

Public Service Staff  
Relations Act



Before the Public Service  
Staff Relations Board

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BETWEEN

**THE PUBLIC SERVICE ALLIANCE OF CANADA**

Bargaining Agent

and

**TREASURY BOARD**

Employer

**RE:** Determination of Designated Positions -  
Lightkeepers Group (Supervisory and Non-Supervisory)

**Before:** [Yvon Tarte, Chairperson](#)

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(Decided without an oral hearing)

## DETERMINATION AND NOTICE OF DESIGNATION OF POSITION

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Pursuant to subsection 78.1(4) of the *Public Service Staff Relations Act (PSSRA)*, the parties met to review the position of each employee in the Lightkeepers Group (Supervisory and Non-Supervisory) bargaining units to determine whether any of them had safety or security duties as specified in subsection 78(1). By letter dated January 20, 1997, the employer pursuant to subsection 78.1(5), provided the Board with a statement of the positions the parties had determined do not have safety or security duties. The employer also notified the Board, pursuant to subsection 78.1(6) of the positions that the parties had determined had safety or security duties. In addition, the employer advised the Board, pursuant to subsection 78.1(7) that the parties were unable to agree on whether a number of positions had safety or security duties and that it was referring those positions that remained in dispute to a designation review panel.

Subsequently, the Board was informed that the parties had reached agreement on the positions in dispute. That agreement dated March 6, 1997 is attached hereto as Appendix 1.

Accordingly, pursuant to subsection 78.1(6) and in accordance with the agreement of the parties dated March 6, 1997, the Board hereby designates the positions identified in Appendix 2 as having safety or security duties.

The employer also submitted a Memorandum of Understanding between the parties dated July 3, 1997, whereby they agree to the following:

*The parties are hereby requesting the Board to extend the time limit to issue Form 13 for all bargaining units which the Public Service Alliance of Canada is the bargaining agent and the Treasury Board is the employer to 30 days following a request for a conciliation board, in accordance with the Board's decision in files 125-2-68 to 70.*

Pursuant to section 78.5 of the PSSRA, the Board hereby authorizes the employer to inform the employees occupying the designated positions identified herein. For this purpose the Board will provide the employer with a Form 13 for each designated position containing all the information required, with the exception of the name of the employee occupying the designated position and the "Dated at..." portion of the Form, which is to be completed by the employer prior to notification.

Also, pursuant to section 6 of the *P.S.S.R.B. Regulations and Rules of Procedure*, the Board hereby extends the time specified in subsection 60(1) of the *Regulations* within which an employee is to be informed of the fact that he or she occupies a designated position to a period of 30 days from the date of a request for conciliation pursuant to section 76 of the Act. Thereafter future occupants of a designated position shall be notified within 30 days of the date on which they first occupy the position.

In addition, the Board draws the employer's attention to its responsibility under subsection 60(2) of the *Regulations* that, on notification of an employee who occupies a designated position, it is to provide forthwith a copy of the notice referred to in subsection (1) to the bargaining agent.

**Yvon Tarte**  
**Chairperson**

OTTAWA, July 7, 1997.