



Ontario Association of General Surgeons

P.O. Box 192, Stn. Main,

Peterborough ON K9J 6Y8

Phone: 705-745-5621 / Fax: 705-745-0478

E-mail: info@oags.org / Website: www.oags.org

Attn. General Surgeons of Ontario

From: OAGS

Date: June 11, 2017

Re: Position Statement - Tentative Binding Arbitration Framework Agreement

Dear Colleagues:

The Ontario Association of General Surgeons jointly with the executive of the OMA Section on General Surgery have reviewed the OMA-MOHLTC negotiated framework for binding arbitration and **we strongly support it.**

This agreement gives us what we have been asking for. This agreement confirms that we will be able to negotiate with the government under the protection of binding arbitration. This agreement is without time limits and extends beyond just fiscal issues, as it makes imposed accountabilities subject to arbitration. It will come into force when the OMA approves it and can only be overridden by an act of parliament. The only theoretical deficiency is that it was not retroactive to 2014, and so the previous unilateral cuts will not be subject to arbitration. We are, however, allowed to pursue the charter challenge which does apply to the unilateral cuts of 2014-2017; so, that aspect is not entirely a lost cause.

This agreement is stronger than that achieved by most other provinces and public sector unions. It is notable in that the legal team was successful in removing a clause that stated the province's fiscal situation had to be considered by the arbitrator. In other words, the government's management record and debt do not play a role in the arbitrator's decision. We see few downsides to this agreement. As such, the **OAGS and the OMA Section on General Surgery recommend that you vote to support this agreement.**

An OMA General Meeting of Members will be held at the Westin Harbour Castle Hotel in Toronto on Saturday, June 17th commencing at 10am for the purpose of voting. If you are unable to attend the meeting in person, then please consider **online voting which ends June 17, 2017.** We expect that most physicians will just vote online rather than attend directly. Section/OAGS will send out further reminders during the voting period. Again, we strongly encourage you to vote in support of this agreement.

Details of how to vote remotely can be found on the [OMA website](http://www.oma.org) or as follows:

a) voting electronically on-line: <https://www.bigpulse.com/137638/signin> (from 10am EST, June 7, 2017 to the close of voting on Sat., June 17, 2017)

b) via Proxy - complete and return an approved form of proxy to the OMA at Suite 900, 150 Bloor Street West, Toronto M5S 3C1 in person or by first class mail by no later than 10 am EST on Thursday, June 15, 2017. An OMA member may request an approved form of proxy by e-mail at info@oma.org or by phone to 1.800.268.7215.

Sincerely,

A handwritten signature in black ink, appearing to read "Alice Wei".

Dr. Alice Wei, President

Ontario Association of General Surgeons (OAGS)

CV/AW/lq

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