

Date: 20090714

File: 485-HC-42

Citation: 2009 PSLRB 88



*Parliamentary Employment and
Staff Relations Act*

Before the Chairperson
Public Service Labour Relations Board

IN THE MATTER OF
THE *PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT*
and a dispute affecting
the Public Service Alliance of Canada, as bargaining agent,
and the House of Commons, as employer,
in respect of all employees of the Employer in the Reporting and Text Processing Sub-
Groups in the Parliamentary Programs Group

Indexed as
Public Service Alliance of Canada v. House of Commons

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: Renaud Paquet, Joe Herbert and Ron LeBlanc,
Members of the Board for the purposes of the arbitration in the above-cited matter

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

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

For the Employer: Carole Piette, Counsel

Issued on the basis of written submissions,
dated June 8, 15, 23 and 24, 2009.

TERMS OF REFERENCE OF THE ARBITRATION BOARD

[1] By letter of June 8, 2009, pursuant to section 50 of the *Parliamentary Employment and Staff Relations Act (PESRA)*, the Public Service Alliance of Canada (“the bargaining agent”) requested arbitration in respect of all employees of the Employer in the Reporting and Text Processing Sub-Groups in the Parliamentary Programs Group. Along with its request, the bargaining agent provided a list of the terms and conditions of employment that it wished to refer to arbitration. Those terms and conditions of employment and supporting material are attached as schedule 1.

[2] Pursuant to Section 51 of the *PESRA*, the House of Commons (“the employer”) by letter of June 15, 2009, provided its position on the terms and conditions of employment that the bargaining agent wished to refer to arbitration. The employer also provided a list of additional terms and conditions of employment it wished to refer to arbitration. That letter and supporting material are attached as schedule 2.

[3] By letter of June 23, 2009, the bargaining agent provided its position on the additional terms and conditions of employment that the employer wished to refer to arbitration. In that same letter, the bargaining agent also raised an objection regarding the inclusion of the employer’s proposal on Appendix F - Seasonal Certified Indeterminate (SCI) Employees and asks that the last position taken by the employer at the bargaining table be submitted to the Board. That letter is attached as schedule 3.

[4] By letter of June 24, 2009, the employer responded to the bargaining agent’s objection by informing the Board that it had forwarded to the Board its proposed language concerning Appendix F. That letter is attached as schedule 4.

[5] Accordingly, pursuant to section 52 of the *PESRA*, the panel of the Board established for the purpose of the arbitration in this matter is to render an arbitral award on those matters in dispute that are set out as outstanding in schedules 1 to 4 attached hereto.

July 14, 2009

**Casper M. Bloom, Q.C., Ad. E.,
Chairperson
Public Service Labour Relations Board**