

Date: 20111219

File: 585-02-36

Citation: 2011 PSLRB 144



*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 Association of Justice Counsel, as bargaining agent,
and the Treasury Board of Canada, as employer,
in respect of the Law (LA) group bargaining unit

Indexed as
Association of Justice Counsel v. Treasury Board of Canada

TERMS OF REFERENCE OF THE ARBITRATION BOARD

To: François Bastien, chairperson of the arbitration board;
Paul Cavalluzzo and Jean-François Munn, arbitration board members

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

For the Bargaining Agent: Dougald E. Brown, Counsel

For the Employer: John Park, Treasury Board Secretariat

Issued on the basis of written submissions,
dated October 7, 20, November 2, 4 and 7, 2011.

[1] By letter of October 7, 2011, the Association of Justice Counsel (“the bargaining agent”) requested arbitration in respect of the Law (LA) group bargaining unit. 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] By letter of October 20, 2011, the Treasury Board of Canada (“the employer”) 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 November 2, 2011, the bargaining agent provided its position on the additional terms and conditions of employment that the employer wished to refer to arbitration. That letter is attached as schedule 3.

[4] By letter of November 4, 2011, the employer provided an amended Annex A to Form 9. That letter and supporting material are attached as schedule 4.

[5] By letter of November 7, 2011, the bargaining agent advised the Board it had no additional comments in response to the employer’s amended form 9. That letter is attached as schedule 5.

[6] Accordingly, pursuant to section 144 of the *Public Service Labour Relations Act* (the “Act”), the matters in dispute on which the arbitration board shall make an arbitral award are those set out in schedules 1 to 5 inclusive, which are attached to this decision.

[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 without delay to the Chairperson of the Public Service Labour Relations Board, who is, according to subsection 144(1) of the *Act*, the only person authorized to make such a determination.

December 19, 2011.

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