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File: 542-18-04

Citation: 2006 PSLRB 134

*Public Service
Labour Relations Act*



Before the Public Service
Labour Relations Board

BETWEEN

PUBLIC SERVICE ALLIANCE OF CANADA

Applicant

and

STAFF OF THE NON-PUBLIC FUNDS, CANADIAN FORCES

Respondent

Indexed as

Public Service Alliance of Canada v. Staff of the Non-Public Funds, Canadian Forces

In the matter of an application for certification under section 54 of the *Public Service Labour Relations Act*

REASONS FOR DECISION

Before: [Ian R. Mackenzie, Acting Chairperson](#)

For the Applicant: [Alain Piché](#)

For the Respondent: [Adrian Scales](#)

(Decided without an oral hearing.)

REASONS FOR DECISION

Application before the Board

[1] This is an application for certification made by the Public Service Alliance of Canada (PSAC) for a bargaining unit composed of all employees of the Staff of the Non-Public Funds, Canadian Forces, employed at Canadian Forces Base Suffield, Alberta, save those above the rank of supervisor. The application is made pursuant to section 54 of the *Public Service Labour Relations Act (PSLRA)*.

[2] The application was received by the Public Service Labour Relations Board (the "Board") on November 2, 2006. The Board's Executive Director fixed the closing date as November 27, 2006. With its initial application, the bargaining agent included 48 membership cards. On the closing date, the PSAC provided the Board with a further 10 membership cards, for a total of 58 applications. According to the application, there are 106 employees in the proposed bargaining unit.

[3] The employer was required to post 50 notices in the workplace, from November 10 until November 27, 2006.

[4] The employer filed a Reply to the Application on November 21, 2006, and did not object to the application for certification. By letter dated November 23, 2006, the employer requested the exclusion of one position under paragraph 59(1)(h) of the *PSLRA* (managerial and confidential exclusion).

[5] The Board finds that the applicant is an "employee organization" as defined in section 2 of the *PSLRA*.

[6] The Board finds that all employees of the Staff of the Non-Public Funds, Canadian Forces, employed at the Canadian Forces Base Suffield, Alberta, save those above the rank of supervisor, constitute a unit appropriate for collective bargaining.

[7] The Board must certify an applicant employee organization where it is satisfied that a majority of employees in the bargaining unit wish that the applicant represent them as their bargaining agent (section 64 of the *PSLRA*). Based on the number of submitted membership cards, the Board is satisfied that there is evidence that a majority of the employees in the proposed bargaining unit wish to have the PSAC as their bargaining agent as of the date of the application. The outstanding issue of the managerial and confidential exclusion will not affect the outcome, as there is only one

position at issue. The exclusion application will either be resolved by the parties or the subject of a determination by the Board at a later date.

[8] Accordingly, the Board hereby certifies the applicant as bargaining agent for the bargaining unit described in paragraph 6, above, and a certificate will be issued.

[9] For all of the above reasons, the Board makes the following order:

(The Order appears on the next page)

Order

[10] The applicant is certified as the bargaining agent for all employees of the Staff of the Non-Public Funds, Canadian Forces, employed at Canadian Forces Base Suffield, Alberta, save those above the rank of supervisor.

December 12, 2006.

**Ian R. Mackenzie,
Acting Chairperson**