

Date: 20050623

File(s): 185-18-413

Citation: 2005 PSLRB 63



*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 Staff of the Non-Public Funds, Canadian Forces, as employer,
in respect of the employees in the Administrative Support Category, Canadian Forces
Base, Ottawa

Indexed as:
*Public Service Alliance of Canada v.
Staff of the Non-Public Funds, Canadian Forces*

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: Sydney Baxter, chairperson of the arbitration board;
Dale Clark and Brian Mallon, arbitration board members

[1] By letter of March 24, 2005, the Public Service Alliance of Canada, pursuant to section 64 of the *Public Service Staff Relations Act* (the former *Act*), requested the establishment of an arbitration board in respect of all the employees of the employer in the Administrative Support Category employed at the Canadian Forces Base, Ottawa.

[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)a) of the *Public Service Modernization Act*, the request for arbitration is to be dealt with as though it had been made under section 136 of the *Act*. Sections 136 to 159 of the *Act* apply where arbitration is the method of dispute resolution.

[3] With its letter of March 24, 2005, the Public Service Alliance of Canada provided a list of the terms and conditions of employment that it wished to have referred to the arbitration board. That letter, the terms and conditions of employment and supporting material are attached hereto as SCHEDULE I.

[4] By letter of April 6, 2005, the Staff of the Non-Public Funds, Canadian Forces concurred with the Union’s listing of the outstanding issues. That letter is attached hereto as SCHEDULE II.

[5] Accordingly, pursuant to section 144 of the *Act*, the matters in dispute on which the arbitration board shall render an arbitral award in this dispute are those set out as outstanding in SCHEDULE I and SCHEDULE II inclusive attached hereto.

[6] 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.

June 23, 2005.

**Yvon Tarte,
Chairperson**