

Date: 20050426

File(s): 185-20-408

Citation: 2005 PSLRB 39



*Public Service  
Labour Relations Act*

Before the Chairperson  
Public Service Labour Relations Board

---

IN THE MATTER OF  
THE *PUBLIC SERVICE LABOUR RELATIONS ACT*  
and a dispute affecting the  
Public Service Alliance of Canada, as bargaining agent,  
and the Canadian Security Intelligence Service, as employer,  
in respect of the employees in the Clerical and Regulatory, Communications, Office  
Equipment and Secretarial, Stenographic and Typing Groups

Indexed as:  
*Public Service Alliance of Canada v.  
Canadian Security Intelligence Service*

**TERMS OF REFERENCE OF THE ARBITRATION BOARD**

**To:** Ken E. Norman, chairperson of the arbitration board;  
Dale Clark and Sandra Budd, arbitration board members

[1] In a decision dated February 24, 2005 (2005 PSSRB 20), I established an arbitration board in the above matter. The arbitration board was composed of Prof. Ken Norman, chairperson, Mr. Ron Cochrane, nominee for the bargaining agent and Mrs. Sandra Budd, nominee for the employer.

---

[2] On April 1, 2005, the *Public Service Labour Relations Act* (the “Act”), enacted by section 2 of the *Public Service Modernization Act*, S.C. 2003, c. 22, was proclaimed in force. Pursuant to paragraph 57(1)c) of the *Public Service Modernization Act*, this arbitration board is deemed to be an arbitration board consisting of three members established under section 140 of the *Act*, and the arbitration is to continue in accordance with Division 9 of Part I of the *Act*.

[3] In a letter dated April 20, 2005, the Public Service Alliance of Canada, informed the Board that they wished to change their nominee of the arbitration board in the above matter.

[4] Accordingly, pursuant to section 143(2) of the *Act*, this will serve to confirm that the appointment of Mr. Cochrane as member is hereby rescinded. This will also confirm that pursuant to sections 137 to 143 of the *Act*, I hereby establish in this matter an arbitration board composed of the following members:

Mr. Ken Norman, chairperson;

Mr. Dale Clark; and

Mrs. Sandra Budd, members.

[5] Pursuant to subsection 144 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 February 24, 2005.

[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 Labour Relations Board is, according to the provisions of subsection 144(1) of the *Act*, the only person authorized to make such a determination.

April 26, 2005.

**Yvon Tarte,  
Chairperson**