



Date: 20041223

File: 185-15-402(1)e

Citation: 2004 PSSRB 183

Public Service Staff  
Relations Act

Before the Public Service  
Staff Relations Board

IN THE MATTER OF  
THE *PUBLIC SERVICE STAFF RELATIONS ACT*  
and a dispute affecting the  
Public Service Alliance of Canada, as bargaining agent, and  
the Social Sciences and Humanities Research Council, as employer,  
in respect of all the employees in the Administrative and Foreign Service Category

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: Morton G. Mitchnick, chairperson of the arbitration board;  
Joe Herbert and Sandra Budd, arbitration board members

[1] In a decision dated September 7, 2004 (2004 PSSRB 129), I established an arbitration board in the above matter. The Arbitration board was composed of Prof. Ken Norman, chairperson, Mr. Joe Herbert, nominee for the bargaining agent and Mrs. Sandra Budd, nominee for the employer.

[2] In a letter dated December 16, 2004, Mr. Norman, informed the Board that he was resigning as chairperson of the arbitration board in the above matter.

[3] By letter dated December 20, 2004 from Mrs. Budd, informing the Board that the parties have agreed on naming Mr. Morton Mitchnick of Toronto, Ontario as a chairperson in the above matter, who has indicated his willingness and availability to act as the new chairperson.

[4] Accordingly, pursuant to section 82 of the Act, this will serve to confirm that the appointment of Mr. Norman as chairperson is hereby rescinded. This will also confirm that pursuant to section 65 to 79 of the Act, I hereby establish in this matter an arbitration board composed of the following members:

Mr. Morton G. Mitchnick, chairperson;

Mr. Joe Herbert; and

Mrs. Sandra Budd, members.

[5] Pursuant to subsection 66 of the Act, the matters on which the arbitration board shall render an arbitral award in this dispute remain those set out as outstanding in paragraph 6 of my previous decision of September 7, 2004.

[6] I would like to remind the arbitration board that should any jurisdictional question arise during the course of the hearing as to the inclusion of a matter in these Terms of Reference, that question must be submitted forthwith to me because the Chairperson of the Public Service Staff Relations Board is, according to the provisions of subsection 66(1) of the Act, the only person authorized to make such a determination.

**Original Signed by  
Original signé par**

**Yvon Tarte,  
Chairperson**

DATED AT OTTAWA, December 23, 2004