

This Memorandum of Settlement made as of the 12<sup>th</sup> day of November, 2010

**Between:**

The Canadian Union of Public Employees  
Local 3324  
("CUPE" or the "Union")

and

Island EMS Inc.  
(the "Employer")

**Whereas** the Union and Employer have had a disagreement in respect of the rights of permanent employees to transfer to a temporary position posted pursuant to the collective agreement;

**And Whereas** the Union has filed a grievance dated January 6<sup>th</sup>, 2009 arising out of this disagreement;

**And Whereas** both the Union and the Employer wish to find a mutually satisfactory resolution;

**Now Therefore** the Union and the Employer hereby agree to the following protocol for the filling of temporary positions:

1. Temporary Vacancies shall be posted in accordance with the collective agreement.
2. In the event the successful applicant is a permanent employee from another Area, the permanent employee shall be granted a leave from their permanent position subject to operational requirements. Both parties acknowledge that the ability to backfill the resulting vacancy(s) with a qualified replacement is a genuine operational requirement.
3. In the event the successful applicant is a permanent employee from the same Area as the temporary vacancy, the parties agree that the employee shall be granted a leave from their permanent position in order to allow the employee to move to the temporary position.

4. The Union agrees to withdraw grievance 2009-01 upon signing of this memorandum of settlement.



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CUPE, Local 3324



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Island EMS Inc.