

Date: 20071219

File: 585-02-12

Citation: 2007 PSLRB 122



*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 Federal Government Dockyard Trades and Labour Council East,
as bargaining agent,
and the Treasury Board, as employer,
in respect of the employees in the Ship Repair-East (SO) Group.

Indexed as
Federal Government Dockyard Trades and Labour Council East v. Treasury Board

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: Jules B. Bloch, chairperson of the arbitration board;
James Hayes and Brian G. Johnston, arbitration board members

For the Bargaining Agent: Lorne W. Brown, Federal Government Dockyard
Trades and Labour Council East

For the Employer: Marc Thibodeau, Treasury Board

Decided on the basis of written submissions
filed on October 31, November 13 and November 20, 2007

TERMS OF REFERENCE OF THE ARBITRATION BOARD

[1] On October 31, 2007, the Federal Government Dockyard Trades and Labour Council East requested the establishment of an arbitration board in respect of all the employees of the employer in the Ship Repair-East Group and referred to section 136 of the *Public Service Labour Relations Act* (the *Act*) for so doing.

[2] Included with its request of October 31, 2007, the Federal Government Dockyard Trades and Labour Council East 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 13, 2007, the Treasury Board provided its position on the terms and conditions of employment that the employer 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] By letter of November 20, 2007, the Federal Government Dockyard Trades and Labour Council East provide further comments on the Treasury Board's additional terms and conditions of employment. That supporting material is attached hereto as SCHEDULE III.

[5] Pursuant to section 45 of the *Act*, the Chairperson has authorized me, in my capacity as Vice-Chairperson, to issue the present Terms of Reference of the Arbitration Board.

[6] 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.

[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 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.

December 19, 2007.

**Michele Pineau,
Vice-Chairperson**