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File(s): 190-2-342

Citation: 2006 PSLRB 36



*Public Service
Staff Relations Act*

Before the Chairperson
Public Service Labour Relations Board

IN THE MATTER OF
THE *PUBLIC SERVICE STAFF RELATIONS ACT*
and a dispute affecting the
Professional Institute of the Public Service of Canada, as bargaining agent,
and the Treasury Board, as employer,
in respect of all the employees of the employer in the Computer Systems Group.

Indexed as:
*Professional Institute of the Public Service of Canada v.
Treasury Board*

TERMS OF REFERENCE OF THE CONCILIATION BOARD

To: Ken Norman, chairperson of the conciliation board;
Andrew Todd and Sandra Budd, conciliation board members

[1] By letter of February 21, 2006, the Professional Institute of the Public Service of Canada, pursuant to section 76 of the *Public Service Staff Relations Act* (the former *Act*), requested the establishment of a conciliation board in respect of all the employees of the employer in the Computer Systems Group.

[2] On April 1, 2005, the *Public Service Labour Relations Act* (the “new *Act*”), enacted by section 2 of the *Public Service Modernization Act*, S.C. 2003, c. 22, was proclaimed in force. This dispute arises out of a notice to bargain given under the former *Act*, and pursuant to section 58 of the *Public Service Modernization Act*, continues to be subject to sections 76 to 90.1 of the former *Act*, as those sections read immediately before the proclamation date.

[3] With its letter of February 21, 2006, the Professional Institute of the Public Service of Canada provided a list of the terms and conditions of employment that it wished to have referred to the conciliation board. That letter and the terms and conditions of employment are attached hereto as Schedule I.

[4] By letter of March 2, 2006, the Treasury Board provided one additional item to be included in the terms and conditions of employment that it wished to have referred to the conciliation board. That letter is attached hereto as Schedule II.

[5] The Professional Institute of the Public Service of Canada, by letter of March 7, 2006, replied to the employer’s letter of March 2, 2006. That letter is attached hereto as Schedule III.

[6] Accordingly, pursuant to section 84 of the former *Act*, the matters on which the conciliation board shall report its findings and recommendations to me in this dispute are those set out as outstanding in Schedules I, II and III attached hereto.

[7] 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 section 84 of the former *Act*, the only person authorized to make such a determination.

March 24, 2006.

**Yvon Tarte,
Chairperson**