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UNION



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**TRANSPORTATION DISTRICT 140**  
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## **TO ALL IAM MEMBERS**

# **AIR CANADA - ARBITRATION VICTORY**

# **MEDICAL LEAVE ATTENDANCE POLICY**

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Brothers, Sisters and Siblings,

We have secured an important victory in our fight against Air Canada's unlawful attendance practices.

The Arbitrator confirmed that Air Canada violated the Canada Labour Code by issuing blanket demands for medical notes to members who had taken fewer than five consecutive days of sick leave. The law is clear: The Company does not have the right to ask for a medical certificate unless an employee is away for five or more days in a row. Nevertheless, Air Canada improperly demanded notes from members at YYZ in early February 2023.

As a result of this ruling, seven members who were wrongfully targeted will receive compensation of \$150 each. More importantly, this award confirms what the Union has been saying all along, these medical note practices were unlawful.

While the compensation portion of the grievance is now resolved, the bigger fight is not over. The Arbitrator has ordered that all attendance-related grievances tied to medical leave violations will now proceed together under one full arbitration hearing.

This includes challenges to:

- The Company's medical note practices
- The Innocent Absenteeism Program (IAP)
- Pattern absenteeism discipline
- Sick-part shift note demands
- Holiday medical note warnings
- The rolling calendar for sick days

This ruling creates a clear path forward to challenge the entire attendance system that has been unfairly used against our members. The Union will be submitting a complete list of grievances to ensure that every related issue is dealt with in one proceeding, not piecemeal.

This award confirms that we were right to fight back. It is a win for our members and a major step toward ending the injustice caused by Air Canada's illegal medical leave practices.

We are not backing down. This fight now moves forward to the final phase of the National Arbitration, where an Arbitrator will be appointed to hear the issues outlined above. We will continue to keep members informed as updates become available.

Thank you all for your continued support. Together, we will build a better future, today!

In solidarity,

Mahmoud Khatib  
General Chairperson

Guillaume Lingat  
General Chairperson

Chris Lipsit  
General Chairperson

Craig Chard  
General Chairperson

Rene Grenon  
General Chairperson

Chris Greniuk  
General Chairperson

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## **BULLETIN NO. 30 – PUBLISHED NOVEMBER 28, 2025**

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