

Good Lovelies

to visit INDEPENDENT Grafton

NORTHUMBERLAND -- The Good Lovelies have a great Christmas present for Northumberland County: themselves.

The popular three-piece band (featuring Caroline Brooks of Whitby, Kerri Ough of Port Hope and Sue Passmore of Cobourg) will wrap up their nationwide, 19-date holiday tour in Ontario.

And for their second last show, they'll perform at Grafton Town Hall (10836 County Road Two) on Saturday, Dec. 18.

This is their fourth consecutive year doing a Christmas tour, dating back to their formation as a band in December of 2006. Since then they have become popular both in Canada and the United States and have released three albums including 'Oh My' in 2007, 'Good Lovelies' in 2009 and a Christmas album, also in 2009. Their next album is due in February of 2011.

"It's a fun tour. It gives us an excuse to sing these songs. We can't resist Christmas, that's when we got together. It means a lot to us to do those shows," said Ms. Ough.

"When we're getting to the end of the tour, bringing the show home means a lot."

At the concert, the band will play Christmas songs, both classics and those of their own making, as well as a few songs from their other albums. And the band members always tell stories and generate some witty banter while they're on stage.

Those who have seen the Lovelies in the past may be surprised this time around as they are touring with an upright bassist, something they have never done before. But they can certainly expect to have the same great time they always do, according to Ms. Ough.

"When people come to our show, they'll leave feeling that much more joyful."

"They can expect to have a good time and sing along, and enjoy their Saturday night with us."

Tickets for the show are \$25. They can be purchased at Harden & Huysse Chocolates in Cobourg (201 Division St.), Gould's Footwear in Port Hope (26 Walton St.) and St. John's Books in Grafton (105A Old Danforth Road).

localnews

NORTHUMBERLAND TODAY
NOV. 26/10

■ **DECISION:** Labour ministry explains judgment

Fourfold test confirmed Awender's status as Cramahe employee, ministry states

PETE FISHER

Northumberland Today

COLBORNE - Northumberland Today has obtained a copy of the Ministry of Labour's letter of judgment to Cramahe Township, explaining the finding that former volunteer firefighter Ken Awender was, indeed, an employee of the township.

Ken Awender was fired from the Cramahe Township Fire Department in July after five years as a volunteer.

Northumberland Today has obtained a copy of Employment Standards Officer Patricia Smith's letter of judgment to Cramahe Township.

As president of the Cramahe Township Firefighters Association, Awender first raised concerns about issues involving the management of the department, but was suspended for 14 days. He was given no reason for the suspension.

Following corporate policy for employees, Awender filed a grievance against Fire Chief Jim Harris, but Harris wrote back, the procedure is "applicable to Permanent Employees only."

Just days after, Awender was dismissed from the fire department.

"After reviewing the information provided by both parties, I have determined that Mr. Awender was not a true volunteer for the purpose of the Employment Standards



Ken Awender

Act, 2000," from Smith wrote in the judgment sent to the Township of Cramahe.

Awender filed a claim with the Ministry of Labour on Aug. 3 claiming his firing there was a contravention to the Employment Standards Act, claiming four weeks termination pay.

The Ministry of Labour decision cites Harris's position that Awender was not an employee, therefore was not entitled to termination pay.

Harris stated volunteer firefighters are paid for hours worked and the hours are on an ad hoc basis as opposed to being scheduled.

"There is no requirement for a volunteer firefighter to respond to a call, they do so at their own choice," the document states, referring to the employer's position.

"There is a minimum standard to be met for hours worked and they are paid to attend a weekly training session on Wednesday evenings, but attendance is not mandatory and they received a \$1,000 deduction from income tax as they are recognized by Revenue Canada as volunteers," states the employer's position.

The firefighters' pay is not subject to Employment Insurance deductions as they cannot claim Employment Insurance and a record of employment is not created for them when they leave their employment, the employer's position continues in the document.

Part of Smith's investigation dealt with whether Awender was "a volunteer or an employee, or in this case an independent contractor" under the ESA.

Although some form of payment was made to Awender, Smith said that did not necessarily determine his status as an employee, but, "in this case Mr. Awender was paid wages, therefore I have determined that Mr. Awender was an employee."

Smith said in her decision that arguments could be made that Awender was an indepen-

dent contractor because he could choose to report to work, or not, when called.

"The fourfold test was conducted and in terms of the employer's control over the employee I looked at the right to control the method of doing the work, the power to hire and to control the method of hiring, and the right to suspend or dismiss the employee, and in this case this would support the position Mr. Awender was an employee because he was suspended and dismissed," Smith stated.

She also stated Awender's status was that of an employee because he was paid for the hours he worked, plus vacation pay. He also used the employer's tools to do his job and there would be no chance of profit or loss.

"After reviewing all the information provided, the weight tilted to that of an employee," Smith stated.

"In light of the foregoing, I have determined that Mr. Awender was an employee of the Corporation of the Township of Cramahe and is entitled to four weeks termination pay in lieu of notice."

The assessment awarded is \$515.60 plus 4% pay would equal \$536.22.

The statement says the township has the opportunity to "voluntarily" make payment by Dec. 1.

pfisher@northumberlandtoday.com
twitter.com/NT_pfisher

COUNCIL

NORTHUMBERLAND NEWS NOV. 26/10

Highway of Heroes coin supported

COBOURG -- Cobourg council is joining the municipality of Trent Hills to support the creation of a coin to recognize residents who honour Canada's fallen soldiers along the Highway of Heroes.

At the Cobourg council meeting Nov. 22, councillors voted unanimously to support a recent resolution from Trent

Hills council endorsing "the production of a Canadian coin depicting an image of Canadians honouring our fallen soldiers on bridges that span the Highway of Heroes."

"I think this is something very worthwhile," said Deputy Mayor Gil Brocane, who put forward a motion to draft a letter to the Royal Canadian Mint sup-

porting the production of the coin.

Mayor Peter Delanty pointed out the Mint forges coins in recognition of many individuals, teams and special events, and the Highway of Heroes is a noteworthy cause.

"I hope the MP and MPP will also get on the bandwagon and support us," Mayor Delanty said.

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