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*Parliamentary Employment and
Staff Relations Act*



Before the Public Service
Labour Relations Board

BETWEEN

SENATE PROTECTIVE SERVICE EMPLOYEES ASSOCIATION

Bargaining Agent

and

SENATE OF CANADA

Employer

Indexed as

Senate Protective Service Employees Association v. Senate of Canada

Request for Arbitration

Protective Service Sub-group, Operational Group

Before: Ian R. Mackenzie, chairperson; and Luc Grenier, union nominee; Carole Piette, employer nominee

For the Bargaining Agent: Richard Bastien

For the Employer: Monique Bourgon

Heard at Ottawa, Ontario,
August 15 to 17, 2006

ARBITRAL AWARD

[1] The Senate Protective Service Employees Association (SPSEA) filed a request on December 7, 2005 for arbitration under section 50 of the *Parliamentary Employment and Staff Relations Act* with respect to the Protective Service Sub-group in the Operational Group of the Senate of Canada. The collective agreement between the SPSEA and the Senate of Canada expired on December 31, 2003.

[2] The Board received its terms of reference from the Chairperson of the Public Service Labour Relations Board on February 1, 2006. The matters in dispute set out in the terms of reference included proposals by the bargaining agent relating to the implementation of a new classification standard for the Senate (the “classification conversion”). The employer, in its proposals, did not propose a classification conversion for this group of employees. It was the employer’s position that the Board was without jurisdiction to address classification.

[3] Prior to starting the hearing, the Board assisted the parties in discussions to resolve the significant stumbling blocks to a negotiated settlement. The parties were not initially successful in these discussions, and requested a ruling from the Board on the issue of the Board’s jurisdiction to consider the classification conversion proposals of the bargaining agent. After hearing submissions from both parties, the Board made an oral ruling that it was without jurisdiction to address the bargaining agent’s proposals on classification.

[4] The Board then met with the parties to determine if there was a willingness to discuss the remaining proposals in the terms of reference. The parties, with the assistance of their nominees, spent two days discussing the remaining proposals. At the end of this process, the parties requested that the Board issue a consent award. The articles that the parties have consented to are in the attached schedule and constitute the award of the Board. Unless otherwise stated, the length of the arbitral award is from the date of the award until September 30, 2007.

[5] The experience and hard work of Luc Grenier, union nominee and Carole Piette, employer nominee, were invaluable in assisting the parties in reaching an agreement.

[6] The Board will remain seized of this matter until such time as the award is implemented.

September 5, 2006.

**Ian R. Mackenzie,
Vice-Chairperson**