Association with respect to vacuum truck operation issues.

In the event that no agreement is reached by Kinderg Morgan and Local 500 by February 24, 2009 the Arbitration will be reconvened.

I thank counsel for their helpful submissions.

Dated in Vancouver, British Columbia this 10th Day of February 2009.

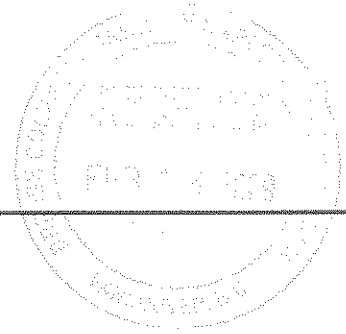


Ronald S. Keras
Job Arbitrator

File: 507



Vincent L. Ready
Labour Arbitration and Mediation Services Ltd.



February 10, 2009

Mr. Mike Leonard
Vice President, Labour Relations
B C Maritime Employers Association
500-349 Railway Street
Vancouver, BC V6A 1A4

Mr. Tom Dufresne
President, ILWU Canada
International Longshore and Warehouse Union
180 – 111 Victoria Drive
Vancouver, BC V5L 4C4

**Re: British Columbia Maritime Employers Association – and –
International Longshore and Warehouse Union – Canada
Summary Disposition 2009-01 (Kinder Morgan – Vancouver Wharves)**

Dear Mr. Leonard and Mr. Dufresne:

Enclosed please find a signed copy of the original published award noted as Summary Disposition 2009-01 concerning the issue that was raised at Kinder Morgan – Vancouver Wharves, heard on February 9th, 2009.

Yours truly,

Vincent L. Ready
LABOUR ARBITRATION & MEDIATION SERVICES LTD.

Ronald S. Keras
ASSOCIATE
RSK/sdk

File: 507

Email copies: BCMEA Counsel: Brian Whitfield, Manager, Labour Relations
ILWU Canada Counsel: Rob Ashton, Business Agent, Local 500

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