

**Date:** 20120214

**File:** 585-02-38

**Citation:** 2012 PSLRB 18



*Public Service  
Labour Relations Act*

Before the Chairperson  
Public Service Labour Relations Board

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IN THE MATTER OF  
THE *PUBLIC SERVICE LABOUR RELATIONS ACT*  
and a dispute affecting  
the Canadian Association of Professional Employees, as bargaining agent,  
and the Treasury Board of Canada, as employer,  
in respect of the Economics and Social Science Services (EC) group bargaining unit

Indexed as  
*Canadian Association of Professional Employees v. Treasury Board of Canada*

**TERMS OF REFERENCE OF THE ARBITRATION BOARD**

**To:** Yvon Tarte, chairperson of the arbitration board;  
William Krause and Guy Lauzé, arbitration board members

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

**For the Bargaining Agent:** Peter Engelmann, Counsel

**For the Employer:** Cynthia Nash, Treasury Board of Canada

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Issued on the basis of written submissions,  
dated December 14 and 28, 2011, and January 6, 2012.

## TERMS OF REFERENCE OF THE ARBITRATION BOARD

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[1] By letter of December 14, 2011, the Canadian Association of Professional Employees (“the bargaining agent”) requested arbitration in respect of the Economics and Social Science Services (EC) 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 December 28, 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 January 6, 2012, 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] 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 3 inclusive, which are attached to this decision.

[5] 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.

February 14, 2012.

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