

Public Service Staff
Relations Act



Before the Public Service
Staff Relations Board

BETWEEN

STAFF OF THE NON-PUBLIC FUNDS, CANADIAN FORCES

Applicant

and

PUBLIC SERVICE ALLIANCE OF CANADA

Bargaining Agent

RE: Application for Revocation of Certification -
Operational Category - National Defence Medical Centre

Before: [Y. Tarte, Acting Chairperson](#)

(Decided without an oral hearing)

DECISION

By decision of October 30, 1987, the Board certified the Public Service Alliance of Canada (PSAC) as bargaining agent for all employees of the employer in the Operational Category employed at the National Defence Medical Centre in Ottawa in respect of whom the Staff of the Non-Public Funds, Canadian Forces is the employer: (Board file 146-18-277).

On October 17, 1996, the applicant/employer submitted an application for the revocation of the certification of the PSAC as bargaining agent for the above bargaining unit. The application is made on the basis that there are no longer any employees in the bargaining unit and, as such, the PSAC has ceased to act as bargaining agent. Subsection 43(1) reads as follows:

The Board shall revoke the certification of a bargaining agent where the bargaining agent advises the Board that it wishes to give up or abandon its certification or where the Board, on application by the employer or any employee, determines that the bargaining agent has ceased to act as bargaining agent.

The term "bargaining unit" is defined in subsection 2(1) of the Act as follows:

"bargaining unit" means a group of two or more employees that is determined, in accordance with this Act, to constitute a unit of employees appropriate for collective bargaining.

By letter received by the Board dated November 12, 1996, the bargaining agent advised the Board that: "The Union does not contest the Application for Revocation of this certificate."

In light of the circumstances and the respective positions of the parties, the Board is satisfied that the application should be granted. Accordingly, the certification of the Public Service Alliance of Canada as bargaining agent for all employees in the Operational Category employed at the National Defence Medical Centre in Ottawa, in respect of whom the Staff of the Non-Public Funds, Canadian Forces is the employer is hereby revoked.

Yvon Tarte
Acting Chairperson

OTTAWA, November 27, 1996.