

Date: 20071130

File: 585-35-11

Citation: 2007 PSLRB 113



*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 Canadian Institutes of Health Research, as employer,
in respect of the employees in the Administrative Support Category.

Indexed as
Public Service Alliance of Canada v. Canadian Institutes of Health Research

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: Ken E. Norman, chairperson of the arbitration board;
Mike McTaggart and A.D. (Tony) Boettger, arbitration board members

For the Bargaining Agent: Morgan Gay, Public Service Alliance of Canada

For the Employer: Gloria Tatone Blaker, Canadian Institutes of Health Research

(Decided without an oral hearing)

TERMS OF REFERENCE OF THE ARBITRATION BOARD

[1] On October 26, 2007, the Public Service Alliance of Canada requested the establishment of an arbitration board in respect of all the employees of the employer in the Administrative Support Category and referred to section 136 of the *Public Service Labour Relations Act* (the *Act*) for so doing.

[2] Included with its request of October 26, 2007, 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. The terms and conditions of employment and supporting material are attached hereto as SCHEDULE I.

[3] By letter of November 6, 2007, the Canadian Institutes of Health Research provided its position on the terms and conditions of employment that the employer wished to have referred to the arbitration board but did not provide 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 Public Service Alliance of Canada did not provide further comments to the Treasury Board's request for arbitration of additional matters (Form 9).

[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.

November 30, 2007.

**Casper Bloom, Q.C., Ad. E.,
Chairperson**