

**Date:** 20091021

**File:** 525-02-22  
(XR 572-02-1655, 572-02-P2)

**Citation:** 2009 PSLRB 136



*Public Service  
Labour Relations Act*

Before the Public Service  
Labour Relations Board

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BETWEEN

**TREASURY BOARD**

Employer

and

**PUBLIC SERVICE ALLIANCE OF CANADA**

Bargaining agent

Indexed as  
*Treasury Board v. Public Service Alliance of Canada*

In the matter of a decision review under section 43 of the *Public Service Labour Relations Act*

**REASONS FOR DECISION**

***Before:*** Casper M. Bloom, Q.C., Ad. E., Chairperson

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(Decided without a hearing)

**Matter before the Board**

[1] On July 30, 2009, the employer, the Treasury Board, applied for an order declaring that positions in the Program and Administrative Services Group bargaining unit are managerial or confidential positions pursuant to section 71 of the *Public Service Labour Relations Act*. Position CGB-47011 formed part of that application.

[2] On August 28, 2009, the Public Service Labour Relations Board ("the Board") made an order in PSLRB File No. 572-02-1655 declaring that the positions identified in the annex to that order are managerial or confidential positions. Position CGB-47011 was identified in that annex.

[3] It was later discovered that, within the time limit set out in subsection 34(1) of the *Public Service Labour Relations Board Regulations*, the bargaining agent, the Public Service Alliance of Canada, had filed an objection to the exclusion of position CGB-47011.

[4] As an objection had been filed within the regulatory time limit in respect of the exclusion of position CGB-47011, the Board, in its order of August 28, 2009, mistakenly declared that position to be a managerial or confidential position. Under these circumstances, the Board amends the annex to its order of August 28, 2009, to delete any reference to position CGB-47011.

[5] The objection in respect of the exclusion of position CGB-47011 will be dealt with at a later date in accordance with the Board's usual practice.

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

*(The Order appears on the next page)*

**Order**

[7] The annex to the August 28, 2009, order in PSLRB File No. 572-02-1655 is amended to delete any reference to position CGB-47011.

October 21, 2009.

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