

Date: 20061117

File: 585-02-04

Citation: 2006 PSLRB 126



*Public Service
Labour Relations Act*

Before the acting Chairperson
Public Service Labour Relations Board

IN THE MATTER OF
THE *PUBLIC SERVICE LABOUR RELATIONS ACT*
and a dispute affecting
the Federal Government Dockyard Chargehands Association, as bargaining agent,
and the Treasury Board, as employer,
in respect of the employees in the Ship Repair Chargehands and Production
Supervisors Group.

Indexed as
Federal Government Dockyard Chargehands Association v. Treasury Board

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: Brian Keller, chairperson of the arbitration board;
James K.A. Hayes and Gray Gillespie, arbitration board members

For the Bargaining Agent: Thomas Denault, Federal Government Dockyard
Chargehands Association

For the Employer: Georges Hupé, Treasury Board

(Issued without an oral hearing)

[1] On August 30, 2006, the Federal Government Dockyard Chargehands Association requested the establishment of an arbitration board in respect of all the employees of the employer in the Ship Repair Chargehands and Production Supervisors Group and referred to section 136(1) of the *Public Service Labour Relations Act* (the *Act*) for so doing.

[2] Included with its request of August 30, 2006, the Federal Government Dockyard Chargehands Association provided a list of the terms and conditions of employment that it wished to have referred to the arbitration board. The terms and conditions of employment and supporting material are attached hereto as SCHEDULE I.

[3] By letter of September 15, 2006, the Treasury Board provided its position on the terms and conditions of employment that the Federal Government Dockyard Chargehands Association wished to have referred to the arbitration board. The Treasury Board also provided a list of additional terms and conditions of employment it wished to have referred to the arbitration board. That letter and supporting material are attached hereto as SCHEDULE II.

[4] The Federal Government Dockyard Chargehands Association by letter of October 5, 2006, provided additional comments concerning the employer's reply. That letter is attached hereto as SCHEDULE III.

[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 to SCHEDULE III 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.

November 17, 2006.

**Ian Mackenzie,
Acting Chairperson**