**Arbitration in Labour Relations**

Student's Name

Institutional Affiliation

Course Name

Instructor

Date

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The workplace is often governed by policies that meet the needs of employers and employees. Labor relations help in influencing the decisions made by the workplace that ensure that the working conditions of employees in organizations are at per. Negotiations between employers and employee unions are difficult to come to a resolution hence the need for an arbitrator. This essay delves into the role of arbitrators in the negotiation process, duties of arbitrators in Ontario, interest arbitration and its application to an Orr-Union dispute, some comprised by both parties, probing questions to determine the standing of both parties and my final ruling as an arbitrator to the case. It highlights the role of an arbitrator in ensuring mutually beneficial decisions for both parties.

Arbitrators are very important in the negotiation process as it allows a non-biased third party to help in making fair decisions. Because impartial resolutions to the disputes limit bias. They are responsible for solving a grievance on the implementation and application of a collective agreement during the life of that agreement if the two groups cannot resolve the grievance alone (Government of Ontario, n.d.-b). The neutrality of the arbitrator ensures fair decisions. An arbitrator helps in resolving disputes.

The duty of an arbitrator in Ontario includes solving disputes between two employers and unions to provide fair treatment of employees. The Arbitration Act of 1991 suggests that the arbitrator is independent of the parties and acts impartially (Government of Ontario, 2018). Essentially, they must listen to the grievances of both parties and provide a decision based on the presentation by both parties on the case. An arbitrator also ensures that the policies of a company ensure an equitable relationship with employers.

Interest arbitration is the obligatory method used to solve collective bargaining disputes. This type of arbitration helps reach a collective agreement for parties without the ability to strike or lock out such as employees of hospitals as defined in HLDAA. During interest arbitration, the single arbitrator or board of arbitration hears both the union and employers on matters both parties have not been able to settle in their negotiations and issue a final and binding decision (Government of Ontario, n.d.-a). Interest arbitration helps the two parties to resolve their agreement as it provides a binding decision.

For the case presented in this study concerning the Orr company and the Solidarity Trade Union interest arbitration is applicable because the the negotiations between the two parties have had no success in resolving disputes on their own (Week 7, 2024). Interest arbitration provides an opportunity for an arbitrator to come in and resolve disputes with a binding decision to ensure work continues with fair treatment. In the case presented, the company name is Orr Industries, the arbitrator is Stanley Roosendaal, and the union represents its Solidarity Trade Union. The Orr company is located in Guelph Ontario Canada.

Some comprise that can be reached in the case above include Orr Company offering an 8% increase the salary over the next three years with a 2% increase in the first year. It can also increase the annual staff bonuses to 2.5% when 80% of the targets are met. The developmental opportunities should be available to each employee to increase their investment in their jobs. A vacation period of thirteen days for employees with two years of service and seventeen days for those with five and above years of service will be a huge motivator to the employees. Orr should also provide employee manuals that cater to the inputs of both parties. The employees can also settle for gradual and steady increases in their salary caps and bonuses to keep the business afloat. The two parties should be open to compromise to resolve the issues between them.

Some probing questions to determine where each party stands include what changes does your team want from these negotiations? This allows the arbitrator to know what the objectives and motivations of each party are from these negotiations. How do you think your suggestion will affect the efficiency of the company? The answer to this question helps us understand the two parties' perspectives on the impact of the changes. Is there a possibility of making a compromise in one of the demands to reach an agreement? The response allows me as the arbitrator to take into account some of the compromises both parties are comfortable with. What does each party expect to receive from these negotiations? Answer helps determine the expectations from each party enabling making a better decision on the case.

As the arbitrator, my final ruling would be to have a salary increase of 7.5% over the next three years with a 3% increase in the first year. The annual staff bonus of 2.5% should be tied to the profits. Development opportunities should be available to all employees with a budget of $650 per year. The vacation days for employees with two years of service should be set at 13 days while those with five and above years of service should be 18 days. They should establish a one-day work-from-home deal per month for the administrative staff plus flexible work shifts for the working staff. The wellness assistance should be available to all employees. Lastly, provide employee manuals to keep the employees updated with the necessary procedures. These initiatives I believe meet the needs of each party in the middle striking a balance on the needs of both the Orr Company and the Solidarity Trade Union resulting in improved working conditions for employees and greater financial standing for the company.

In conclusion, finding common ground between employers and trade unions is a very crucial part of ensuring the success of a business. The arbitrator is a very crucial part of such negotiations as more often than not it is impossible to resolve issues between parties on their own(Week 7, 2024). Their expertise in conflict resolution helps reach an amicable decision that requires both parties to compromise a little bit. For our case between the Orr Company and the Solidarity Trade Union, an arbitrator was crucial in addressing the needs of both parties fostering a great working relationship between the employers and the employees.

References

Government of Ontario. (2018, November 19). *Law document English view*. Ontario.ca. https://www.ontario.ca/laws/statute/95l01#BK59

Government of Ontario. (n.d.-a). *Collective bargaining*. ontario.ca. https://www.ontario.ca/page/collective-bargaining

Government of Ontario. (n.d.-b). *Resolving workplace grievances through arbitration*. ontario.ca. https://www.ontario.ca/page/resolving-workplace-grievances-through-arbitration

Week 7(2024). Arbitration. Course texts